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9-30-2024

**CITY OF ROSEBURG PLANNING COMMISSION**

**Monday, October 7, 2024 at 7:00 pm**

**City Hall Council Chambers**

**Public Access: Facebook Live at [www.Facebook.com/CityofRoseburg](https://www.Facebook.com/CityofRoseburg)**

**City website at <https://www.cityofroseburg.org/your-government/commissions/planning-commission/videos>**

**AGENDA**

1. **CALL TO ORDER**
2. **ROLL CALL**  
Jaime Yraguen, Chair                      Matt Brady                      Emily Brandt                      Janelle James  
Matthew Keller                      Jarrett Nielsen                      Shelby Osborn
3. **APPROVAL OF MINUTES**  
A. July 1, 2024 - Planning Commission Meeting
4. **AUDIENCE PARTICIPATION: See Information on the Reverse**
5. **PUBLIC HEARING**  
Quasi-Judicial Hearing; Roseburg File No. AN-24-001 & ZC-24-001
6. **BUSINESS FROM STAFF**  
A. FEMA Biological Opinion and its Impact to Roseburg Development  
B. UGB Swap Update
7. **BUSINESS FROM THE COMMISSION**
8. **NEXT MEETING – November 4, 2024**
9. **ADJOURNMENT**

The agenda packet is available on-line at:

<http://www.cityofroseburg.org/your-government/commissions/planning-commission/>

**The Planning Commission meetings can also be viewed on the City website the next day at: <https://www.cityofroseburg.org/your-government/commissions/planning-commission/videos>.**

**AMERICANS WITH DISABILITIES ACT NOTICE**

**Please contact the City Administration Office at least 48 hours prior to the scheduled meeting date if you need accommodations in accordance with the Americans with Disabilities Act. TDD users, please call Oregon Telecommunications Relay Service at 800-735-2900.**

## AUDIENCE PARTICIPATION INFORMATION

The Roseburg Planning Commission welcomes and encourages participation by citizens at all meetings. To allow the Commission to deal with business already scheduled, it is asked that anyone wishing to address the Commission follow these simple guidelines.

**Comments may be provided in one of three ways:**

- In person during the meeting in the Council Chambers, Roseburg City Hall, 900 SE Douglas Ave.
- Email by sending an email by 12:00 p.m. the day of the meeting to [cdd@cityofroseburg.org](mailto:cdd@cityofroseburg.org)
- Virtually during the meeting. Contact the Community Development Department by phone (541)492-6750 or email [cdd@cityofroseburg.org](mailto:cdd@cityofroseburg.org) by 12:00 p.m. the day of the meeting to get a link to the meeting.

**Provide your name, address, phone number and which item on the agenda you wish to speak.**

**When participating virtually, log or call in prior to the start of the meeting using the link or phone number provided.**

- When accessing the meeting through the **ZOOM link**, click "Join Webinar" to join the meeting as an attendee.
- When accessing the meeting through the **phone**, call the number provided.
- All attendees will be held in a "waiting room" until called on to speak.

**Persons addressing the Commission must state their name and address for the record, including whether or not they are a resident of the City of Roseburg. All remarks shall be directed to the entire Commission. The Commission reserves the right to delay any action requested until they are fully informed on the matter.**

### **CITIZEN PARTICIPATION – PUBLIC HEARING AGENDA ITEMS**

For public hearing items on the agenda you will be given an opportunity to address the Commission once the item is called. Public hearings typically begin with establishing those who have party status, (to be explained by the Chair), a report from staff, followed by Commission questions to staff, then the applicant along with anyone they wish to call as a witness on their behalf will be called to speak, followed by those with party status. After all initial testimony is completed there will be an opportunity for rebuttal. Everyone addressing the Commission is subject to questioning. After the hearing portion of the item is completed, the Commission will discuss the matter with a motion for consideration being presented and acted on.

Once final action is taken on Quasi-Judicial matters, the action of the Commission can be appealed to City Council within 14 calendar days of the decision by filing a Notice of Review with the Community Development Department. Action on Legislative matters is typically a recommendation to City Council and will be forwarded to them for final consideration.

### **CITIZEN PARTICIPATION – NON-AGENDA ITEMS**

If you wish to address the Commission on a matter not on the agenda, at the appropriate time, speakers who attend in person will be called up to speak by the Chair in the order in which they signed up. Speakers on Zoom (video or phone only) will be called on to speak by the Chair in the order in which they signed up. Persons addressing the Commission must state their full name and address, including whether or not they are a resident of the City of Roseburg, for the record. All remarks are to be directed to the Commission. For items not on the agenda the presentation should be brief and be on a topic of interest to the Planning Commission, such as a general land use matter. These presentations are reserved for new material which has not been previously considered. The Commission will not be taking action on any item presented under Audience Participation and if needed will provide direction to staff for appropriate follow-up.

For further details or information please contact the Community Development Department Monday through Friday, 8:00 a.m. to 5:00 p.m., at Roseburg City Hall, 900 SE Douglas Avenue, Third Floor, Roseburg OR 97470, phone number 541-492-6750, or e-mail [cmatthews@cityofroseburg.org](mailto:cmatthews@cityofroseburg.org).

**CITY OF ROSEBURG  
PLANNING COMMISSION MINUTES  
July 1, 2024**

**CALL TO ORDER**

Chair Yraguen called the meeting of the Roseburg Planning Commission to order at 7:00 p.m. on Monday, July 1, 2024 in the City Hall Council Chambers.

**ROLL CALL**

Present: Chair Jaime Yraguen, Commissioners Matt Brady, Emily Brandt, Matthew Keller, and Jarrett Nielsen.

Absent: Commissioners Janelle James, and Shelby Osborn.

Staff present: Community Development Director Stuart Cowie, Associate Planner Andy Blondell, and Department Technician Chrissy Matthews.

**APPROVAL OF MINUTES**

*Commissioner Brady moved to approve the May 20, 2024 minutes as submitted. The motion was seconded by Commissioner Keller and approved with the following vote: Chair Yraguen, and Commissioners Brady, Keller and Nielsen voted yes. No one voted no. Commissioner Brandt abstained.*

**AUDIENCE PARTICIPATION** – none.

**PUBLIC HEARING** –

Chair Yraguen read the procedures for the Legislative Amendment and General Rules of Conduct as referenced in the Roseburg Municipal Code and opened the public hearing.

No conflict of interest was disclosed by the commissioners.

**Legislative Amendment; Roseburg File No. CPA-24-001 (Douglas County Multi-Jurisdictional Natural Hazard Mitigation Plan).**

Blondell provided the staff report and provided a power point presentation on the Natural Hazard Mitigation Plan (NHMP) and discussed the following: Importance of a natural hazard mitigation plan, Driving force behind the NHMP, Communities involved, Hazards present in Douglas County, Hazard Probability and Vulnerability, and the benefits of participating in NHMP.

The final draft of the document will be provided to the Planning Commission once it is completed. The document is intended to be co-adopted by Douglas County and the eleven other incorporated cities within the County. County staff led the development of the plan, with grant assistance from the Oregon Department of Land Conservation and Development (DLCD), the Oregon Department of Emergency Management (OEM), and the Federal Emergency Management Agency (FEMA). Each city contributed staff to represent their respective jurisdictions.

Chair Yraguen asked if the NHMP can be amended once it's adopted.

Blondell stated the NHMP is effective for five years, but could be amended after that.

Cowie mentioned that amending the plan would require coordination among multiple jurisdictions, and provided the example of extreme heat which was added as a hazard, along with strategies for mitigation. Blondell noted that a survey was sent out for input, and was also available in the Community Development Department.

Commissioner Nielsen asked what prevents the city from identifying a problem and fixing it directly.

Cowie stated the city identified the need for backup generators, and purchased them instead of seeking funding. He explained that having a plan enables the city to access federal FEMA dollars to assist with funding. While obtaining FEMA funding is challenging, the plan makes the city eligible to apply for funding. Roseburg High School and Freemont Middle School were identified in the previous hazard plan as needing seismic upgrades and received funding. By having a plan in place, FEMA is more likely to provide the necessary relief funding to mitigate disasters.

Cowie stated the proposal is to adopt the Douglas County Multi-Jurisdictional Natural Hazard Mitigation Plan (NHMP) by reference into the Roseburg Urban Area Comprehensive Plan.

Blondell mentioned that the comprehensive plan amendment would serve as a land use component.

Nielsen questioned the benefits, drawbacks, and costs, noting that the proposal didn't outline a plan of action or solutions. A discussion ensued.

Blondell clarified that there would be no cost involved, and that participating in the plan would provide opportunities for grant funding.

Brandt asked how the evaluation of costs is handled and how hazards and their associated costs are identified.

Cowie mentioned that in the 5-year plan, action items like seismic upgrades for school gymnasiums were addressed, and subsequently removed from the plan.

Blondell added that the water line on Stephens Street was funded by the city, so it was also removed from the plan.

Cowie stated the NHMP is to mitigate hazards before they turn into a disaster. For example, removing trees along roadways to prevent them from falling during storms. Once the NHMP is in place, FEMA grants can be applied for in the hope of obtaining FEMA funding.

Brady asked if there were situations where other counties lacked a plan or had an inadequate plan preventing them from obtaining disaster assistance.

Blondell mentioned that due to the gap in the NHMP from September 2022 until now, Reedsport experienced levy issues. The City of Reedsport had to push for more funding to fix the issues.

Based on the applicable criteria, staff recommended the Planning Commission adopt the Findings of Fact and Order, indicated in Exhibit B, recommending City Council approve the Legislative Amendment.

With no further discussion, the public hearing was closed.

*Commissioner Brady moved to adopt the Findings of Fact and Order as presented, and recommend the City Council approve File No. CPA-24-001, adopting the proposed legislative amendment. The motion was seconded by Commissioner Nielsen and approved with the following vote: Chair Yraguen, and Commissioners Brady, Brandt, and Keller voted yes. Nielsen voted no. Motion passed four in favor and one opposed.*

**BUSINESS FROM STAFF –**

Cowie stated the Urban Grown Boundary Swap update will be presented to City Council on July 22, 2024.

Individuals that signed up to receive UGB Swap updates are notified each time an update occurs. The UGB ordinance includes language stating that it will not take effect unless approved by the County Board of Commissioners. If both the City Council and the County Board of Commissioners adopt the UGB Swap, there is a Land Use Board of Appeals period.

**BUSINESS FROM COMMISSION –**

Commissioner Nielsen asked if there were plans for the old Payless and Safeway sites.

Cowie stated the property has been purchased by the Cow Creek Band of Umpqua Tribe of Indians. While no public plans have been announced yet, there is excitement about the potential transformative impact on the downtown area. If the proposed plans comply with zoning regulations, they will not require commission approval.

**ADJOURNMENT** - The meeting adjourned at 7:57 p.m. The next meeting is scheduled for August 5, 2024.



Chrissy Matthews  
Department Technician

**CITY OF ROSEBURG  
PLANNING COMMISSION  
STAFF REPORT**



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**MEETING DATE: OCTOBER 7, 2024**

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**TO:** Planning Commission  
**FROM:** Andy Blondell, Associate Planner/Stuart Cowie, Community Development Director  
**SUBJECT:** AN-24-001 & ZC-24-001

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**PROJECT SUMMARY & PROCEDURES:**

Levi Huffman Engineering on behalf of Sherry Scallon Kearney, property owner, submitted applications for approval of an annexation and zone change of a 5.27+/- ac. unit of land. The proposed annexation would bring the parcel into Roseburg City Limits and would change zoning from Medium-Industrial (M2) to Mixed-Use (MU). The subject property has an Industrial Comprehensive Plan designation. The property is currently addressed 255 NE General Avenue and has one modular office building. The property can further be described on the Douglas County Assessors Map as Township 27 South, Range 06 West, Willamette Meridian, Section 01AC, Tax Lot 1800; R61092. The purpose of the zone change is to enable the applicant to develop a mini-storage facility, a use allowed within the MU zone, but not the M2 zone.

The annexation/zone change is a quasi-judicial land use action, as listed within Section 12.10.010(R) of the Roseburg Municipal Code (RMC). Therefore, the request shall be heard by the Planning Commission for a recommendation to City Council. The notice requirements prescribed by Section 12.10.010 of the RMC have been provided by City staff in anticipation of the public hearing and the hearing shall follow the procedures outlined within Section 12.10.010(T) of the Roseburg Municipal Code.

**APPLICABLE CRITERIA:**

The applicant's request for annexation and concurrent zone change was reviewed by the City, as shown within the attached findings of fact, based on the applicable criteria as follows from the Roseburg Municipal Code:

RMC Section 12.10.040 – "Zone Change"

1. The rezoning will conform to the Roseburg Urban Area Comprehensive Plan, including the land use map and written policies.
2. The site is suitable to the proposed zone with respect to the public health, safety, and welfare of the surrounding area.
3. The rezone is consistent with the safety and performance measures of the transportation system.

### **STAFF RECOMMENDATION:**

Based on the information provided in the Findings document, Staff finds the proposed annexation and zone change request meets the criteria of ORS 222.125, Roseburg City County Resolution 2006-04 (Annexation Policies), and Roseburg Municipal Code. Therefore, it is recommended the Planning Commission approve files AN-24-001 & ZC-24-001, based on the findings of fact attached as Exhibit A.

### **OPTIONS:**

- Adopt Findings of Fact referring the request to City Council with a recommendation that City Council approve the annexation and zone change request.
- Continue consideration of the request.
- Adopt Findings of Fact referring the request to City Council with a recommendation that City Council deny the annexation and zone change request.

### **SUGGESTED MOTION:**

I MOVE TO ADOPT THE FINDINGS OF FACT AS PRESENTED, AND REFER THE REQUEST TO CITY COUNCIL, RECOMMENDING APPROVAL OF THE REQUESTED ANNEXATION AND ZONE CHANGE, REFERENCED AS FILE NO'S. AN-24-001 & ZC-24-001.

### **Exhibit:**

A – Findings of Fact

**Exhibit A**

In the matter of the )  
Annexation & Zone Change ) Annexation & Zone Change  
request by ) File No's. AN-24-001 & ZC-24-001  
Sherry Scallon Kearney )

**BEFORE THE ROSEBURG PLANNING COMMISSION  
FINDINGS OF FACT AND ORDER**

**I. NATURE OF APPLICATION**

Levi Huffman on behalf of Sherry Scallon Kearney, property owner, submitted applications for approval of an annexation and zone change of a 5.27+/- ac. unit of land. The proposed annexation would bring the parcel into Roseburg City Limits and would change zoning from Medium Industrial (M2) to Mixed-Use (MU). The subject property has an Industrial Comprehensive Plan designation. The property is currently addressed 255 General Avenue. The property can further be described on Douglas County Assessors Map as Township 27 South, Range 06 West, Willamette Meridian, Section 01AC, Tax Lot 1800; R61092. The purpose of the zone change is to enable the applicant to develop a mini-storage facility, a use allowed within the MU zone, but not the M2 zone.

The annexation and zone change request will be evaluated pursuant to Land Use and Development Regulations Chapter 12.10.040 and all other applicable sections of the Roseburg Municipal Code.

**II. FINDINGS OF FACT**

**A. EXISTING CONDITIONS**

1. The Planning Commission takes official notice of the Roseburg Urban Area Comprehensive Plan adopted by City Council Ordinance No. 2980 on December 9, 1996 and of Title 12, Land Use and Development Regulations of the Roseburg Municipal Code (RMC), as originally adopted July 1, 1984, and re-adopted in Ordinance No. 3497 on May 1, 2018.
2. Notice of the public hearing was given by publication in The News Review, a newspaper of general circulation, at least 20 days prior to the hearing. Notice of the public hearing was mailed to all owners of property within 300 feet of the property 20 days prior to the hearing.
3. The subject property is described on Douglas County Assessors Map as Township 27 South, Range 06 West, Willamette Meridian, Section 01AC, Tax Lot 1800; R61092.
4. The subject property is 5.27+/- acres, is designated by the Comprehensive Plan as Industrial and is currently zoned Medium Industrial (M2).
5. Levi Huffman on behalf of the property owner Sherry Scallon Kearney applied for an annexation and zone change to bring the property into Roseburg City Limits and change the zone of the subject property from Medium Industrial (M2) to Mixed-Use (MU).



**B. AGENCY COMMENTS**

Comments regarding the zone change request were solicited from the Fire Department, Public Works Department, Douglas County Building Department, County Public Works Department, ODOT and Roseburg Urban Sanitary Authority.

ODOT was the only agency that provided written comments. In order to adequately address Statewide Planning Goal 12 – Transportation (OAR 660-012-0060), ODOT indicated that a traffic impact analysis be completed or a “trip cap” be instituted limiting allowable trips associated with the MU zoning to a reasonable development scenario in the existing M2 zone. These comments are part of the record and have been incorporated, into the conditions of approval at the end of these findings of fact.

**C. PUBLIC COMMENTS**

The Community Development Department notified all owners of adjacent and neighboring properties per ORS 197.610 and RMC 12.10.030. No comments were received.

**D. PUBLIC HEARING**

A public hearing was held on September 16, 2024 regarding the matter of the annexation and zone change request.

**E. APPLICABLE CRITERIA**

The applicable approval criteria for the subject annexation and zone change is contained within the following:

**1. ORS 222.125, “Annexation by consent to allow owners of land,” the following criteria must be demonstrated:**

*A) Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.*

**Finding:** The subject property is contiguous with the city limits of Roseburg, and the applicant has given written consent, by applying for the annexation, to be annexed into the city. The legal description was provided by the applicant on a location map referencing deed document no. 2021-016386.

In the recorded deed document the property is described as a portion of lot 3, Edenbower Orchard Tracts as the same is recorded in book 4, page 56 in the plat records of Douglas County, Oregon said portion being more particularly described as follows;

Beginning at a 5/8” iron rod set at the Northwest corner of the above said lot 3; thence along the North line of said lot 3 South 88°50’ East 634.79 feet to a 5/8’ iron rod; thence South 00°58’17” West 361.06 feet to a 5/8” iron rod as set in the North line of General Avenue; thence along said North line North 88°50’ West 636.40 feet to a 3/4” iron rod; thence along the West line of the above said lot 3 North 01°13’30” East 361.06 feet to the place of beginning.

2. Pursuant to City of Roseburg Resolution 2006-04, "Annexation Policies," the following Policies shall be adhered to:

*A) ANNEXATION ENCOURAGED. Over time, the City of Roseburg shall be the primary provider of municipal water service and other urban services within the UGB, provided the City can offer these services in an efficient and cost-effective manner.*

*Annexation to the City should be encouraged:*

*- For unincorporated areas that are now receiving some City services, are urban in character, or are logically served by the City because of geographic factors such as drainage basins, boundaries, or environmental constraints;*

*- Where the availability of infrastructure and services allows for the development of urban densities.*

**Finding:** The subject property can logically be served by the City given that it is surrounded by properties that are already benefitting from city services. Infrastructure and services necessary for urban densities can be provided when approval is granted for development consistent with the proposed zoning.

*B) CITY INITIATED ANNEXATION. If the City initiates an annexation, then the City shall analyze the financial impacts of the annexation including a calculation of revenues derived from a proposed annexation and the expenses to provide services in the area to be annexed.*

**Finding:** The City has not initiated this annexation.

*C) FULL RANGE OF CITY SERVICES IN TIMELY MANNER. The City shall not initiate annexation proceedings on any property if it cannot provide a full range of City services within approximately a three-year period of time. A full range of City services means a level of urban services approximately similar to that enjoyed by residents currently living in the City of Roseburg.*

**Finding:** Surrounding properties of the subject property are already serviced by municipal water and sewer. Roseburg Urban Sanitary Authority services the property with a sewer service lateral. The frontage street is improved with curb, gutter, sidewalk, and storm water collection. The property is not currently served by city water nor does it have a well to draw from. Extending city water service to the property is mandatory and shall be provided within a timely manner.

*D) PREFERENCE FOR ANNEXATION AREAS. Highest preference for annexation shall be given to those areas that best meet annexation policies and where revenues derived from the annexed areas exceed City expenses. Lowest preference shall be given to those annexation requests that exhibit a negative financial situation for the City of Roseburg or only minimally meet City annexation policies. Fiscal impacts are only one of many criteria to be evaluated, and must be balanced with other annexation policies and goals.*

**Finding:** The subject property lies adjacent to the existing City boundary and has, or can have, urban services provided to it in a cost-effective manner consistent with logical growth patterns.

E) UNINCORPORATED ISLANDS. *Property that is currently surrounded by land within the City limits (unincorporated islands) shall be discouraged. As soon as practical, the City shall initiate annexation proceedings for such islands.*

**Finding:** The subject property is directly adjacent to Roseburg City Limits and is not considered an unincorporated island.

F) PROPERTIES NOW SERVED BY MUNICIPAL WATER BUT LOCATED OUTSIDE EXISTING CITY LIMITS. *Property owners now receiving municipal water service from the City of Roseburg are encouraged to initiate annexation proceedings on their property consistent with these policies.*

**Finding:** The subject property and the surrounding properties are or can be served by municipal water service. The property is not currently being served by City water, however, the applicant will be required to obtain a city water meter for the property upon application for development. The city shall provide the property with water upon request.

G) NEW CONSENT TO ANNEXATION AGREEMENTS PROHIBITED. *After Council adoption of a change to Roseburg Municipal Code 5.04.060, no new municipal water service shall be provided unless the property is annexed to the City of Roseburg.*

**Finding:** The property owners have requested annexation of the subject property to facilitate future development and the extension of City Services to benefit the site. In order to allow for these service extensions, the property must be annexed into Roseburg City Limits.

### 3. Roseburg Municipal Code 12.10.040(D):

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

**Findings:** The property is located within the Roseburg Urban Growth Boundary in an area that is designated Industrial in the Comprehensive Plan. Regarding zoning designations, the current zoning for the property is Medium Industrial (M2) and it is surrounded by County-zoned Medium Industrial (M2) parcels to the west and north, City-zoned Medium Industrial (M2) zoning to the east, and Mixed-Use (MU) property to the south. The proposed MU zone conforms to the Comprehensive Plan under the Low-Density Industrial Comprehensive Plan designation, and therefore does not require a Comprehensive Plan amendment.

Staff finds the rezoning meets this criterion.

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

**Findings:** The site is suitable for the proposed zone change as it is surrounded by like zoning and uses. All utilities are available to the subject property and will ensure that public safety and welfare requirements in the area will continue to be satisfied with future development on the property. The proposed Zoning District is compatible with existing adjacent development as well as future permissible development, and as such is presumably no less suitable than the existing Zoning.

Staff finds the rezoning meets this criterion.

*C) The zone change is consistent with the safety and performance measures of the transportation system.*

**Findings:** The locally-classified street network that serves the subject property is consistent with the safety and performance measures of the transportation system. The property is served by General Ave. and any future development on the subject property will gain access off of General Ave. The proposal to convert the zoning to MU will not compromise the existing roadways this property benefits, and all future development would be required to meet access standards determined by the Transportation System Plan, RMC and Public Works standards.

As a precautionary measure to align with Oregon Statewide Planning Goal 12 and the Oregon Department of Transportation's recommendations, trip generation for the proposed development shall be capped at 550 total daily trips. The proposed mini-storage facility is calculated at 143 weekday trips, which falls well beneath the trip cap being imposed on the property.

Staff finds the rezoning meets this criterion with the trip cap in place.

Any future uses on the property other than the proposed storage facility, will require a memorandum identifying the proposed use and calculating daily trips to be submitted by a licensed Oregon Traffic Engineer with all new, expanded or changed uses at the site to ensure that the trip generation stay below the cap of 550 total daily trips. Prior to approval of a future use that may exceed 550 daily trips, a favorable traffic impact study must be performed and new deeds removing the trip cap shall be recorded.

### **III. CONCLUSION**

Upon review of the application, and other materials referenced as File AN-24-001 & ZC-24-001, and after conclusion of the Public Hearing and all testimony provided herein, the Planning Commission concludes that the application by Levi Huffman on behalf of the property owner Sherry Scallon Kearney satisfies the approval criteria, therefore warranting the approval of the zone change as requested.

### **IV. ORDER**

Based on the Findings and Conclusions above, the Planning Commission refers the annexation and zone change request to the City Council recommending **APPROVAL** of the annexation and zone change, as contained within file AN-24-001 & ZC-24-001 and subject to the conditions as follows:

1. The applicant shall obtain Site Plan Review and Building Permit Approval prior to the commencement of any construction of the subject property.
2. The applicant shall record a deed instrument indicating a trip cap of no more than 550 daily trips based upon the possible uses allowed within the current Medium Industrial (M2) zone. Prior to any future uses that may occur on the property with the new Mixed-Use (MU) zone, which would exceed 550 daily trips, a favorable traffic impact study must be performed and new deeds removing the trip cap shall be recorded.
3. Any future development of the property shall fully conform to all the applicable standards and requirement of the Roseburg Municipal Code.

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Jaime Yraguen, Planning Commission Chair

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Date

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Stuart Cowie, Community Development Director

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Date

**Planning Commission Members:**

Jaime Yraguen, Chair  
Shelby Osborn, Vice Chair  
Janelle James  
Matthew Brady  
Emily Brandt  
Matthew Keller  
Jarrett Nielsen

**Attachments:**

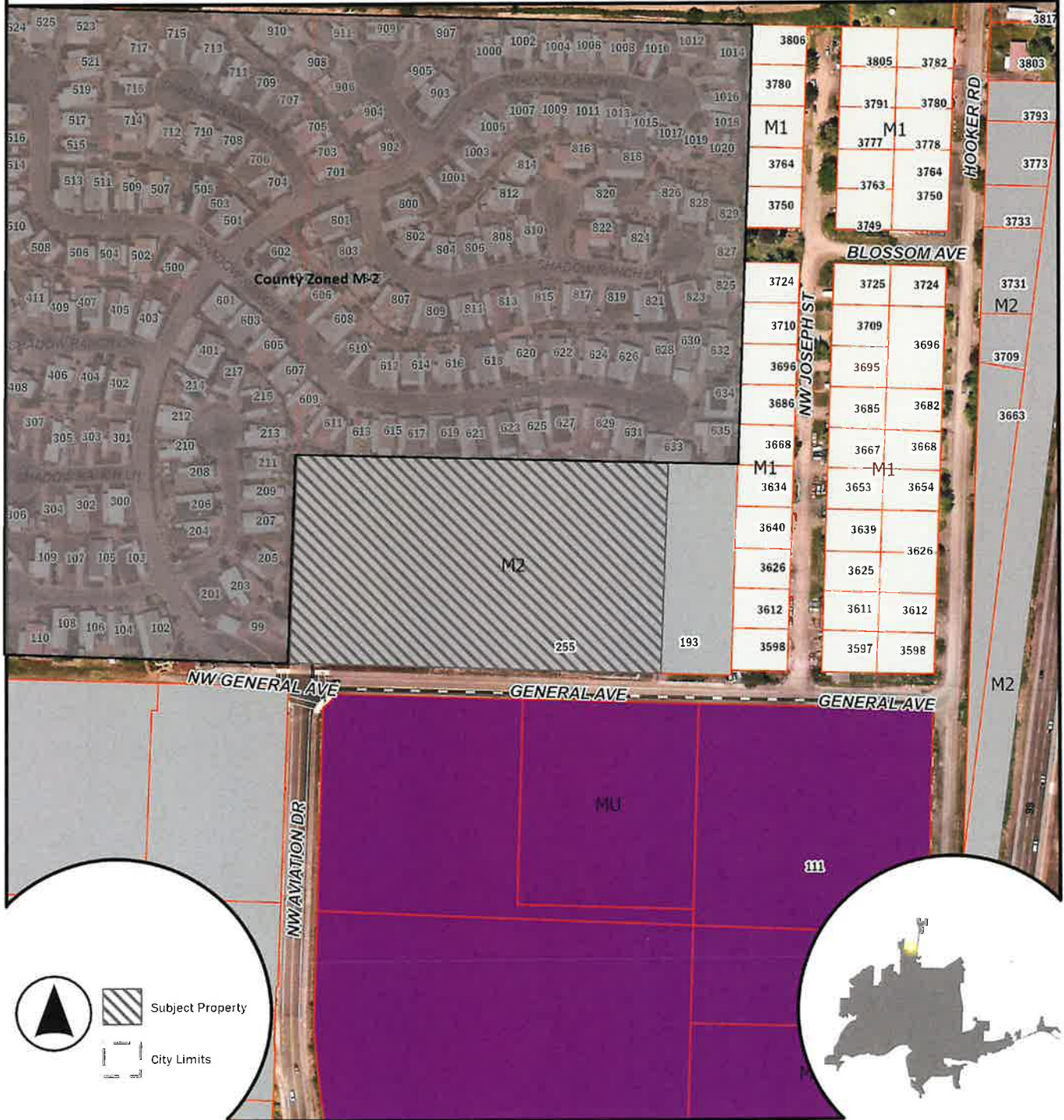
Attachment 1: Current Zoning Map  
Attachment 2: Proposed Zoning Map  
Attachment 3: Property Line Survey Map  
Attachment 4: Site Plan

# ATTACHMENT #1



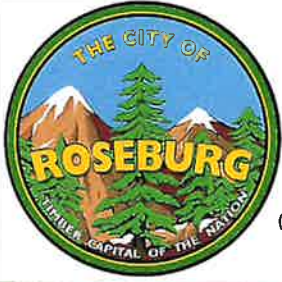
## Zoning Map 255 General Avenue AN/ZC-24-001

T27S R6W SEC01AC TL01800 R61092  
Community Development Department | 900 SE Douglas Ave., Roseburg, OR 97470 | (541)492-6750



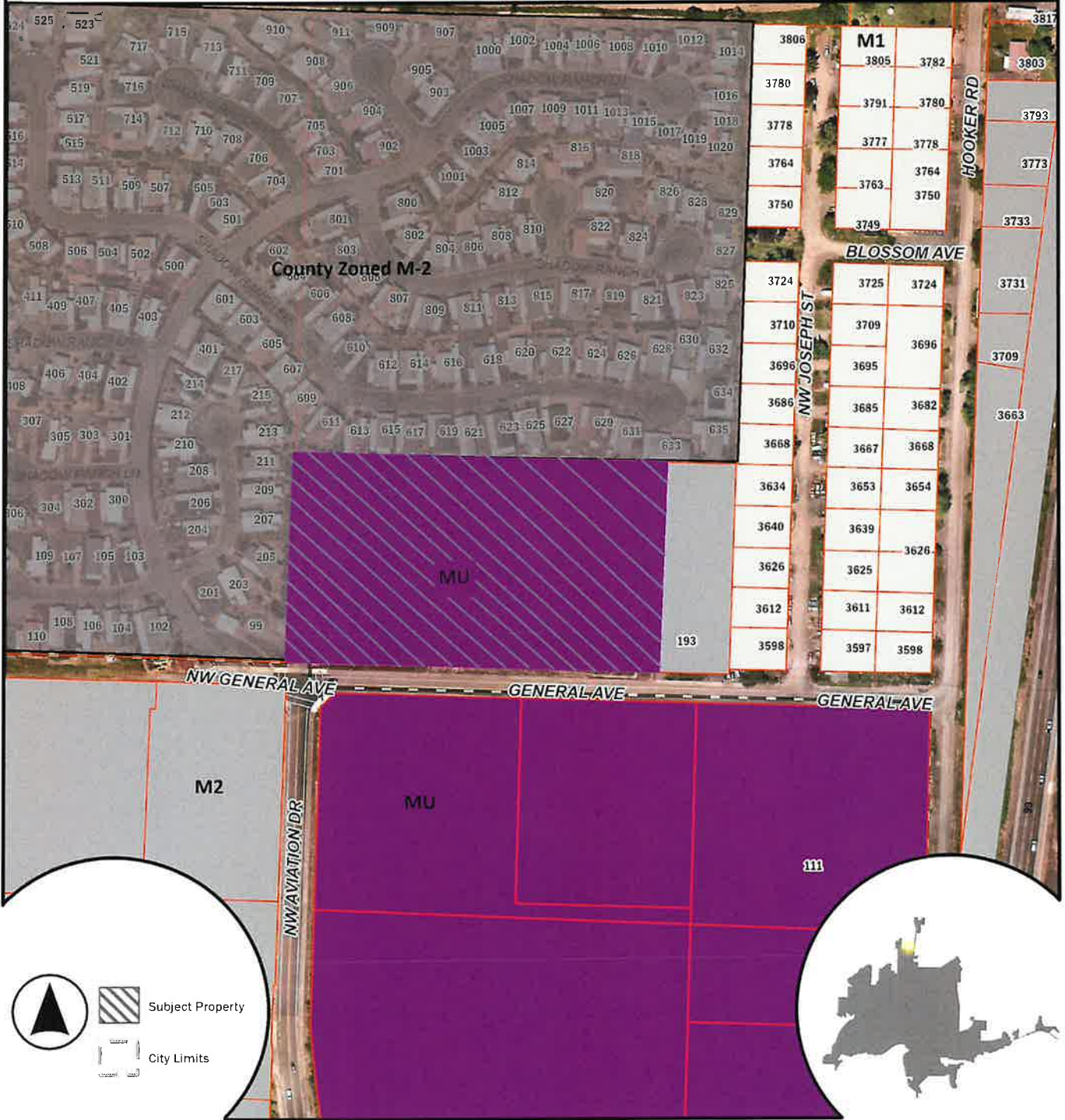
This map is intended for informational purposes and is not suitable for legal engineering or surveying purposes. The City of Roseburg is not responsible for map errors, omissions, misuse, or misinterpretation. Not for determining legal ownership or identification of property boundaries.

# ATTACHMENT #2



## Proposed Zoning Map 255 General Avenue AN/ZC-24-001

T27S R6W SEC01AC TL01800 R61092  
Community Development Department | 900 SE Douglas Ave., Roseburg, OR 97470 | (541)492-6750



This map is intended for informational purposes and is not suitable for legal engineering or surveying purposes. The City of Roseburg is not responsible for map errors, omissions, misuse, or misinterpretation. Not for determining legal ownership or identification of property boundaries.

# ATTACHMENT #3

## NARRATIVE:

THIS SURVEY WAS COMPLETED AT THE REQUEST OF HEVILUUFPMAN ENGINEERING LLC FOR HIS CLIENT SHERREY KEARNEY  
 THE BASIS OF MEASUREMENTS IS BETWEEN MONUMENTS NUMBER 100 & 101 OREGON COORDINATE REFERENCE SYSTEM (CCRS), HORIZONTAL DATUM: NAD 83, VERTICAL DATUM: NAVD 83, ZONE: CANYONVILLE (600) GROUND DISTANCE, GRID BEARING  
 FOR THE MONUMENT RESOLVE: 118.33 MONUMENTS AS SHOWN AND THE RECORD RESOLVE: FROM DOUGLAS COUNTY RECORD SURVEY NO. M177-09  
 AS WITNESSED ON THE GROUND THERE ARE RAIN DRAINS FROM THE MOBILE HOME PARK MOUNTED AT THE SLOPE OF THE SURVEYED PARCEL AND ALL OF THE SURROUNDING PROPERTIES DRAIN NATURALLY ONTO THE SITE

## REFERENCES:

- SURVEYS:  
 1 - VOL. 4, P. 96  
 2 - M177-09  
 3 - M177-09  
 DEEDS:  
 1 - 2021-016386

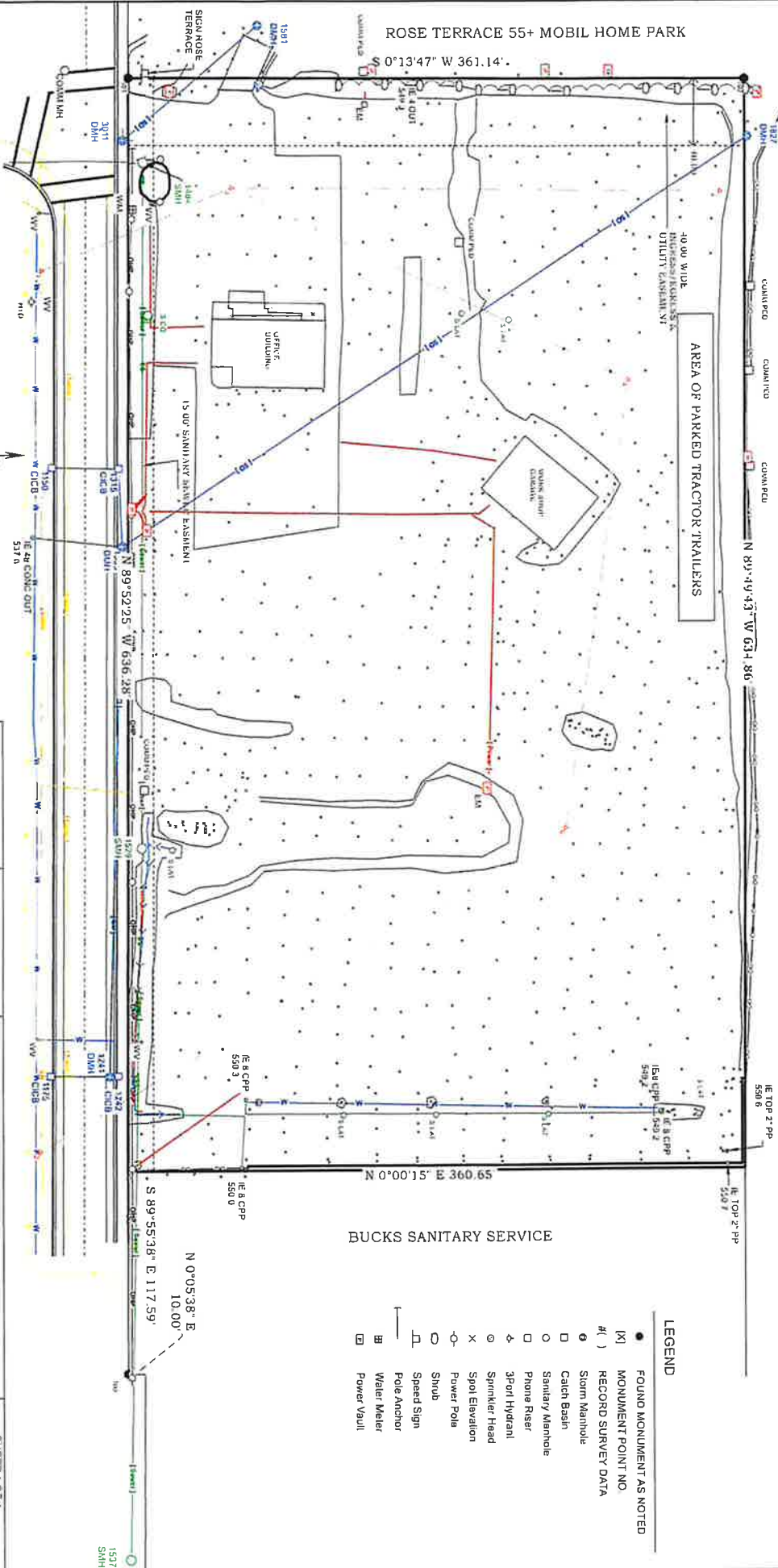
## MONUMENT NOTES:

- 1101  
 FOUND A 5/8" IRON ROD, HELD PER CS NO. M177-09  
 FOUND A 1 1/2" IRON ROD IN SIDEWALK, HELD PER CS NO. M177-09

## DEED DOCUMENT NO. 2021-016386, METES & BOUNDS DESCRIPTION

A PORTION OF LOT 2, EUBANKER OCEAN AND TRAILS, AS THE SAME IS RECORDED IN BOOK 4, PAGE 50 IN THE PLAT RECORDS OF DOUGLAS COUNTY, OREGON, SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 BEGINNING AT A 5/8" IRON ROD SET AT THE NORTHWEST CORNER OF THE ABOVE SAID LOT 2, THENCE ALONG THE NORTH LINE OF SAID LOT 2 SOUTH BY S 89° 55' 38" E 334.79 FEET TO A 5/8" IRON ROD; THENCE SOUTH BY S 89° 55' 38" E 334.79 FEET TO A 5/8" IRON ROD; THENCE SOUTH BY S 89° 55' 38" E 334.79 FEET TO A 5/8" IRON ROD; THENCE SOUTH BY S 89° 55' 38" E 334.79 FEET TO A 5/8" IRON ROD; THENCE ALONG THE WEST LINE OF THE ABOVE SAID LOT 2 NORTH BY N 13° 30' 43" EAST 101 FEET TO THE PLACE OF BEGINNING.

## ROSE TERRACE 55+ MOBIL HOME PARK



## LEGEND

- FOUND MONUMENT AS NOTED
- (M) MONUMENT POINT NO.
- (R) RECORD SURVEY DATA
- Storm Manhole
- Catch Basin
- Sanitary Manhole
- Phone Riser
- ◇ 3/4" Hydrant
- × Sprinkler Head
- Spot Elevation
- Power Pole
- Shrub
- Speed Sign
- Pole Anchor
- Water Meter
- Power Vault



REGISTERED PROFESSIONAL LAND SURVEYOR  
 SHERREY KEARNEY  
 3440 DORRICK COURT, NW  
 SEASIDE, OREGON 97138  
 503.746.4444  
 skey@seasidesurveying.com

PROPERTY LINE SURVEYING  
 3440 DORRICK COURT, NW  
 SEASIDE, OREGON 97138  
 503.746.4444  
 propertylinesurveying.com

TOPOGRAPHIC SURVEY FOR  
 SHERREY KEARNEY  
 IN THE SW 1/4 OF THE NE 1/4 OF SECTION 1,  
 TOWNSHIP 22 SOUTH, RANGE 6 WEST, W.M.,  
 DOUGLAS COUNTY, OREGON,  
 BEING THOSE LANDS DESCRIBED IN DEED  
 INSTRUMENT NO. 2021-016386,  
 DOUGLAS COUNTY DEED RECORDS

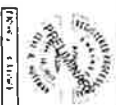
SHEET 1 OF 1
DRAWN BY: JDT
FIELD CREW: JDT & JLT
EQUIPMENT: TRIMBLE S711 SCIPERS
FIELD WORK: 1/28 - 2/2, 2024
JOB: 2023055
FILE NAME: 2023055 Kearney TRV
REVISION: 7/28/2024



# ATTACHMENT #4

STORAGE FACILITY  
KORY KEARNEY

255 GENERAL AVE  
ROSEBURG, OR 97470  
541 315 6901



REV	DATE	DESCRIPTION

DOCUMENT TYPE:  
PRELIMINARY

DATE:  
6/17/2024

PROJECT #:  
78-01

SHEET SCALE:  
AS SHOWN

DRAWN	CHECKED	REVIEWED

SHEET NAME

PLAN VIEW - CIVIL  
SITE PLAN

# C2.0



1 PLAN VIEW - CIVIL SITE PLAN  
Scale: 1" = 40'

KEYED NOTES:

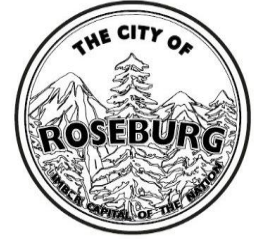
1. ACCESS GATE ENTRANCE
2. NEW 20'-0" WIDE ACCESS ROAD PER INTERNATIONAL FIRE CODE REQUIREMENTS
3. EXISTING FIRE HYDRANT

EX CONDITIONS/DEMOLITION LEGEND

	PROPERTY BOUNDARIES
	EXISTING EASEMENT
	DIRECTION OF TRAFFIC
	NEW ASPHALT PAVEMENT
	NEW LANDSCAPING
	PROPOSED LIMITS OF NEW BUILDINGS
	PROPOSED WATER RETENTION BASIN

CIVIL SITE NOTES  
EXISTING SITE PROPERTY LINES ARE PER TAX ASSESSOR MAP. SITE FEATURES, PROPERTY LINES AND PROPOSED STRUCTURES LOCATION MAY CHANGE ONCE SITE SURVEY IS COMPLETED.

# CITY OF ROSEBURG PLANNING COMMISSION AGENDA ITEM REPORT



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**Meeting Date: October 7, 2024**

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**To:** Roseburg Planning Commission

**From:** Stuart Cowie, Community Development Director

**Request:** FEMA Biological Opinion and its Impact to Roseburg Development

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## **ISSUE STATEMENT AND SUMMARY**

The Federal Emergency Management Agency (FEMA) has announced the start of their Pre-Implementation Compliance Measures (PICM) for National Flood Insurance Program (NFIP) participating communities. These new compliance measures will significantly impact development requirements for properties located within the designated floodplain. According to FEMA, the intent of the PICM is to ensure the continued existence of threatened or endangered species in compliance with the Endangered Species Act (ESA). The purpose of this agenda item is to make the Planning Commission aware of the situation and the PICM decision the City must make no later than December 1, 2024. A similar presentation was given to City Council September 9, 2024.

## **BACKGROUND**

### **A. Analysis.**

In 2016, the National Marine Fisheries Service issued a Biological Opinion (BiOp), which recommended changes to the implementation of the NFIP in Oregon. In part due to the BiOp, FEMA has drafted a specific Oregon NFIP-ESA Implementation Plan. The draft of this plan is currently under a National Environmental Policy Act (NEPA) evaluation. Release of the Final Implementation Plan is anticipated by 2026, with full implementation occurring in 2027.

In the interim, FEMA is requiring that all participating NFIP communities select one of three PICM pathways as identified by FEMA.

These PICMs must be in place until the release of the Final Implementation Plan. The three PICM pathways are as follows:

1. Adopt a model ordinance that considers impacts to species and their habitat and requires mitigation to a no net loss standard.
2. Choose to require a habitat assessment and mitigation plan for development on a permit-by-permit basis.
3. Put in place a prohibition on floodplain development in the Special Flood Hazard Area.

Communities must choose a PICM pathway by December 1, 2024. If a community fails to inform FEMA of its selection, they will default to the permit-by-permit pathway identified in option #2. Communities will be required to report their floodplain development activities to FEMA beginning in January of 2025. Failure to report may result in a compliance visit.

As a part of the PICM, FEMA has delayed the processing of two types of Letters of Map Changes within the floodplain, specifically Letters of Map Changes associated with the placement of fill in the floodplain: Conditional Letter of Map Revision Based on Fill (CLOMR-F) and Letter of Map Revision Based on Fill (LOMR-F) requests. This action was specifically requested by the National Marine Fisheries Service (NMFS) in their 2016 BiOp and serves to remove any perceived programmatic incentive of using fill in the floodplain. This delay in processing began on August 1, 2024, and will be in place until the Final Implementation Plan is released.

Communities throughout Oregon have expressed concerns about the implementation of these new requirements, the timing in which it must be completed, and the affect it could have on future development within the floodplain. Attached are two letters of concern written to FEMA, one by members of the Oregon Congressional Delegation and the second by Governor Tina Kotek concerning these new requirements.

**B. Financial/Resource Considerations.**

Implementation of the new PICM pathways will be staff intensive, requiring possible implementation of new floodplain code and permit-by-permit analysis. In addition, these new requirements will add significant cost for public and private developers to provide the analysis necessary to show no net loss to the species and their habitat.

**C. Timing Considerations.**

A decision concerning the PICM pathways must be submitted to FEMA by December 1, 2024. Staff's intent is to bring this matter to Council during their November 18, 2024 meeting in order to convey more of what we have learned about our possible options and the best way we feel to move forward.

**PLANNING COMMISSION OPTIONS**

This is for informational purposes only. No Planning Commission action is required at this time.

**STAFF RECOMMENDATION**

This is for informational purposes only. No recommendation is being provided.

**SUGGESTED MOTION**

*No motion suggested.*

**ATTACHMENTS:**

Attachment #1 – Letter of concern from members of Oregon Congressional Delegation  
Attachment #2 – Letter of concern from Governor, Tina Kotek

**Congress of the United States**  
**Washington, DC 20515**

August 22, 2024

The Honorable Deanne Criswell  
Administrator  
Federal Emergency Management Agency  
500 C St. SW  
Washington, D.C. 20024

Dear Administrator Criswell,

We are writing to reiterate concerns about the Federal Emergency Management Agency's (FEMA) proposed strategy to implement changes to the National Flood Insurance Program (NFIP) in Oregon, specifically regarding a new compliance requirement that communities need to select Pre-Implementation Compliance Measures (PICMs) well before FEMA makes final recommendations. NFIP is a life-saving federal program, and its administration and changes must be undertaken with the utmost care and evenhanded judgment.

All of our offices have heard serious concerns from small business leaders, local elected officials, affordable housing advocates, and economic development groups. We want to emphasize that the implementation of permitting programs is carried out primarily at the local level, and the leaders in the affected communities have valuable insights. FEMA must lead by listening to and working collaboratively with local and state officials to craft policies that can be implemented effectively and sustainably.

Our offices have heard significant concerns from these communities about the decision to abruptly cease processing Letters of Map Revision – Based on Fill (LOMR-F) and Conditional Letters of Map Revision – Based on Fill (CLOMR-F) on August 1<sup>st</sup>, 2024, with little to no notice. The timing of this action leaves communities scrambling to comply with FEMA's plan to reach compliance with the National Marine Fisheries Service's (NMFS) 2016 Biological Opinion ("BiOp") and its Reasonable and Prudent Alternatives (RPAs).

We do not doubt the necessity of enhanced conservation efforts, including protection of Oregon's declining salmon population. The worsening wildfire intensity and smoke pollution is also an urgent reminder of the scale of the climate crisis. Communities across the state share these concerns and the fundamental drive to protect the unique environment in which we live.

We respectfully request that you make several key changes to FEMA's revised timeline. We ask that FEMA provide an additional 90 days for Oregon jurisdictions to consider the three proposed "Pre-Implementation Compliance Measures," changing the December 1<sup>st</sup>, 2024 selection date to

March 1<sup>st</sup>, 2025. Accordingly, the automatic adoption of the permit-by-permit PICM should also be delayed until at least March 1<sup>st</sup>, 2025 and accompanied by collaborative action with the state to demonstrate compatibility with state land use law.

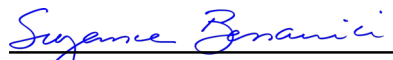
Additionally, FEMA should develop a pathway for continued review of LOMR and CLOMR cases during this period as it finalizes its Environmental Impact Statement. The pause to these processes initiated on August 1<sup>st</sup> was not sufficiently noticed to communities and future timeline changes should be announced with significantly greater notice. If applicants need additional consultation and technical assistance, FEMA should make staff available to assist.

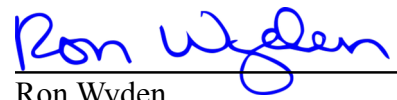
We also request that you fully consider the State of Oregon's request that FEMA add a pathway for the state to develop and adopt a statewide regulatory package that achieves compliance with the "no net loss" standard. Allowing state agencies with the staff and expertise to develop a policy that is consistent statewide would reduce capacity and cost burdens for local governments and simplify integration of any new requirements with existing state land use law.

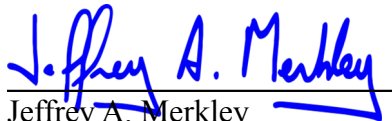
Finally, we request a written explanation of the decision-making process that led to the PICM taking effect well before the completion of the Environmental Impact Statement. Providing community members with a clear understanding of this process is key to maintaining transparency and demonstrating consistency with the NEPA process.

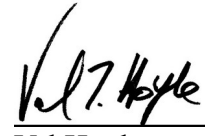
We remain committed to a collaborative path forward that responds to the dual imperatives of economic stability and environmental preservation. We appreciate FEMA's shared commitment to these goals and thank you for your full and fair consideration of our concerns. For any questions, please contact Espen Swanson in Congresswoman Bonamici's office at [Espen.Swanson@mail.house.gov](mailto:Espen.Swanson@mail.house.gov); Ree Armitage in Senator Ron Wyden's office at [Ree\\_Armitage@wyden.senate.gov](mailto:Ree_Armitage@wyden.senate.gov); Gustavo Guerrero in Senator Jeff Merkley's office at [Gustavo\\_Guerrero@merkley.senate.gov](mailto:Gustavo_Guerrero@merkley.senate.gov); Olivia Wilhite in Congresswoman Val Hoyle's office at [Olivia.Wilhite@mail.house.gov](mailto:Olivia.Wilhite@mail.house.gov) or Alexander O'Keefe in Congresswoman Andrea Salinas' office at [Alexander.OKeefe@mail.house.gov](mailto:Alexander.OKeefe@mail.house.gov).

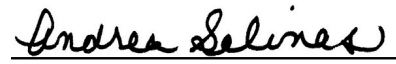
Sincerely,


  
Suzanne Bonamici  
Member of Congress

  
Ron Wyden  
United States Senator

  
Jeffrey A. Merkley  
United States Senator

  
Val Hoyle  
Member of Congress

  
Andrea Salinas  
Member of Congress

  
Earl Blumenauer  
Member of Congress



TINA KOTEK  
GOVERNOR

September 26, 2024

The Honorable Deanne Criswell, Administrator  
Federal Emergency Management Agency  
500 C Street SW  
Washington, D.C. 20024

Dear Administrator Criswell:

I am writing to convey the State of Oregon's concerns related to FEMA's National Flood Insurance Program (NFIP) and Biological Opinion (BiOp) efforts in the State of Oregon. The BiOp has a long and storied history in our state, and we share FEMA's perspective on the importance of protecting public safety and threatened species. However, FEMA's lack of public process in the development and implementation of the current set of interim measures will cause more harm than benefit to our communities, in particular many coastal and rural communities. I have asked my natural resources agencies to identify possible pathways forward, and the State offers three recommendations:

First, FEMA's imposed deadline of December 1, 2024, for local decision-making is impractical because Oregon cities and counties engage their elected officials and constituents in transparent and fact-based decision-making processes. Those processes are impossible to align with a deadline of just a few months. **I respectfully request that FEMA pause its work on pre-implementation compliance measures (PICM) that it abruptly announced on July 15, 2024, and return to the work of crafting long-term measures to modernize the National Flood Insurance Program.**

Second, the State stands ready to assist our local partners in their compliance work and reiterates its May 5, 2023, offer to deploy already-existing state programs such as land use planning, stormwater permits, habitat restoration, wetlands mitigation programs, and technical assistance grants for these purposes. I recognize that federal partners, including FEMA, the National Marine Fisheries Service (NMFS), and the National Oceanic and Atmospheric Administration (NOAA) may view these State programs as helpful but not yet complete in their depth or coverage for purposes of the BiOp. **I invite FEMA to join our agencies for a discussion on how best to continue efforts that started in the implementation planning process to identify gaps in existing State programs and pathways for moving forward to address how the State of Oregon can effectively address those within a collaborative framework.**

254 STATE CAPITOL, SALEM OR 97301-4047 (503) 378-3111 FAX (503) 378-8970

[WWW.GOVERNOR.OREGON.GOV](http://WWW.GOVERNOR.OREGON.GOV)

Administrator Criswell  
September 26, 2024  
Page 2

In Oregon, we place a premium on community engagement and collaborative design that is too often overlooked as an effective vehicle to support and assist with the implementation of federal program objectives if given the opportunity and time to contribute. **I respectfully ask that FEMA engage more fully in deliberative dialogue with my agencies in order to craft the best solutions possible for public safety and species protection. With your agreement, I will support the convening of such a process with the appropriate representatives of different interests so that together we can chart a durable and implementable path forward.**

Given the current timing of proposed implementation, my staff will be reaching out to discuss this approach with you next week. Thank you for your consideration of these recommendations.

Sincerely,

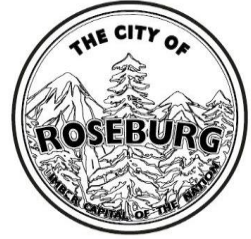
A handwritten signature in black ink, appearing to read "Tina Kotek". The signature is fluid and cursive, with the first name "Tina" being more prominent than the last name "Kotek".

Governor Tina Kotek

cc: The Honorable Rick Spinrad, Administrator, NOAA  
Members of the Oregon Congressional Delegation



# CITY OF ROSEBURG PLANNING COMMISSION AGENDA ITEM REPORT



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**Meeting Date: October 7, 2024**

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**To:** Roseburg Planning Commission

**From:** Stuart Cowie, Community Development Director

**Request:** UGB Swap Update

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The Roseburg City Council unanimously adopted Ordinance No. 3604 authorizing the UGB Swap on August 26, 2024. On Wednesday, September 11, 2024, the Douglas County Board of Commissioners unanimously approved the UGB Swap through Ordinance No. 2024-0901. Both the City and County have now made decisions amending the City of Roseburg's UGB.

On Tuesday, October 1, 2024, the City sent the entirety of the record to the Oregon Department of Land Conservation and Development (DLCD) for their review. In conjunction with this official submittal, the City provided a notice of the adopted changes to all parties of the application. Individuals who participated in the UGB Swap proceedings by submitting written comments or providing oral testimony have 21 days from the date of submittal to provide objections to DLCD.