

**OREGON DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
DIRECTOR'S DECISION ON CITY OF ROSEBURG
URBAN GROWTH BOUNDARY ADJUSTMENT**

DLCD Order 001956

This matter came before the Director of the Department of Land Conservation and Development (department) pursuant to HB 3921 (2025). That enacted legislation mandates that the director issue this order on the submittal by the City of Roseburg (city) and Douglas County (county), regarding an adjustment of the Roseburg Urban Growth Boundary (UGB).

Jurisdiction

Pursuant to ORS 197.626(1)(b), OAR 660-024-0080, and OAR 660-025-0175, the director, and if appealed, the commission, has exclusive jurisdiction to review UGB amendments which adds more than 50 acres. The submittal involves a total of 513.5 acres including the addition of 229 acres to the city's UGB. Additionally, HB 3921 provides express authority over this matter.

Findings of Fact

1. Roseburg has a population of 23,876 and is in Douglas County.
2. On August 26, 2024, the Roseburg City Council adopted Ordinance No. 3604 amending the UGB. The ordinance removed and added land to the UGB, annexed and de-annexed land from the city, and amended to the city's comprehensive plan and UGB Management Agreement with the county. The decision involved a total of 513.5 acres consisting of the removal of 284.5 acres of land from its UGB and the addition of 229 acres to its UGB.
3. On September 11, 2024, the Douglas County Board of Commissioners adopted Ordinance No. 2024-0901 approving an amendment to the Roseburg UGB including the changes adopted in the city's ordinance.
4. On October 1, 2024, the department received a submittal from the city and county, regarding an adjustment of the Roseburg UGB.
5. On October 22, 2024, the department received one letter from Sane Orderly Development (SOD) identifying twelve objections to the submittal that all satisfied the procedural requirements in OAR 660-025-0140(2) for a valid objection.
6. On January 29, 2025, DLCD timely issued Order 001950, providing the department's review of the submittal and responding to the SOD objections. The order remanded the UGB adjustment submittal.
7. On February 19, 2025, the city and SOD each submitted timely appeals of DLCD Order 001950. The department scheduled the appeal for the June 26-27, 2025 Land Conservation and Development Commission (commission) meeting.
8. On May 28, 2025, the Governor signed House Bill 3921 and it became effective under the emergency clause in section (3).

Discussion

HB 3921 adds provisions to ORS chapter 197A that statutorily deem city Ordinance No. 3604, dated August 26, 2024, and county Ordinance No. 2024-0901 approved, acknowledged, effective and in compliance with state laws regarding land use planning. The law specifies that:

- “(a) The real property described in Exhibits A and B to the City of Roseburg’s ordinance is removed from the city’s urban growth boundary and is deannexed and removed from the city’s boundaries;
- “(b) The real property described in Exhibit C to the City of Roseburg’s ordinance is added to the city’s urban growth boundary;
- “(c) The real property described in Exhibit D to the City of Roseburg’s ordinance is annexed to the city; and
- “(d) The amendments made to the comprehensive plans, land use regulations, comprehensive plan maps, zoning maps and urban growth management agreement of the city and county are approved and acknowledged.”

Section 2(2) of the bill directs the department, within 30 days of the effective date of the bill, or June 27, 2025, to issue an order:

- “(a) Acknowledging the amendments to the urban growth boundary, city boundaries, comprehensive plans, land use regulations, comprehensive plan maps, zoning maps and urban growth management agreement of the City of Roseburg and Douglas County consistent with this section;
- “(b) Approving the city’s October 22, 2024, urban growth boundary exchange submission;
- “(c) Rescinding any prior order or findings of the department or Land Conservation and Development Commission inconsistent with this section; and
- “(d) Dismissing any appeal or objection of the city’s urban growth boundary exchange submission.”

The department issued DLCD Order 001950 on January 29, 2025, concluding that the submittal had not demonstrated compliance with the requirements of the applicable statewide planning goals, statutes, and administrative rules and was not supported by substantial evidence in the record. Although this matter has been timely appealed, the commission has not heard the matter and has neither made any findings nor issued any order on this submittal.

Conclusions of Law

1. Section 2(2)(a) of HB 3921 mandates the issuance of this order acknowledging the UGB amendments, comprehensive plans, land use regulations, comprehensive plan maps, zoning maps and urban growth management agreement of the city and county. This order certifies that all comprehensive plan and land use regulations amendments comply with the goals as provided in section 2(2)(a) of HB 3921.
2. HB 3921 further directs this order to acknowledge the “city boundaries” amendments. City boundaries are generally not subject to acknowledgement. *See* ORS 197.015(1) (defining acknowledgment to mean “a commission order that certifies that a comprehensive plan and land use regulations, land use regulation or plan or regulation amendment complies with the goals[.]”). To the

extent authorized by section 2(2)(a) of HB 3921, the director acknowledges the city boundary amendments as complying with the goals. Any necessary compliance with other statutory provisions related to setting city boundaries is beyond the scope this order.

3. Pursuant to section 2(2)(b) of HB 3921, the director approves the UGB adjustment as provided in OAR 660-025-0150(1) and OAR 660-025-0175.
4. Pursuant to section 2(2)(c) of HB 3921, the director rescinds the conclusions in Order 001950 regarding the compliance of the submittal with OAR 660-024-0065(4) and (7)(b); OAR 660-024-0067(2) and (7); and OAR 660-024-0070(3)(b)(A) as inconsistent with section (2).
5. Pursuant to section 2(2)(d) of HB 3921, the director dismisses SOD's objection that the department received on October 22, 2024, and the SOD appeal dated February 19, 2025.
6. Pursuant to section 2(2)(d) of HB 3921, the director dismisses the city's appeal dated February 19, 2025.

Scope of Judicial Review

Pursuant to the authority under OAR 660-025-0160(7) and HB 3921 to take appropriate action on this UGB amendment submittal, to the extent any of the foregoing conclusions of law are unaffected by a judicial review of one or more other conclusions of law made in this order, the submittal regarding those unaffected aspects is acknowledged.

Conclusion

Under section 2(1) of HB 3921, city Ordinance No. 3604, dated August 26, 2024, and the county Ordinance No. 2024-0901 are deemed approved, acknowledged, effective and in compliance with state laws regarding land use planning. The director acknowledges the submittal as provided in section 2(2) of HB 3921.

DATED THIS 17th DAY OF JUNE 2025



Brenda Bateman, Ph.D.

Director

Department of Land Conservation and Development

Note: You may be entitled to LCDC review of this order. LCDC review may be obtained as provided in OAR 660-025-0150(6).

ATTACHMENT A: HB 3921 (2025)

CERTIFICATE OF SERVICE

I certify that on June 17, 2025, I served the attached **OREGON DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT DIRECTOR'S DECISION ON CITY OF ROSEBURG URBAN GROWTH BOUNDARY ADJUSTMENT** by mailing in a sealed envelope, with first-class postage prepaid, a copy thereof addressed as follows:

Larry Rich, Mayor of Roseburg

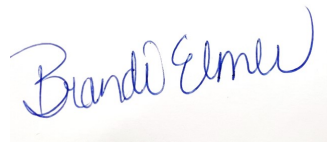
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