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6-24-2024

**CITY OF ROSEBURG PLANNING COMMISSION**

**Monday, July 1, 2024 at 7:00 pm**

**City Hall Council Chambers**

**Public Access: Facebook Live at [www.Facebook.com/CityofRoseburg](http://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  
Matthew Keller

Matt Brady  
Jarrett Nielsen

Emily Brandt  
Shelby Osborn

Janelle James

**3. APPROVAL OF MINUTES**

A. May 20, 2024 - Planning Commission Meeting

**4. AUDIENCE PARTICIPATION: See Information on the Reverse**

**5. PUBLIC HEARING**

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

Link to copy of Douglas County Multi-Jurisdictional Natural Hazard Mitigation Plan:  
[DouglasCounty\\_Final\\_NHMP\\_2024-04-22](#)

**6. BUSINESS FROM STAFF**

**7. BUSINESS FROM THE COMMISSION**

**8. NEXT MEETING – August 5, 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  
May 20, 2024**

**CALL TO ORDER**

Chair Yraguen called the meeting of the Roseburg Planning Commission to order at 7:00 p.m. on Monday, May 20, 2024 in the City Hall Council Chambers.

**ROLL CALL**

Present: Chair Jaime Yraguen, Commissioners Matt Brady, Janelle James, and Shelby Osborn.

Absent: Commissioners Emily Brandt, Jarrett Nielsen, and Matthew Keller.

Others present: Community Development Director Stuart Cowie, Senior Planner Mark Moffett and Department Technician Chrissy Matthews.

**APPROVAL OF MINUTES**

*Commissioner James moved to approve the February 5, 2024 minutes as submitted. The motion was seconded by Commissioner Osborn and approved with the following vote: Chair Yraguen, and Commissioners Brady, James, and Osborn voted yes. No one voted no.*

*Commissioner Brady moved to approve the May 6, 2024 minutes as submitted. The motion was seconded by Commissioner James and approved with the following vote: Chair Yraguen, and Commissioners Brady, James, and Osborn voted yes. No one voted no.*

**AUDIENCE PARTICIPATION** – none.

**PUBLIC HEARING** – none.

**ADOPTION OF FINDINGS** –

Chair Yraguen stated the joint public hearing between the Roseburg Planning Commission and the Douglas County Planning Commission for the Legislative Amendment; Roseburg File No. CPA-23-002 (Urban Growth Boundary Swap) was closed during the May 6, 2024 hearing. The City Planning Commission made a motion requesting staff prepare Findings of Fact on behalf of the City Planning Commission referring the request to City Council and recommending City Council approve the land use actions referenced in File No. CPA-23-002.

No ex parte contact or conflict of interest was declared by the Commissioners.

Cowie stated staff prepared the Findings of Fact and Order with the five action items referenced in File No. CPA-23-002 recommending City Council approve the land use actions referenced in File No. CPA-23-002. He briefly highlighted the findings of fact.

Staff recommended the Planning Commission adopt the Findings of Fact and Order.

Chair Yraguen asked if anyone contacted staff regarding their concerns after the May 6<sup>th</sup> public hearing.

Cowie stated no one had contacted staff. One email was received on May 20, 2024 with concerns; however, the public hearing closed on May 6th. Staff will reach out to the individual and advise them how they can voice their concerns at the public hearing before the City Council and the County Board of Commissioner's meetings.

There were no further questions or discussion.

*Commissioner Brady moved to adopt the Findings of Fact and Order document as presented referring the request to City Council recommending City Council approve 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 motion was seconded by Commissioner Osborn and approved with the following vote: Chair Yraguen, and Commissioners Brady, James, and Osborn voted yes. No one voted no.*

#### **BUSINESS FROM STAFF –**

Cowie stated the public hearing is tentatively scheduled to go before City Council on June 24, 2024. The County Planning Commission will make their recommendation to the Board of Commissioners. He thanked the Commission members for immersing themselves in the UGB application and process.

Each Commissioner received a volunteer recognition certificate for their distinguished public service.

#### **BUSINESS FROM COMMISSION –**

Commissioner Brady asked staff when the Commission might hear about the recently passed Senate Bill 1537 establishing a one-time UGB expansion tool for cities that need both land supply and affordable housing, creating a fast-track process.

Cowie stated there are certain criteria to be met and one component is the affordable housing requirement, which means the City would need to find an interested developer. Staff is exploring all avenues to promote more housing opportunities. Staff will explore opportunities utilizing the Department of Land Conservation and Development (DLCD) as they are determining how the rules will apply to different jurisdictions. We are fortunate the UGB Swap analysis was done for areas that may provide more housing opportunities. A future meeting will be scheduled to have Planning Commission involvement.

Cowie stated the City received grant funding for the development of trails at Sunshine Park, and applied for a conditional use permit (CUP) for land use approval through the Douglas County Planning Department because the city owned acreage was never placed inside the city's urban growth boundary.

The CUP was denied and appealed to the Land Use Board of Appeals which remanded it back to the County Board of Commissioners, and denied. The County would like the property annexed into the city limits.

The City would like to annex the property, but will require expanding the UGB which is challenging and takes a considerable amount of time and the grant funding has a timeframe in which it has to be used. The City is working with a consultant for the UGB expansion for Sunshine Park, which will eventually come before the Planning Commission.

Chair Yraguen asked if the funding will still be available.

Cowie stated the grant is through the Oregon Parks and Recreation Department and they have been very gracious in their timeframe since they know the City is working to obtain land use approval; however, the funding will not be available indefinitely. Most of the trail has been professionally designed by Ptarmigan P Trails Consulting and Construction Company.

Moffett shared the law requires the city to verify affordable housing, which means an ongoing program to vet and annually review providers to ensure they continue to meet the jurisdiction's requirements and that they are properly screening and vetting tenants, and verify funding. This is specialized work and takes time and staff.

Cowie stated the City will be evaluating all of the requirements with DLCD.

Chair Yraguen expressed the Commission's appreciation for all of the hard work staff did to prepare a thorough UGB application.

**ADJOURNMENT** - The meeting adjourned at 7:34 p.m. The next meeting is scheduled for July 1, 2024.



Chrissy Matthews  
Department Technician



**CITY OF ROSEBURG  
PLANNING COMMISSION  
STAFF REPORT**



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**File No. CPA-24-001**

**Public Hearing Date: July 1, 2024**

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**To:** Planning Commission  
**From:** Stuart Cowie, Community Development Director  
**Subject:** Legislative Action Proposal: Comprehensive Plan Amendment adopting by reference the Douglas County Multi-Jurisdictional Natural Hazard Mitigation Plan.

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**ISSUE STATEMENT AND SUMMARY:**

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

The requested amendments constitute a Legislative Amendment, as indicated by Section 12.10.020 of the Roseburg Municipal Code (RMC). Therefore, a Public Hearing has been scheduled to review the matter pursuant to requirements of RMC Section 12.10.020(D). The public hearing shall follow the procedures outlined within RMC Section 12.10.020(E).

**BACKGROUND:**

The NHMP is a framework that guides decision-making and policy development around the reduction or elimination of risk to life and property resulting from drought, earthquake, flood, landslide, tsunami, wildfire, windstorm, and winter storm events. The Plan assesses our vulnerability and identifies specific actions and strategies to address threats.

The Federal Emergency Management Agency (FEMA) approves NHMPs that meet federal requirements at 44 CFR 201. Having a current, FEMA-approved NHMP establishes eligibility for certain FEMA grants that fund natural hazards mitigation planning and projects. Approval of the NHMP lasts five years. Douglas County's previous NHMP was valid through September 12, 2022.

**APPLICABLE CRITERIA:**

The legislative request for the Comprehensive Plan Amendment was reviewed by the City based on the applicable criteria as follows:

- RMC Section 12.10.020 – “Legislative Action Procedures”
- Oregon Statewide Planning Goals
- Roseburg Urban Area Comprehensive Plan Policies

**STAFF RECOMMENDATION:**

Staff finds that the NHMP, linked as Exhibit A, satisfies the applicable criteria to amend the Comprehensive Plan. Therefore, staff recommends the Planning Commission adopt the Findings of Fact and Order, attached as Exhibit B, recommending City Council approve the Legislative Amendment.

**OPTIONS:**

1. Adopt the proposed Findings of Fact as presented, and recommend the City Council approve the Legislative Amendment.
2. Continue consideration of the request.
3. Adopt Findings of Fact recommending the City Council deny the Legislative Amendment.

**SUGGESTED MOTION:**

I MOVE 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.

**EXHIBITS:**

Exhibit A – Douglas County Multi-Jurisdictional Natural Hazard Mitigation Plan  
[DouglasCounty\\_Final\\_NHMP\\_2024-04-22](#)

Exhibit B – Findings of Fact and Order

In the matter of legislative action ) Comprehensive Plan Amendment:  
by the City of Roseburg ) CPA-24-001

## **BEFORE THE ROSEBURG PLANNING COMMISSION**

### **FINDINGS OF FACT AND ORDER**

#### **I. NATURE OF APPLICATION**

In accordance with the state statutes and policies related to natural hazard mitigation planning and the Disaster Mitigation Act of 2000 and the regulations contained in Chapter 44 CFR, Section 201 requiring that jurisdictions maintain an approved Natural Hazard Mitigation Program Plan (NHMP) in order to receive federal funds for mitigation projects. Local and federal approval of this plan ensures that Douglas County and the City of Roseburg will remain eligible for pre and post-disaster mitigation project grants. The city proposes a legislative amendment to the Roseburg Urban Area Comprehensive Plan to adopt, by reference, the Douglas County Multi-Jurisdictional Natural Hazard Mitigation Plan. Adopting the updated NHMP will benefit the City of Roseburg.

#### **II. PUBLIC HEARING**

A public hearing was held on the application before the Roseburg Planning Commission on July 1, 2024. At that hearing the Planning Commission reviewed Land Use File CPA-24-001 and it was made part of the record.

#### **III. 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 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.
3. The proposal consists of amending the Comprehensive Plan and to adopt, by reference, the Douglas County Multi-Jurisdictional Natural Hazard Mitigation Plan.
4. The purpose of the adoption is to ensure the City of Roseburg will remain eligible for pre and post-disaster mitigation project grants.



B. PROPOSAL

The city proposes a legislative amendment to the Comprehensive Plan to adopt, by reference, the Douglas County Multi-Jurisdictional Natural Hazard Mitigation Plan.

C. AGENCY COMMENTS

No agency comments have been submitted.

D. PUBLIC COMMENTS

No written comments have been submitted.

E. ANALYSIS

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

F. REVIEW CRITERIA

Pursuant to RMC 12.10.020(F) the following criteria must be demonstrated as being satisfied by the application for approval of the Comprehensive Plan Amendment:

- a) **That the amendment complies with the Statewide Planning Goals adopted by the Land Conservation and Development Commission, pursuant to ORS 197.240, or as revised pursuant to ORS 197.245. The findings below address three specific statewide planning goals that are applicable to the application.**

**Goal No. 1 - Citizen Involvement - To ensure the opportunity for citizen involvement in all phases of the planning process.**

**Finding:**

The City of Roseburg has an adopted an acknowledged Comprehensive Plan for the Roseburg Urban Area.

In order to implement the Comprehensive Plan, the City has adopted the Roseburg Land Use and Development Regulations. Within the code the City identifies procedural requirements for processing land use actions, including notification and hearing procedures. The notice procedures guide the general public through the land use process within the City, as well as through provisions that meet State of Oregon Revised Statutes (ORS).

Roseburg also has an established Planning Commission that has the responsibility to act as the conduit to the City Council on land use matters. The Planning Commission is selected through an open, well-publicized process and the Commission may include one member who resides outside the city limits.

The City of Roseburg provided notice of this proposal as mandated through ORS requirements and the code, as well as publishing the notice in the News-Review, a newspaper of general circulation. A public hearing was held in order to provide an opportunity for interested citizens to be involved, provide

comments and present issues, influence the Commission and eventually the Council, provide technical information, and/or provide information regarding conditional approval.

The above actions all help to fulfill Goal No. 1 by providing a variety of avenues for citizen involvement throughout the planning process.

**Goal No. 2 - Land Use Planning - To establish a land use planning process and policy framework as a basis for all decisions and actions related to the use of land and to assure an adequate factual base for such decisions and actions.**

**Finding:**

As noted above the City of Roseburg has adopted a Comprehensive Plan, which is "acknowledged" by the State of Oregon. This Plan was again acknowledged through Periodic Review in 1992 and is coordinated and adopted by Douglas County for the unincorporated area located within the City UGB. (Roseburg Urban Area Comprehensive Plan adopted by the City Council in Ordinance No. 2345, effective on July 1, 1982, and re adopted in Ordinance No. 3497 on May 1, 2018.

The Comprehensive Plan is not intended to be the sole document establishing the land use planning process in the City of Roseburg. Zoning ordinances, official maps, and other regulations are designed to provide specific and detailed standards for the implementation of the Plan's general policies. The Plan indicates broad categories of land use throughout the urban area, whereas the detailed instruments delineate boundaries and specify regulations, timing, procedures and costs.

Alongside City of Roseburg ordinances and zoning maps, the Comprehensive Plan creates an appropriate process for land use decisions within the limits of the City of Roseburg.

**Goal No. 7 – Areas Subject to Natural Hazards – To protect people and property from natural hazards.**

**Finding:**

The Douglas County Multi-jurisdictional Natural Hazard Mitigation Plan text was drafted with the intent of satisfying Goal 7 with assistance from the Oregon Department of Land Conservation and Development, the Oregon Office of Emergency Management, and FEMA. The final Douglas County Multi-Jurisdictional Natural Hazard Mitigation Plan draft, the full text of which is referenced in this finding, is consistent with Goal 7.

- b) That the amendment complies with applicable policies of the Comprehensive Plan.**

**Natural Resources Policy No. 1**

*Future public capital improvements will be designed in consideration of climatic circumstances that may create hazards, inconvenience, or additional maintenance costs.*

**Finding:**

The natural hazard mitigation plan (NHMP) is intended to help reduce loss of life and property by minimizing the impact of disasters and identifying natural disaster risks and vulnerabilities that are common in their area. By incorporating all the elements within the natural hazard mitigation plan and being cognizant of the risks the city can effectively address the challenges posed by climatic circumstances. The plan helps us in reducing hazards, limiting inconvenience, and managing maintenance costs in a proactive and sustainable manner. The NHMP aligns with policy number one's intent, criteria met.

**Natural Resources Policy No. 6**

*The City and County shall jointly develop and adopt ordinances and programs which carefully manage development on hillsides and in water bodies in order to protect scenic quality, water quality, vegetation and wildlife values of those areas.*

**Finding:**

The City of Roseburg requires geotechnical reports for all development taking place on properties within the hillside development overlay which includes everything with 12% slopes or greater. The required geotechnical report addresses potential risks that can result from steeply sloped sites and geologic hazard areas. This helps to minimize potential hazards from fire, water, and unstable soils, ensure stability of steep slopes and protection of environmental resources and reduces potential risks associated with hillside erosion, sedimentation on lower slopes, and damage from landslides while providing flexible development standards.

Water bodies have multiple protection factors within the City of Roseburg, including the floodplain overlay and riparian habitat protection overlay. Properties within the floodplain overlay (RMC.12.04.090) require that each application for development has a floodplain review which requires that the applicant adheres to the FEMA regulations to promote the public health, safety, and general welfare, as well as minimize public and private losses due to flood conditions in specific areas.

Properties abutting the South Umpqua River, Newton Creek, or Deer Creek are subject to the riparian habitat protection overlay (RMC.12.04.130). All the major waterways are scenic, recreational, and are a natural resource of the community. They are protected, preserved, and maintained for their primary function as drainage courses first. Any measures taken to sustain their primary function shall minimize adverse impacts on scenic, recreational, and natural

values. The preventative measures the city has in place help to protect scenic quality, water quality, vegetation and wildlife values within the community. The NHMP aligns with policy number six's intent, criteria met.

#### **Natural Resources Policy No. 7**

Development practices should avoid grading plans that expose unprotected surfaces from water flows and possible erosion.

#### **Finding:**

Water bodies have multiple protection factors within the City of Roseburg. These include the floodplain overlay and riparian habitat protection overlay. Properties within the floodplain overlay (RMC.12.04.090) require that each application for development has a floodplain review which requires that the applicant adheres to the FEMA regulations to promote the public health, safety, and general welfare, as well as minimize public and private losses due to flood conditions in specific areas.

Properties abutting the South Umpqua River, Newton Creek, or Deer Creek are subject to the riparian habitat protection overlay (RMC.12.04.130). All the major waterways are scenic, recreational, and are a natural resource of the community. They are protected, preserved, and maintained for their primary function as drainage courses first. Any measures taken to sustain their primary function shall minimize adverse impacts on scenic, recreational, and natural values. These standard requirements help to eliminate grading plans that expose unprotected surfaces from water flows a possible erosion. The NHMP aligns with policy number seven's intent, criteria met.

#### **Natural Resources Policy No. 8**

Land for alterations proposed in areas with the following conditions should show that design and construction techniques eliminate public harm, public costs, and adverse effects to surrounding properties:

- Slopes exceeding 13 percent.
- Severe soil erosion potential.
- Land subject to slumping or sliding.

#### **Finding:**

The City of Roseburg requires geotechnical reports for all development taking place on properties within the hillside development overlay which includes everything with 12% slopes or greater. The required geotechnical report addresses potential risks that can result from steeply sloped sites and geologic hazard areas. This helps to minimize potential hazards from fire, water, and unstable soils, ensure stability of steep slopes and protection of environmental resources and reduces potential risks associated with hillside erosion, sedimentation on lower slopes, and damage from landslides while providing flexible development standards. The geotechnical report required by the city

helps to ensure design and construction is performed to eliminate public harm, public costs, and adverse effects to surrounding properties. The NHMP aligns with policy number eight's intent, criteria met.

#### IV. CONCLUSION

Based on the above findings, the Planning Commission concludes that the legislative amendment meets the criteria for approval in RMC Section 12.010.020(F).

#### V. ORDER

Based on the Findings and Conclusions above, the Planning Commission recommends **APPROVAL** of this application to the City Council.

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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

Matthew Brady

Emily Brandt

Janelle James

Matthew Keller

Jarrett Nielsen