

ROSEBURG CITY COUNCIL AGENDA – AUGUST 12, 2024
City Council Chambers, City Hall
900 SE Douglas Avenue, Roseburg, Oregon 97470



Public Online Access:

City website at <https://www.cityofroseburg.org/your-government/mayor-council/council-videos>

Facebook Live at www.Facebook.com/CityofRoseburg

Comments on Agenda Items and Audience Participation can be provided in person or electronically via Zoom. See Audience Participation Information for instructions on how to participate in meetings.

7:00 p.m. Regular Meeting

- 1. Call to Order – Mayor Larry Rich**
- 2. Pledge of Allegiance**
Roll Call

Tom Michalek	Andrea Zielinski	Kylee Rummel
David Mohr	Ellen Porter	Ruth Smith
Patrice Sipos	Shelley Briggs Loosley	
- 3. Mayor Reports**
 - A. November Meeting**
 - B. City Manager Evaluation**
- 4. Commission Reports/Council Ward Reports**
- 5. Audience Participation – In Person or via Zoom/See Information on the Reverse**
- 6. Consent Agenda**
- 7. Public Hearings**
 - A. Ordinance No. 3603 – Comprehensive Plan Amendment (CPA -24-001) – Natural Hazard Mitigation Plan, First Reading**
 - B. CDBG Close Out – Roseburg Regional Housing Rehabilitation Grant**
 - C. Resolution No. 2024-17 Supplemental Budget**
- 8. Ordinances**
 - A. Ordinance No. 3604 – Legislative Amendment: Roseburg File No. CPA-23-002 (Urban Growth Boundary Swap), First Reading**
 - B. Ordinance No. 3605 – Proposed Prohibited Camping Code Amendment, First Reading**
 - C. Ordinance No. 3606 – Proposed Addition of Chapter 7.02.180 Prohibited Weapons, Tools, and Other Implements on City Real Property, First Reading**
- 9. Department Items**
 - A. Bid Award – Taxiway A Extension 25GR01**
 - B. Construction Management Project Task Order Authorization for Taxiway A Extension**
- 10. Items from Mayor, City Council and City Manager**
- 11. Adjourn**
- 12. Executive Session ORS 192.660(2)(f)**

AUDIENCE PARTICIPATION INFORMATION

The Roseburg City Council welcomes and encourages citizen participation at all of our regular meetings, with the exception of Executive Sessions, which, by state law, are closed to the public. To allow Council to deal with business on the agenda in a timely fashion, we ask that anyone wishing to address the Council 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.**
 - Each speaker must provide their name, address, phone number and topic on the Audience Participation Sign-In Sheet.
 - **VIA EMAIL by sending an email by 12:00 p.m. the day of the meeting to info@roseburgor.gov.**
 - These will be provided to the Council but will not be read out loud during the meeting. Please include your name, address and phone number within the email.
 - **VIRTUALLY during the meeting. Contact the City Recorder by phone (541) 492-6866 or email (info@roseburgor.gov) by 12:00 p.m. the day of the meeting to get a link to the meeting.**
 - Each speaker must provide their name, address, phone number and topic in the email. Speakers will need to 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. All attendees will be held in a “waiting room” until called on to speak. It is helpful if the speaker can provide a summary of their comments via email to ensure technology/sound challenges do not limit Council’s understanding.
- Anyone wishing to speak regarding an item on the agenda may do so when Council addresses that item.
 - Anyone wishing to speak regarding an item on the Consent Agenda, or on a matter not on the evening’s agenda, may do so under “Audience Participation.”
1. Speakers will be called by the Mayor in the order in which they signed up. The Mayor will generally call in-person speakers prior to calling speakers participating via Zoom. Each virtual speaker will be transferred from the “waiting room” into the meeting to provide comments, then moved back to the “waiting room” upon completion of their comments.
 2. Persons addressing the Council in person or virtually must state their name and city of residence for the record.

TIME LIMITATIONS - A total of 30 minutes shall be allocated for the “Audience Participation” portion of the meeting. With the exception of public hearings, each speaker will be allotted a total of 6 minutes, unless the number of speakers will exceed the maximum time. In this case, the Mayor may choose to decrease the allotted time for each speaker in order to hear from a wider audience. All testimony given shall be new and not have been previously presented to Council.

Audience Participation is a time for the Mayor and Council to receive input from the public. The Council may respond to audience comments after “Audience Participation” has been closed or during “Items from Mayor, Councilors or City Manager” after completion of the Council’s business agenda. The Council reserves the right to delay any action requested until they are fully informed on the matter.

ORDER AND DECORUM

Councilors and citizens shall maintain order and decorum at Council meetings. Any audience member may be directed to leave the meeting if they use unreasonably loud, disruptive, or threatening language, make loud or disruptive noise, engage in violent or distracting action, willfully damage furnishings, refuse to obey the rules of conduct, or refuse to obey an order of the Mayor or majority of Council. No signs, posters or placards are allowed in the meeting room.

All speakers and audience members should treat everyone with respect and maintain a welcoming environment. Please avoid actions that could be distracting such as cheering, booing, or applause. Please turn cell phones to silent and enter and exit the Council Chambers quietly if the meeting is in progress and take any conversations outside the Chambers.

The City Council meetings are on Facebook Live and available to view on the City website the next day at:
<https://www.cityofroseburg.org/your-government/mayor-council/council-videos>

The full agenda packet is available on the City’s website at:
<https://www.cityofroseburg.org/your-government/mayor-council/council-agendas>

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



AN ORDINANCE AMENDING THE ROSEBURG URBAN AREA COMPREHENSIVE PLAN ADOPTING BY REFERENCE THE 2024 DOUGLAS COUNTY MULTI-JURISDICTIONAL NATURAL HAZARD MITIGATION PLAN – FILE NO. CPA-24-001

Meeting Date: August 12, 2024
Department: Community Development
www.cityofroseburg.org

Agenda Section: Public Hearing
Staff Contact: Stuart Cowie
Contact Telephone Number: 541-492-6750

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

A. Council Action History.

On November 27, 2017, City Council held a public hearing to adopt the 2016 Douglas County Multi-Jurisdictional NHMP by reference into the Roseburg Urban Area Comprehensive Plan. Ordinance No. 3491 was adopted December 11, 2017 approving this action.

B. Analysis.

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.

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

C. Financial/Resource Considerations.

Adoption of the plan makes us eligible for pre-disaster mitigation funding. It also helps us to better qualify for post-disaster FEMA relief.

D. Timing Considerations.

The previous NHMP has been invalid for almost two years. Douglas County has already adopted the 2024 NHMP and each city within the county has also adopted the plan by resolution. The City of Roseburg is the final city to review and adopt the plan. The process has taken Roseburg longer than other city’s as we are proposing to adopt it as an amendment to our comprehensive plan, rather than approve it by resolution. If adopted, Douglas County will report back to FEMA and acquire a final acknowledgement letter for the City.

COUNCIL OPTIONS

The Council has the following options:

1. Adopt the Planning Commission’s Findings of Fact and Order for File No. CPA-24-001, and proceed with first reading of the ordinance;
2. Modify the proposed action, or continue the matter for further consideration; or
3. Decline to proceed with the proposed action.

STAFF RECOMMENDATION

Staff recommends the Council adopt the Planning Commission’s Findings of Fact and Order for File No. CPA-24-001, and proceed with the first reading of the ordinance to amend the Roseburg Urban Area Comprehensive Plan adopting by reference the 2024 Douglas County Multi-Jurisdictional NHMP.

SUGGESTED MOTIONS

“I MOVE TO ADOPT THE FINDINGS OF FACT AND ORDER APPROVED BY THE PLANNING COMMISSION FOR FILE NO. CPA-24-001, WHICH AMENDS THE ROSEBURG URBAN AREA COMPREHENSIVE PLAN BY INCORPORATING THE 2024 DOUGLAS COUNTY MULTI-JURISDICTIONAL NATURAL HAZARD MITIGATION PLAN INTO THE DOCUMENT BY REFERENCE AND PROCEED WITH THE FIRST READING OF ORDINANCE NO. 3603.”

ATTACHMENTS

Attachment #1 - 2024 Douglas County Multi-Jurisdictional NHMP

Attachment #2 - Ordinance No. 3603

Attachment #3 - Planning Commission Findings of Fact and Order File No. CPA-24-001

Attachment 1 – 2024 Douglas County Multi-Jurisdictional NHMP

Link to document:

https://www.cityofroseburg.org/storage/app/media/CDD/community-development/news/DouglasCounty_Final_NHMP_2024-04-22%20sm.pdf

ORDINANCE NO. 3603

AN ORDINANCE AMENDING THE ROSEBURG URBAN AREA COMPREHENSIVE PLAN ADOPTING BY REFERENCE THE 2024 DOUGLAS COUNTY MULTI-JURISDICTIONAL NATURAL HAZARD MITIGATION PLAN.

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

WHEREAS, after due and timely notice, the Roseburg Planning Commission conducted a public hearing on July 1, 2024, regarding the proposed adoption of the 2024 Douglas County Multi-Jurisdictional Natural Hazards Mitigation Plan (NHMP) and its incorporation into the Roseburg Urban Area Comprehensive Plan. Following the conclusion of the hearing the Planning Commission adopted Findings of Fact and forwarded the matter for Council consideration; and

WHEREAS, after reviewing the recommendations of the Planning Commission and conducting a public hearing on the NHMP on August 12, 2024, the Council concludes that the NHMP should be adopted and incorporated by reference into the Roseburg Urban Area Comprehensive Plan.

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

SECTION 1: The City Council hereby adopts the Planning Commission's Findings of Fact and Order as their own regarding the proposed Comprehensive Plan Amendment.

SECTION 2: Based on the evaluation detailed in the Planning Commission Findings of Fact and Order, it has been determined that the proposal conforms to the City of Roseburg Comprehensive Plan and applicable Statewide Planning Goals.

SECTION 3: The City Council hereby approves the Comprehensive Plan Amendment which adopts by reference the 2024 Douglas County Multi-Jurisdictional Natural Hazards Mitigation Plan into the Roseburg Urban Area Comprehensive Plan.

ADOPTED BY THE 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

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).

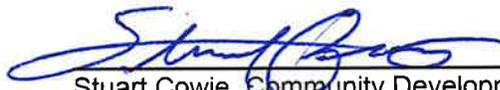
V. ORDER

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



Jaime Yraguen, Planning Commission Chair

7-1-2024
Date



Stuart Cowie, Community Development Director

7/1/2024
Date

- Planning Commission Members:
Jaime Yraguen, Chair
Shelby Osborn, Vice Chair
Matthew Brady
Emily Brandt
Janelle James
Matthew Keller
Jarrett Nielsen



ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY

COMMUNITY DEVELOPMENT BLOCK GRANT CLOSEOUT REGIONAL HOUSING REHABILITATION PROJECT

Meeting Date: August 12, 2024
Department: Community Development
www.cityofroseburg.org

Agenda Section: Public Hearing
Staff Contact: Stuart Cowie
Telephone Number: 541-492-6750

ISSUE STATEMENT AND SUMMARY

The City of Roseburg was awarded a \$500,000 Community Development Block Grant (CDBG) through Business Oregon to help administer a regional housing rehabilitation program for low- and moderate-income homeowners to repair their owner-occupied homes using licensed contractors. Providing local residents with the ability to make necessary home restoration/repairs through licensed contractors and funding aligns with City Council goals to enhance housing, community development, and livability. The purpose of the public hearing is to make City Council aware of what occurred as a result of the program and to officially close out the grant.

BACKGROUND

A. Council Action History.

- February 28, 2022: Council held a public hearing and adopted Resolution 2022-03 authorizing an application for CDBG funds for Business Oregon's Technical Assistance Program.

B. Analysis.

On July 7, 2022, the City of Roseburg was awarded a \$500,000 CDBG grant through the Oregon Business Development Department. Shortly thereafter, a contract was developed between the City and Business Oregon. The City also contracted with NeighborWorks Umpqua (NWU), in which NWU acted as the subgrantee for the project, assisting in grant administration, determining qualifying home owners and potential rehabilitation projects, lining up contractors to complete work, and allocating money to cover the costs of each project in accordance with CDBG program requirements.

The CDBG grant served to benefit low- and moderate-income homeowners within the City of Roseburg, in addition to qualifying citizens within Douglas County. The City acted as the "lead applicant," while Douglas County was referred to as a "participating county."

Although NWU operated the housing rehabilitation program, ultimately the City was responsible for all aspects of the CDBG project. The project benefited 30 households, 11 of which were located inside the city limits of Roseburg. Home repair projects were completed to address health and safety concerns, as well as accessibility issues. Projects included the following types of repairs:

- Roofs
- Bathroom repairs

- Steps, ramps, decking
- Siding repair
- Window replacements
- Minor plumbing
- Minor electrical

The City successfully partnered with NWU in 2018 utilizing this same program in which the City was awarded \$400,000 in CDBG funding. At that time, Roseburg partnered with the cities of Winston and Myrtle Creek to help provide assistance to each jurisdiction's respective citizens. Thirty-two homeowners received financial assistance in order to complete repair projects involving their homes. Of these 32 homes, 21 were located within the City of Roseburg.

This program has been extremely beneficial in assisting homeowners within our community and helping to maintain our existing housing stock. We hope to assist in additional housing rehabilitation grant projects with NWU in the future.

C. Financial/Resource Considerations.

If the grant is not closed out properly, the City could be held responsible for repayment of portions of the grant.

D. Timing Considerations.

Holding the public hearing will enable City staff to close out the grant with the Oregon Business Development Dept., the US Dept. of Housing and Urban Development and our local grant administrative partners, NeighborWorks Umpqua.

COUNCIL OPTIONS

- Council can direct staff to close out the CDBG grant; or
- Council can choose not to close out the CDBG grant.

STAFF RECOMMENDATION

Staff recommends that Council direct staff to close out the Regional Housing Rehabilitation Program CDBG grant.

SUGGESTED MOTION

"I MOVE TO DIRECT STAFF TO OFFICIALLY CLOSE OUT THE REGIONAL HOUSING REHABILITATION PROGRAM CDBG GRANT."

ATTACHMENTS:

Attachment #1 – Notice of Public Hearing Regarding Completion of Community Development Block Grant Project

**NOTICE OF PUBLIC HEARING
REGARDING COMPLETION
OF COMMUNITY
DEVELOPMENT BLOCK
GRANT PROJECT**

NOTICE IS HEREBY GIVEN
that a Public Hearing will be held by the Roseburg City Council on **Monday, August 12, 2024** at 7:00 PM in the Council Chambers at 900 SE Douglas Avenue, Roseburg, Oregon 97470. The purpose of the hearing is for the Roseburg City Council to obtain citizens views about the project and to take comments about the local government's performance.

The City of Roseburg is completing a regional housing rehabilitation project funded with Community Development Block Grant funds from the Oregon Business Development Department. The location of the rehabilitation projects took place in Douglas County and two cities within Douglas County which included the Cities of Myrtle Creek and Roseburg. It is estimated that the project has benefited at least 63 persons and 30 households of whom (100%) are at or below 80% of the area median income for Douglas County.

Any person who wishes to speak on this topic may do so. Written comments are also welcome and must be received by 12:00 p.m. on August 12, 2024 at 900 SE Douglas Avenue, Roseburg, Oregon 97470. Both oral and written comments will be reviewed by the Roseburg City Council.

More information about the Oregon Community Development Block Grant program and the project is available for public review at 900 SE Douglas Avenue, Roseburg, Oregon 97470 during regular office hours: Monday through Friday from 8:00 a.m. to 12:00 p.m. or 1:00 to 5:00 p.m. Advance notice is requested. Please contact the Roseburg Community Development Department, 900 SE Douglas Avenue, Roseburg, Oregon 97470, (541) 492-6750, or by email: ablondell@cityofroseburg.org

Anyone having questions regarding the public hearing may contact Roseburg City Recorder, Amy Nytes, by calling 541-492-6866.

*****AMERICANS WITH
DISABILITIES ACT NOTICE*****

The location of the hearing is accessible to the disabled. Please contact the City Recorder's Office, Roseburg

City Hall, 900 SE Douglas,
Roseburg, OR 97470 (Phone
541-492-6866) at least 48 hours
prior to the scheduled meeting
time if you need an accommodat
ion. TTD users please call
Oregon Telecommunications
Relay at 1-800-735-2900.

Pub ##### Date: Jul 30, 2024

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



SUPPLEMENTAL BUDGET FOR THE AIRPORT FUND, FISCAL YEAR 2024-25 RESOLUTION NO. 2024-17

Meeting Date: August 12, 2024
Department: Finance
www.cityofroseburg.org

Agenda Section: Public Hearings
Staff Contact: Ron Harker, Finance Director
Contact Telephone Number: 541-492-6710

ISSUE STATEMENT AND SUMMARY

The City was recently notified of additional federal funding that would be made available to facilitate the airport taxiway extension project. In order to comply with Oregon Budget Law, the increased revenues and related appropriations need to be recognized by adoption of a supplemental budget. Since the changes will increase appropriations by more than ten percent, a public hearing must be held to receive public input prior to adoption of a supplemental budget.

BACKGROUND

A. Council Action History.

On June 10, 2024, City Council adopted Resolution 2024-13, adopting the 2024-2025 Budget.

On July 22, 2024, City Council adopted Resolution 2024-16, authorizing acceptance of a grant offer from the Federal Aviation Administration (FAA) in the maximum amount of \$2.1 million to be used towards the Extend Taxiway A Construction project.

B. Analysis.

An appropriation is an authorization granted by the governing body to make expenditures and to incur obligations for specific purposes. It is limited to one fiscal year [ORS 294.311(3)]. Appropriations are a legal limitation on the amount of expenditures that can be made during the fiscal year and on the purposes for which expenditures can be made [ORS 294.456(6)]. After the beginning of the fiscal year, when a local government is operating with the adopted budget, changes in appropriated expenditures sometimes become necessary. Appropriations may be increased or decreased, transferred from one appropriation category to another, or new appropriations categories created.

The method used to amend the budget is determined by the budgetary change needed. If the change involves new appropriations and increased revenues, a new fund, or a new appropriation category or the use of reserved for future expenditure funds, a supplemental budget is usually required.

The City is anticipating an FAA grant of \$2.1 million, which will increase budgeted federal grant revenues by \$689,421. The grant is to cover ninety percent of the costs for the construction of the taxiway extension project at the airport. The additional FAA grant revenues were unanticipated at the time the 2024-2025 budget was developed and adopted and requires a change in financial planning.

As the FAA grant only covers ninety percent of project costs, a transfer of \$20,338 appropriation authority from the Airport Fund's contingency to the Airport's Capital budget is required to cover the required local match.

In order to comply with Oregon Budget Law, which requires a balanced budget, the Airport Fund's capital budget needs to increase by \$709,759. The increase in appropriations will permit the construction project to proceed in line with the projected costs presented to Council on July 22, 2024.

In order to accommodate these changes, the following adjustments are proposed:

Airport Fund (520)

Revenues	
Federal Grants	\$ 689,421
Appropriations	
Capital Outlay	\$ 709,759
Contingency	<u>\$(20,338)</u>
Total Appropriations	\$ 689,421
(Changes in revenues and appropriations are offsetting thereby maintaining a balanced budget)	

C. Financial/Resource Considerations.

As the proposed budget adjustments will facilitate the advancement of the taxiway extension construction project at an immaterial cost to the city, just \$20,338, there are no fiscal concerns for the Airport operations.

D. Timing Considerations.

Oregon Budget Law requires that appropriation authority be sufficient to cover all expenditures prior to their encumbrance; therefore, as this project proceeds it is imperative that sufficient appropriation authority is in place.

COUNCIL OPTIONS

- 1) Adopt the attached resolution as written; or
- 2) Adopt the attached resolution with modifications to the proposed figures; or
- 3) Not adopt the attached resolution.

STAFF RECOMMENDATION

Given the need to comply with Oregon budget law, it is staff's recommendation to adopt the attached resolution as written.

SUGGESTED MOTION

“I MOVE TO ADOPT RESOLUTION NO. 2024-17 AUTHORIZING SUPPLEMENTAL BUDGET REVISIONS AND APPROPRIATION TRANSFERS FOR FISCAL YEAR 2024-25.”

ATTACHMENTS:

Attachment #1 – Resolution No. 2024-17

RESOLUTION NO. 2024-17

**A RESOLUTION AUTHORIZING A SUPPLEMENTAL BUDGET FOR
FISCAL YEAR 2024-25**

WHEREAS, the City of Roseburg, Oregon, adopted a budget and appropriated funds for fiscal year 2024-25 by Resolution 2024-13; and

WHEREAS, the City is anticipating a Federal Aviation Administration (FAA) grant of \$2.1 million, which will increase budgeted federal grant revenues by \$689,421. The grant is to cover ninety percent of the costs for the construction of the taxiway extension project at the airport. The additional FAA grant revenues were unanticipated at the time the 2024-2025 was developed and adopted and requires a change in financial planning; and

WHEREAS, as the FAA grant only covers ninety percent of project costs, a transfer of \$20,338 appropriation authority from the Airport Fund's contingency to the Airport's Capital budget is required to cover the required local match; and

WHEREAS, in order to comply with Oregon Budget Law, which requires a balanced budget, the Airport Fund's capital budget needs to increase by \$709,759. The increase in appropriations will permit the construction project to proceed in line with the projected costs presented to Council on July 22, 2024; and

WHEREAS, ORS 294.471 provides a city may amend the current year adopted budget through the supplemental process when an occurrence or condition that was not known at the time the budget was prepared requires a change in financial planning; and

WHEREAS, publication requirements have been met as outlined by ORS 294.473 for a supplemental budget; and

WHEREAS, ORS 294.463 allows appropriations to be transferred within a fund after the budget has been adopted.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROSEBURG that:

Section 1 Resources and appropriations in the Fiscal Year 2024-25 budget shall be adjusted as follows:

	<u>Current</u>	<u>Amount</u>	<u>Amended</u>
Airport Fund (520)			
Resources			
Beginning Fund Balance	\$ 1,052,230	\$ -	\$ 1,052,230
Revenues	\$ 2,649,107	\$ 689,421	\$ 3,338,528
Total Resources:	<u>\$ 3,701,337</u>	<u>\$ 689,421</u>	<u>\$ 4,390,758</u>
Appropriations			
Airport Operations	\$ 295,731	\$ -	\$ 295,731
Capital Outlay	\$ 2,152,241	\$ 709,759	\$ 2,862,000
Debt Service	\$ 112,253	\$ -	\$ 112,253
Contingency	\$ 1,141,112	\$ (20,338)	\$ 1,120,774
Total Appropriations:	<u>\$ 3,701,337</u>	<u>\$ 689,421</u>	<u>\$ 4,390,758</u>

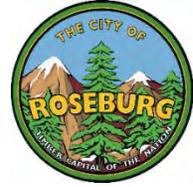
Section 2 The Finance Director is to make the proper adjustments to the budget.

Section 3 This resolution shall become effective immediately upon adoption by the Roseburg City Council on August 12, 2024.

**ADOPTED BY THE ROSEBURG CITY COUNCIL AT ITS REGULAR MEETING
ON THE 12TH DAY OF AUGUST, 2024.**

Amy Nytes, City Recorder

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



UGB SWAP - ADOPTION OF FINDINGS OF FACT AND ORDER FILE NO. CPA-23-002 – ORDINANCE NO. 3604

Meeting Date: August 12, 2024
Department: Community Development
www.cityofroseburg.org

Agenda Section: Ordinance
Staff Contact: Stuart Cowie
Contact Telephone Number: 541-492-6750

ISSUE STATEMENT AND SUMMARY

City staff has prepared written findings of fact on behalf of City Council approving the UGB Swap, as was requested by Council at the close of the public hearing on July 22, 2024. In addition, staff has prepared Ordinance No. 3604 authorizing the UGB Swap and subsequent land use actions as listed below. The issue for the Council is whether to adopt the Findings of Fact and Order as presented and move forward with first reading of Ordinance 3604.

BACKGROUND

A. Council Action History.

On September 24, 2018, City Council held a work study session initiating the UGB Swap process.

On January 13, 2020, City Council adopted Resolution 2020-01, creating goals and action items for the City of Roseburg for 2020-2022. Pursuing the UGB Swap is an action item listed under the goal to develop and implement policies to enhance housing opportunities.

On March 11, 2024, City Council received a status update concerning progress being made on the UGB Swap and that an application had been submitted to the Oregon Department of Land Conservation and Development (DLCD) and the Douglas County Planning Department for their official review.

On July 22, 2024, City Council held a public hearing on File No. CPA-23-002, concerning the UGB Swap application. At the close of the public hearing, Council voted unanimously to request staff prepare written findings of fact on behalf of the Council approving the UGB Swap.

B. Analysis.

City Council held a public hearing on July 22, 2024, to review a city-initiated legislative amendment to adjust the City's UGB through a UGB Exchange process. This process has been more commonly referred to as the UGB Swap.

The amendment, if approved, 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).

The public hearing enabled both written and oral testimony to be provided as part of the record. Staff provided the City Council with a report of the request and the analysis completed in order to satisfy state and local land use regulations. Staff also provided Council with a copy of the Planning Commission's findings recommending approval of the UGB Swap. The City had witnesses testify on behalf of the application, specific to their area of expertise. Public testimony was provided to Council in opposition, during the neutral category, and in support of the application. Council closed the public hearing and began deliberation.

City Council made a motion requesting staff to prepare findings of fact on behalf of City Council approving the UGB Swap and 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 Findings of Fact and Order document attached to this memo constitutes the findings staff prepared on your behalf. In addition, Ordinance No. 3604 has been prepared for your review. It is anticipated if Council adopts the Findings of Fact and Order document approving the UGB Swap and subsequent land use actions, Council would continue with first reading of the ordinance.

C. Financial/Resource Considerations.

The City has spent a tremendous amount of staff time over the last six years in order to address the criteria necessary to submit a complete application involving each of the land use action items necessary as part of the UGB Swap proposal. In addition, third-party land use consultants, traffic engineer, storm water feasibility analysis, and survey work have been paid for and completed in order to address necessary criteria. Although immediate action involving a decision concerning the UGB Swap does not trigger financial impacts to the City, the effects of approving the UGB Swap will have significant economic impact to our community for years to come.

D. Timing Considerations.

The UGB Swap proposal is a legislative action initiated by the City of Roseburg. Legislative action proposals are not subject to the time frames necessary to issue a decision as in most land use applications. As a result, Council is under no legal time frame in which a decision must be rendered.

COUNCIL OPTIONS

The Council has the following options:

1. Adopt the Findings of Fact and Order for File No. CPA-23-002 and proceed with first reading of the ordinance;
2. Modify the proposed action or continue the matter for further consideration; or
3. Decline to proceed with the proposed action.

STAFF RECOMMENDATION

Staff recommends the Council adopt the Findings of Fact and Order for File No. CPA-23-002 and proceed with the first reading of Ordinance No. 3604.

SUGGESTED MOTIONS

“I MOVE TO ADOPT THE FINDINGS OF FACT AND ORDER FOR FILE NO. CPA-23-002 AND PROCEED WITH THE FIRST READING OF ORDINANCE NO. 3604.”

ATTACHMENTS

Attachment #1 - Draft Ordinance No. 3604

Attachment #2 – City Council Findings of Fact and Order File No. CPA-23-002

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 ____ DAY OF _____, 20__.

APPROVED BY THE MAYOR THIS ____ DAY OF _____, 20__.

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

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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.

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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

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.

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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

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.

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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

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

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,

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.

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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.

**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)** ~~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.

1.8. All actions as specified by this agreement shall be taken to ~~en~~assure 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

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 ~~regard to~~ regarding ~~with~~ 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 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.

- 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-Areas~~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. ~~d~~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. ~~d~~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. ~~e~~Establish the role and responsibilities of each party to the agreement with respect to City or County approval of new development;
- d. ~~e~~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. ~~s~~Specify whether the urban service will be provided in the future by the City, County, Urban Service Provider or a combination thereof;
- f. ~~s~~Set forth the functional role of all parties in the future provision of the urban service within the UGB;
- g. ~~d~~Determine the future service area within the UGB for each party;
- h. ~~a~~Assign responsibilities for:
 - 1) ~~p~~Planning and coordinating provision of the urban service with other urban services;

- 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 ~~j~~jurisdictional ~~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 ~~j~~jurisdictional ~~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 ~~j~~jurisdictional ~~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

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 0.78
FAIRHILL DRIVE # 353	MP 0.00 to MP 0.55
FOLLETT STREET #252-G	MP 0.00 to MP 0.29.26
FREAR STREET # 56	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
HOOKER ROAD # 171-A	MP 0.18.00 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 A VENUE # 260	MP 0.00 to MP 0.32

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 A VENUE # 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

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

- 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.

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:

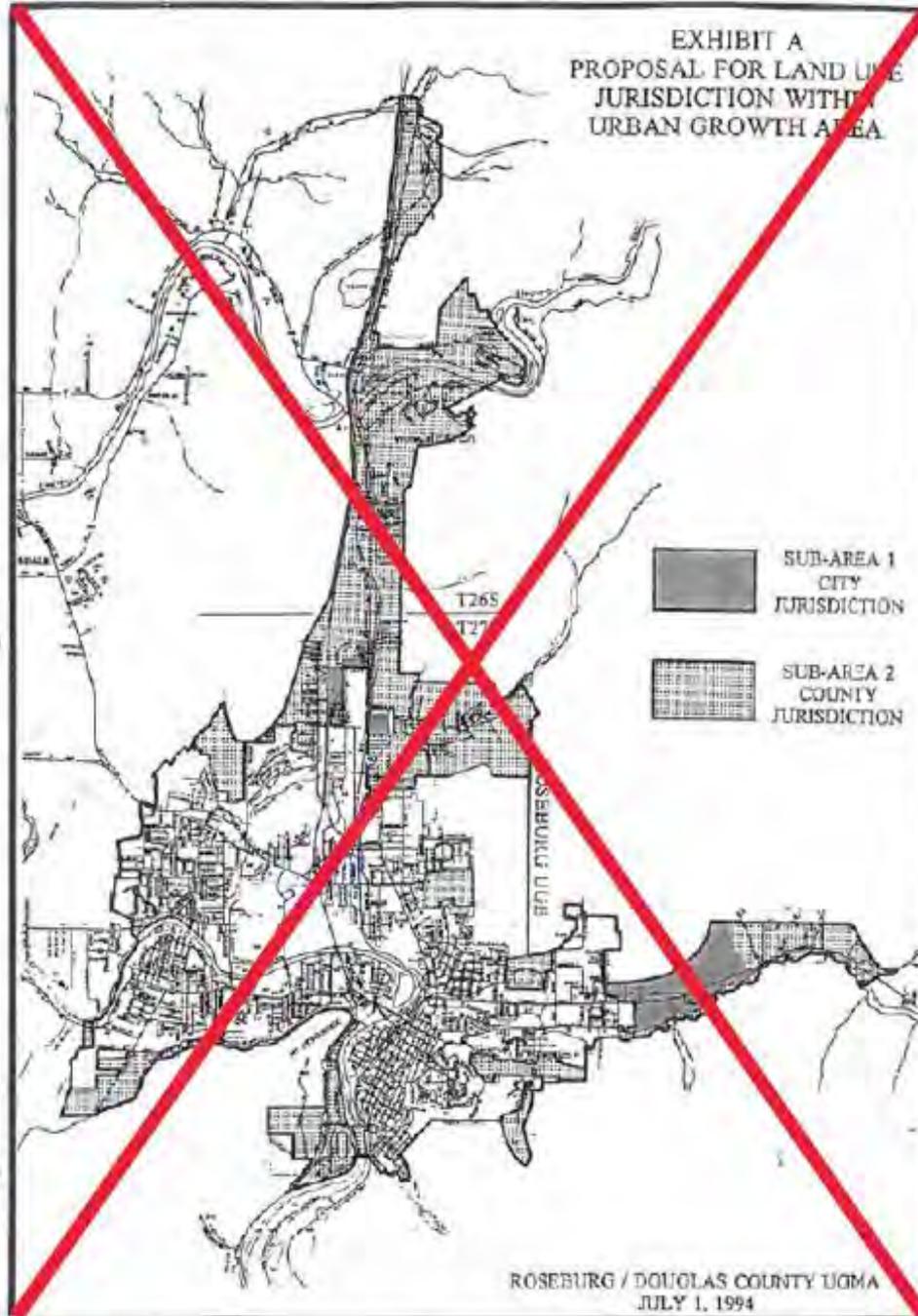
Tom Kress, Commissioner

City Recorder

Date

Date

Existing Exhibit A

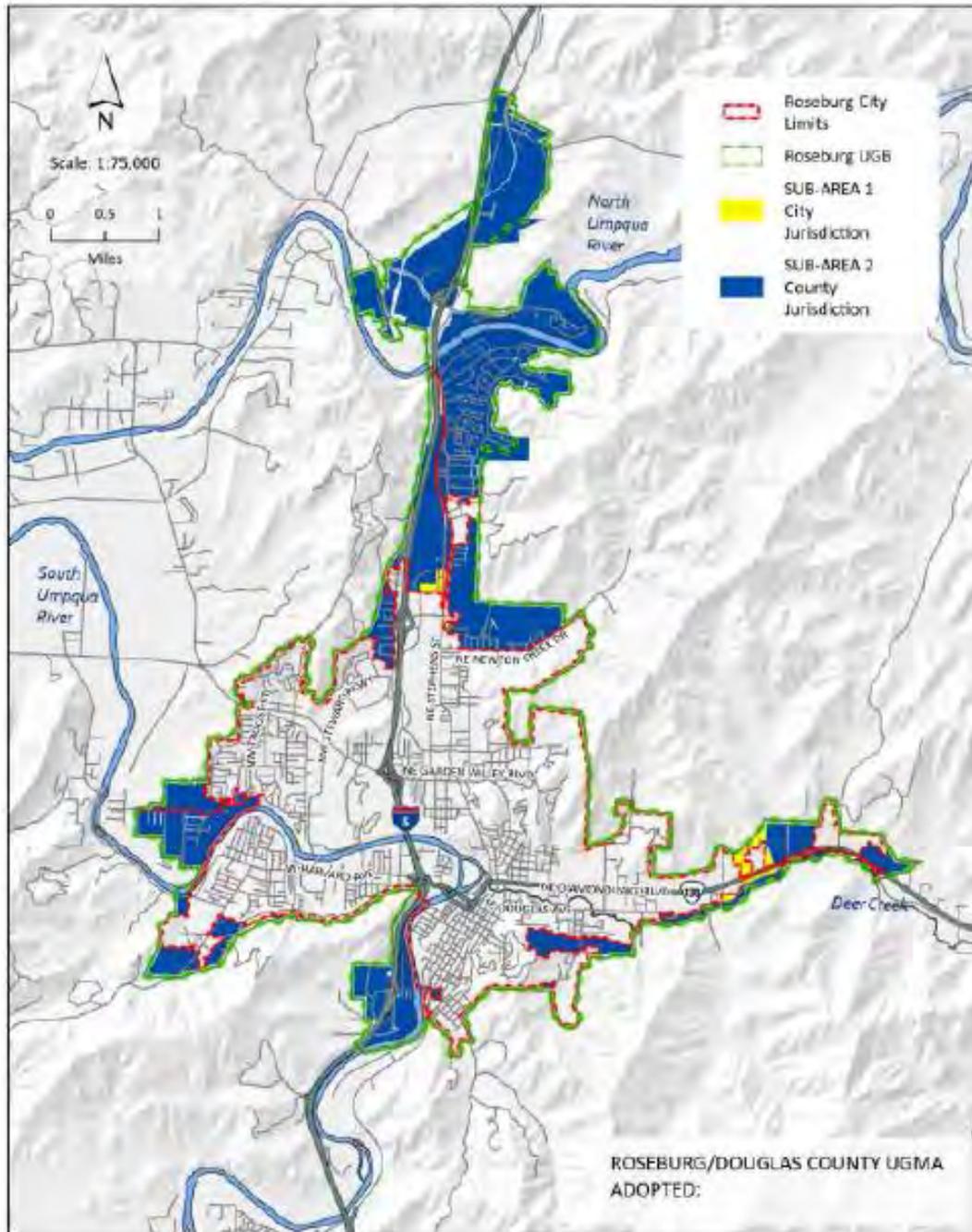


**To be replaced - New exhibit shown
on next page**

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.

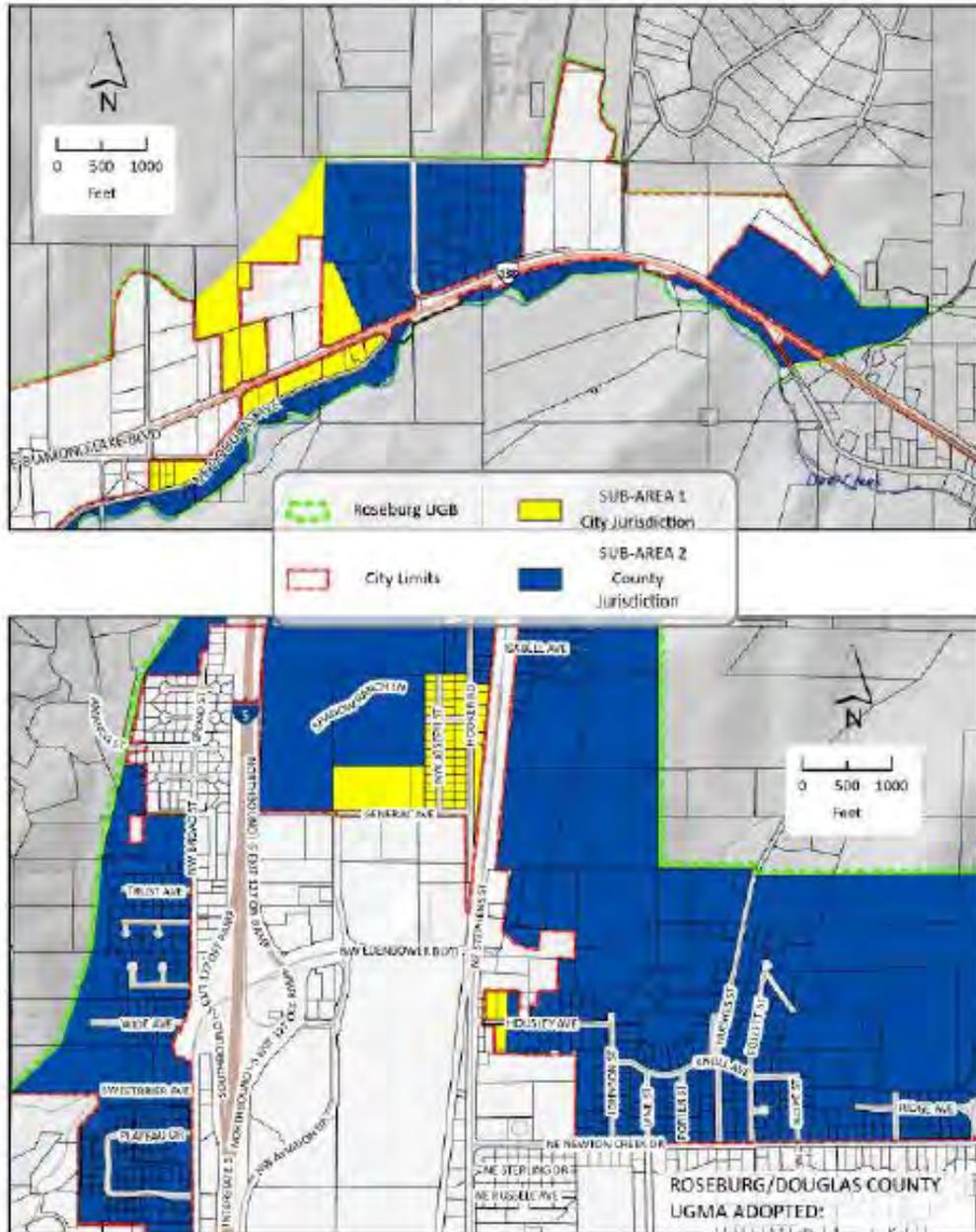
Existing Exhibit A-1



To be replaced - New exhibit shown on next page

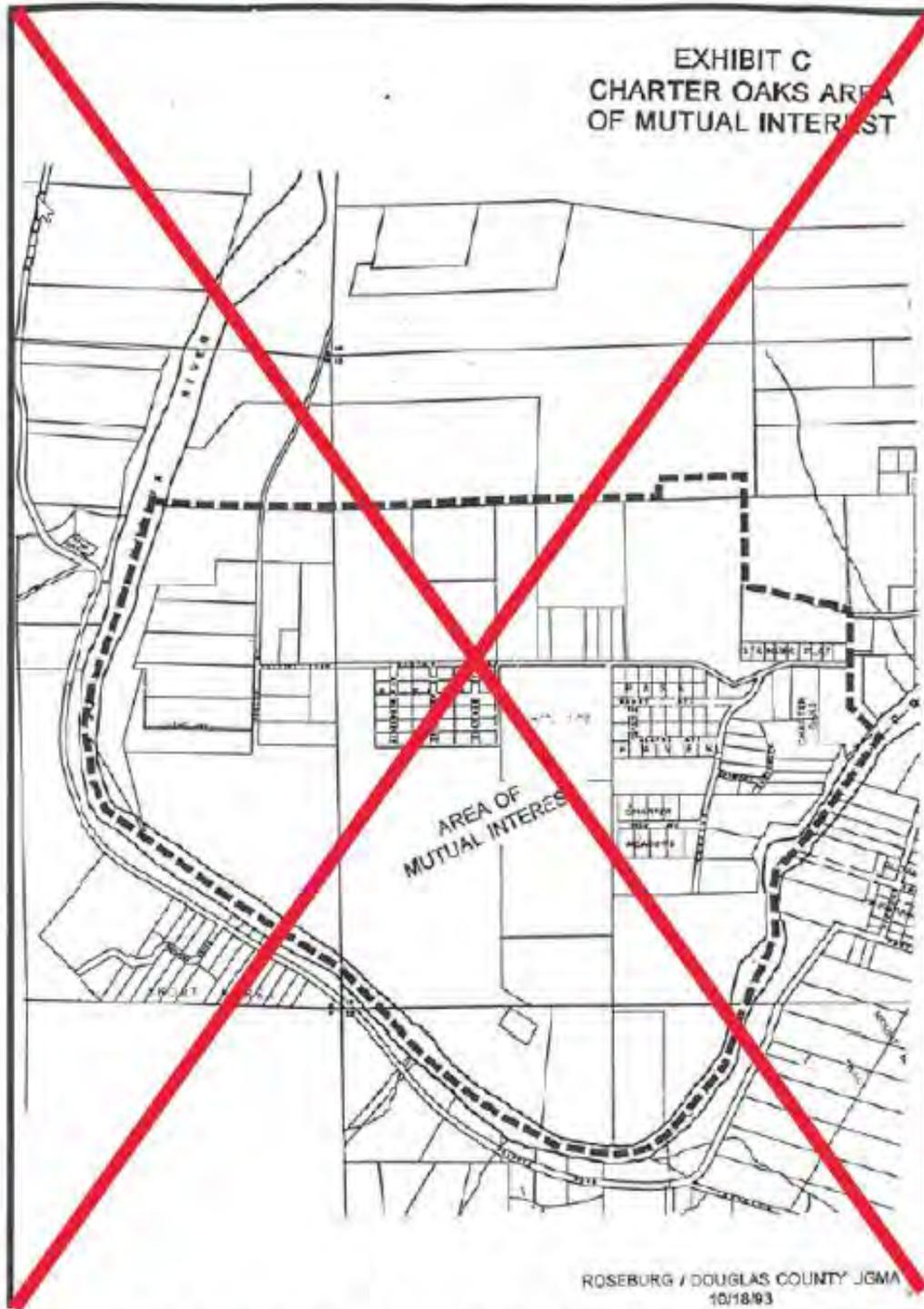
New Exhibit A-1

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.

Existing Exhibit C



To be replaced - New exhibit shown on next page

Existing Exhibit D



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

Existing Exhibit A-2 West



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

Existing Exhibit A-2 East



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

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 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

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.

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. ~~F~~Final plats or subdivision in any Commercial, Multiple Family Residential or the Public Reserve District.
 - b. ~~F~~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. ~~T~~The requirements of the water utility serving the area; and

- b. ~~a~~Acceptable standards for urban fire protection as determined by the fire protection agency serving the area.
3. To ensure that development of subdivisions, ~~partitionings~~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 ~~13%~~12% or greater shall be reviewed to ensure site geological suitability. Such review shall be presented in a written report by an ~~e~~Engineering ~~g~~Geologist or an ~~a~~ Geotechnical ~~e~~Engineer. ~~who certifies he is qualified to evaluate the physical properties and engineering characteristics of foundation materials of soils and rock.~~ The written report of the ~~e~~Engineering ~~g~~Geologist or ~~e~~Geotechnical ~~e~~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 ~~13~~12 and 25 percent slopes upon recommendation of the County Engineer. Such a recommendation shall be based on information submitted by the applicant, his ~~e~~Geotechnical ~~e~~Engineer or ~~e~~Engineering ~~g~~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 I.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 I.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.~~

~~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.

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)

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~~

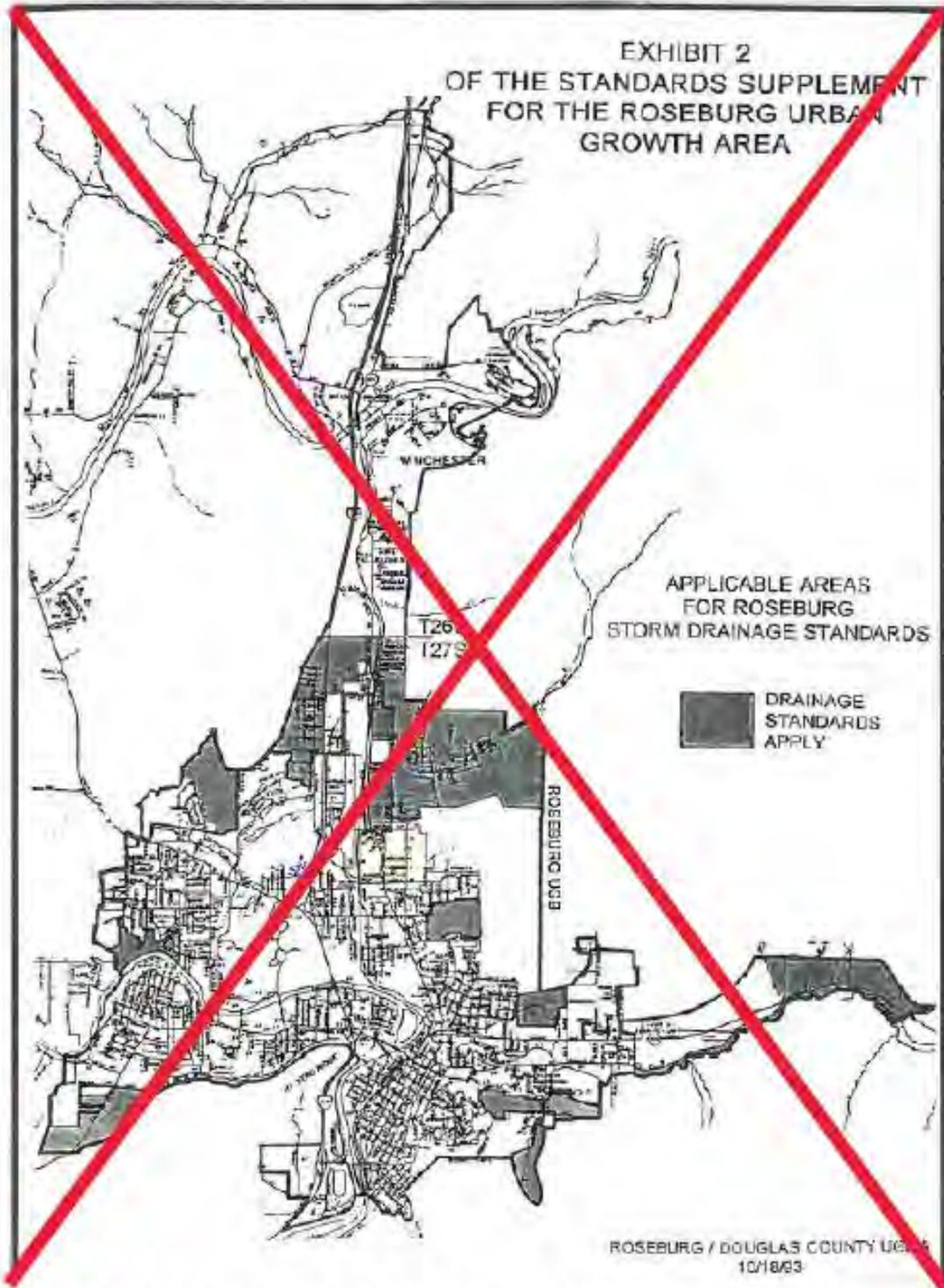
EXHIBIT 1

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. **Waldon Avenue (#259):** from the City Limits to the City Limits.~~
- 12.6. **Ramp Road (#159):** from the City Limits to the City Limits.

Existing Exhibit 2

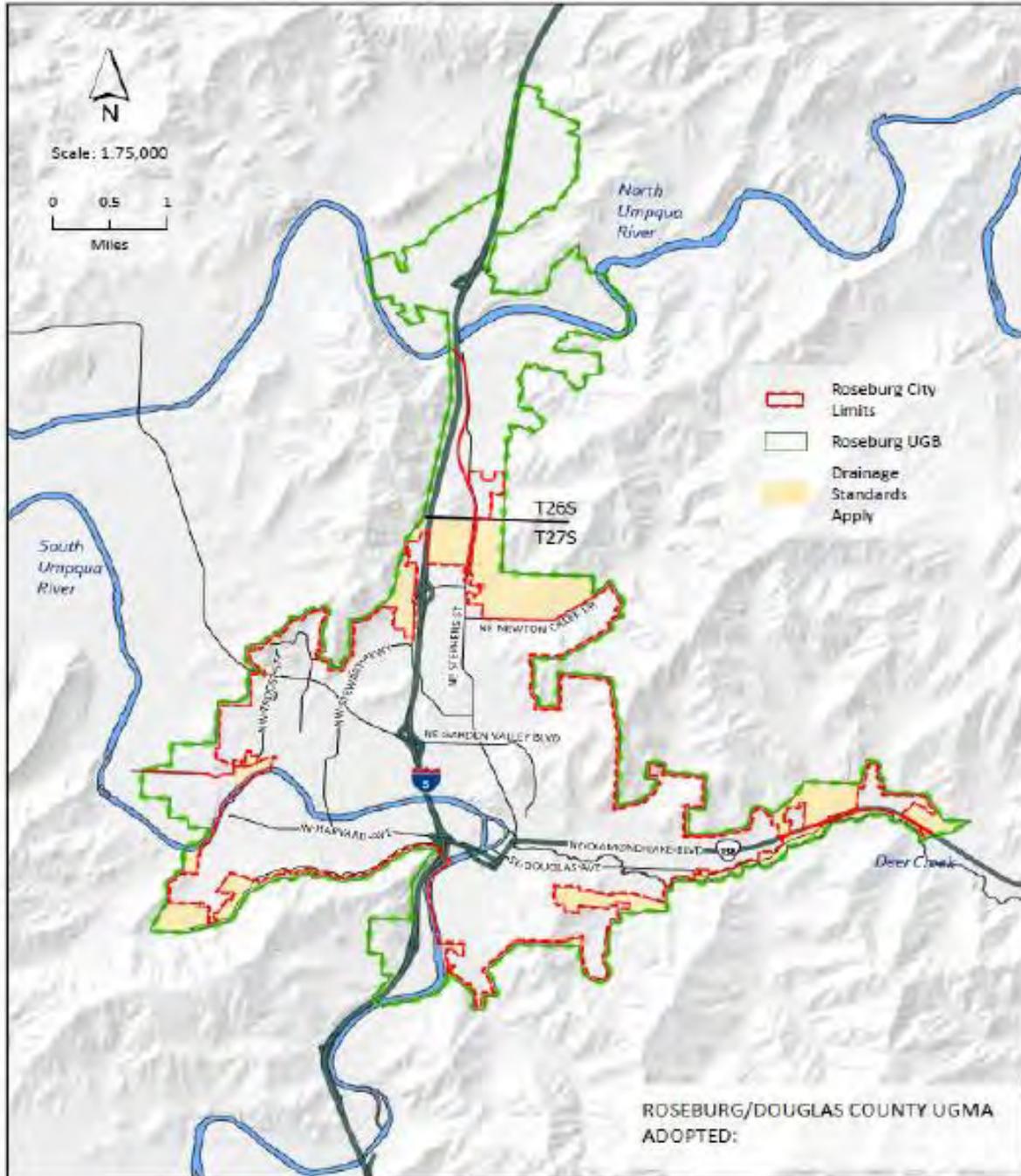


To be replaced - New exhibit shown
on next page

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.

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 DLCD, 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 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

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

Date

Stuart Cowie, Community Development Director

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

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 DLCD, 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 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

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

Date

Stuart Cowie, Community Development Director

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

Exhibit A – April 15, 2024 UGB Exchange Proposal: Staff Report & Findings (aka Application)

Link to document:

<https://www.cityofroseburg.org/storage/app/media/CDD/UGB%20Exchange/Roseburg%20UGB%20Exchange-Final-04-15-24.pdf>

Exhibit B – Appendices

Link to document:

<https://www.cityofroseburg.org/storage/app/media/CDD/UGB%20Exchange/Appendices%20ALL-04-15-24.pdf>

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

BEFORE THE ROSEBURG PLANNING COMMISSION

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 areas 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 should 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 combined public hearing was held on the application before both the Roseburg Planning Commission and the Douglas County Planning Commission on May 6, 2024. At that hearing the Roseburg Planning Commission reviewed Land Use File CPA-23-002 and it was made part of the record. 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.

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 may have been amended from time-to-time.

2. Notice of the public hearing was given by publication in The News Review, a newspaper of general circulation, at least 10 days prior to the hearing.
3. The objective of the UGB Exchange 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).
4. The HNA (2019, ECONorthwest), made several key findings within its conclusion that help to justify the need for a UGB Exchange:
 - 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. An Urban Growth Boundary Exchange 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 initial public hearing on May 6, 2024, a suite of comment letters were provided to the Planning Commissioners and the public through staff reports and hearing packets published and posted prior to the hearing. Twenty-four letters were written in support of the application and one letter of concern was submitted prior to the City Planning Commission packet being sent to the City Planning Commissioners on April 29, 2024. Two additional letters of support were submitted to staff after the packet was sent and prior to the hearing on May 6, 2024. A hard copy of these letters

were provided to the Planning Commissioners at the beginning of the hearing.

At the joint City/County Planning Commission hearing on May 6, 2024, public testimony included six people testifying in opposition, one person speaking during the “neutral” category, and twelve people speaking in support. Four new letters were received in opposition to the proposal, and three new letters were submitted in support during the hearing itself.

Issues raised *in opposition* to the proposal before and during the initial public hearing on May 6, 2024 can be generally described as listed below. Testimony provided during the course of the hearing concerning issues raised by those in opposition are provided in italics as listed.

- **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. People suggested that the UGB Swap should not be allowed until the 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 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.

- **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 in the context of 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 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 response. 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 additional 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 higher ISO 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 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 effort was gathered pre-Covid and is therefore 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.
- **Environmental and farmland 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 precise extent of wetlands in the area is still unknown. Other options such as Dixonville or Wilbur would have less farmland impacts.
- Community engagement was insufficient, and the project favors development over community concerns.

Stuart Cowie, Community Development Director spoke on behalf of the City 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.

- Low density residential zoning proposed for the area is proposed in spite of the City's Housing Needs Analysis (HNA) which identified an excess of low-density residential land but inadequate higher-density zoning.

Issues raised in *support of* the proposal before and during the initial public hearing on May 6, 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.
- **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.
- **City Budget.** Adding additional housing and tax base to the city will increase the city's budget and help with rising cost increases. The current rise in cost was said to be up 8% while revenue is up 4%. At this rate, it is not sustainable.
- **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.

- **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.

E. PROCEDURAL

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

F. 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 located within this document, as well as testimony provided during the course of the 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 concludes that the legislative amendment meets the criteria for approval in RMC Section 12.10.020.

V. ORDER

Based on the Findings and Conclusions provided within the April 15, 2024 Urban Growth

Boundary Exchange Proposal: Staff Report and Findings document, the Planning Commission recommends **APPROVAL** of the legislative amendments as listed below to City Council.

- 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.



 Jaime Yraguen, Planning Commission Chair

5-20-2024

 Date



 Stuart Cowie, Community Development Director

5/20/2024

 Date

Planning Commission Members:
 Jaime Yraguen (Chair)
 Shelby Osborn
 Jarrett Nielsen
 Matthew Brady
 Emily Brandt
 Matthew Keller
 Janelle James

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

Exhibit A – April 15, 2024 UGB Exchange Proposal: Staff Report & Findings (aka Application)

Link to document:

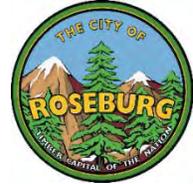
<https://www.cityofroseburg.org/storage/app/media/CDD/UGB%20Exchange/Roseburg%20UGB%20Exchange-Final-04-15-24.pdf>

Exhibit B – Appendices

Link to document:

<https://www.cityofroseburg.org/storage/app/media/CDD/UGB%20Exchange/Appendices%20ALL-04-15-24.pdf>

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



PROPOSED PROHIBITED CAMPING CODE AMENDMENT ORDINANCE NO. 3605

Meeting Date: August 12, 2024
Department: Police
www.cityofroseburg.org

Agenda Section: Ordinances
Staff Contact: Police Chief Gary Klopfenstein
Contact Telephone Number: 541-492-6760

ISSUE STATEMENT AND SUMMARY

The Council is asked to consider ordinance language modifying how prohibited camping will be prosecuted, and to make code amendments to the Law Enforcement Enhanced Areas ordinance.

BACKGROUND

A. Council Action History.

In October 2018, in order to adhere to precedents set in the U.S. 9th Circuit Court case *Martin vs. Boise*, Council updated RMC Section 7.02.100 Prohibited Camping to ensure prohibited camping could only be prosecuted as a violation.

In December 2018, Council approved a code amendment to remove Prohibited Camping as a listed offense for which persons could be excluded from in the Enhanced Law Enforcement Areas; this amendment was necessary in order to adhere to precedents set in the U.S. 9th Circuit Court case *Martin vs. Boise*.

B. Analysis.

In July 2020, a Federal Court ruling in *Blake vs. Grants Pass* again changed how cities were able to enforce prohibited camping. This ruling made specific distinctions between sleeping and camping; Federal Court referred to sleeping as an “unavoidable human act.” The Federal Court went further to advise that homeless people can take necessary minimal measures to keep themselves warm and dry while sleeping when there are no alternative forms of shelter available.

On June 28, 2024, the United States Supreme Court reversed and remanded the *Grants Pass* ruling that enforcing prohibited camping laws, without available shelter, violated the Eighth Amendment’s prohibition on cruel and unusual punishment.

Staff has prepared the following proposed code amendment that would modify language in RMC Chapter 7.02.100 Prohibited Camping to clarify how prohibited camping could be prosecuted.

- ~~F. Violation of this Chapter shall be classified as a violation subject to a civil penalty. The remedies described in this section shall not be the exclusive remedies of the City for violations of this Chapter. This Chapter is to be interpreted consistent with the applicable state statutes and providing the protections required by state statutes.~~
- F. Upon conviction for a violation of this Chapter, in addition to any other factors deemed appropriate by the Court, the Court shall consider in mitigation whether or not the person immediately removed all personal property and litter, including but not limited to bottles, cans, and garbage from the campsite, and immediately complied with this ordinance, after being informed they were in violation of the law.
- G. Upon conviction for a violation of this Chapter, if an individual successfully utilizes the Roseburg Transitional Court program, or independently demonstrates that after receiving the citation and before the hearing, they meaningfully engaged with private resources and/or service providers to address whatever led them to be in violation, the Court shall consider that in mitigation.
- H. If penalties are imposed, the first conviction shall not exceed \$100, and the second conviction shall not exceed \$250. The third and subsequent conviction(s) may include incarceration, not to exceed 7 days. In the Court's discretion, alternative penalties for violation(s) of this Chapter may be imposed. This Chapter is to be interpreted consistent with the applicable state statutes and providing the protections required by state statutes.

Staff additionally prepared a code amendment that would add Prohibited Camping back to the listed offenses for which persons can be excluded from in Enhanced Law Enforcement Areas, Chapter 7.12.015.

C. Financial/Resource Considerations.

Adopting these code amendments has no financial impact.

D. Timing Considerations.

There are no timing considerations. However, these code amendments will help Police address unlawful behavior in our public spaces by adding consequences for non-compliance.

COUNCIL OPTIONS

Council has the following options:

- Move forward with first reading of the proposed ordinance; or
- Direct Staff to make changes; or
- Do nothing.

STAFF RECOMMENDATION

Staff recommends Council move forward with first reading of Ordinance No. 3605.

SUGGESTED MOTION

No motion required at this time. First Reading.

ATTACHMENTS:

Attachment #1 - Proposed Ordinance No. 3605

ORDINANCE NO. 3605

**AN ORDINANCE AMENDING CHAPTERS 7.02.100 AND 7.12.015 OF THE
ROSEBURG MUNICIPAL CODE**

WHEREAS, Roseburg is no longer limited to enforcing prohibited camping as a violation;
and

WHEREAS, Roseburg City Council desires to reinstate Prohibited Camping as an offense
within the Enhanced Law Enforcement Areas, Chapter 7.12.015, titled "Civil Exclusion."

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

SECTION 1. Roseburg Municipal Code Chapter 7.02.100, titled "Prohibited Camping," is
hereby amended to read as follows:

~~F. Violation of this Chapter shall be classified as a violation subject to a civil penalty.
The remedies described in this section shall not be the exclusive remedies of the
City for violations of this Chapter. This Chapter is to be interpreted consistent with
the applicable state statutes and providing the protections required by state
statutes.~~

F. Upon conviction for a violation of this Chapter, in addition to any other factors deemed
appropriate by the Court, the Court shall consider in mitigation whether or not the
person immediately removed all personal property and litter, including but not limited
to bottles, cans, and garbage from the campsite, and immediately complied with this
ordinance, after being informed they were in violation of the law.

G. Upon conviction for a violation of this Chapter, if an individual successfully utilizes
the Roseburg Transitional Court program, or independently demonstrates that after
receiving the citation and before the hearing, they meaningfully engaged with private
resources and/or service providers to address whatever led them to be in violation,
the Court shall consider that in mitigation.

H. If penalties are imposed, the first conviction shall not exceed \$100, and the second
conviction shall not exceed \$250. The third and subsequent conviction(s) may
include incarceration, not to exceed 7 days. In the Court's discretion, alternative
penalties for violation(s) of this Chapter may be imposed. This Chapter is to be
interpreted consistent with the applicable state statutes and providing the protections
required by state statutes.

SECTION 2. Roseburg Municipal Code Chapter 7.12.015, titled "Civil exclusion," is
hereby amended by adding the following:

U. Prohibited camping as defined in RMC 7.02.100.

SECTION 3. All other Sections and Subsections of Chapters 7.02.100 and 7.12.015 of
the Roseburg Municipal Code remain in full force and effect as written.

ADOPTED BY THE ROSEBURG CITY COUNCIL THIS ____ DAY OF AUGUST, 2024.

APPROVED BY THE MAYOR THIS ____ DAY OF AUGUST, 2024.

LARRY RICH, MAYOR

ATTEST:

AMY NYTES, CITY RECORDER

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



PROPOSED ADDITION OF CHAPTER 7.02.180 PROHIBITED WEAPONS, TOOLS, AND OTHER IMPLEMENTS ON CITY REAL PROPERTY ORDINANCE 3606

Meeting Date: August 12, 2024
Department: Police
www.cityofroseburg.org

Agenda Section: Ordinances
Staff Contact: Police Chief Gary Klopfenstein
Contact Telephone Number: 541-492-6760

ISSUE STATEMENT AND SUMMARY

The Council is asked to consider an ordinance banning unauthorized persons from possessing certain weapons, tools and implements on City Real Property.

BACKGROUND

A. Council Action History.
N/A

B. Analysis.

The City is experiencing public safety issues surrounding weapons on City Real Property. These public safety issues often involve machetes, knives, bullwhips, etc.

Additionally, the City is experiencing an increasing amount of damage to City Real Property via the use of carpentry, cutting, and digging implements. This is especially prevalent in City parks, along riverbanks, and other places such as Reservoir Hill or airport property.

Therefore, staff is proposing to add the following section to the Roseburg Municipal Code:

§ 7.02.180 Prohibited Weapons, Tools, and other Implements on City Real Property.

Unless specifically authorized by law, permit or lease, or the City Manager or their designees, no person shall possess on their person the following weapons, tools or implements on City Real Property.

- 1.) Sword, butterfly knife, or knife with a blade longer than 6 inches;
- 2.) Bolt cutters, construction, and carpentry tools;
- 3.) Machete, axe, handsaw, chainsaw, or other cutting tools;
- 4.) Shovel, pick, or other digging tools;
- 5.) Nunchuck or bullwhip;

- 6.) BB, Pellet, Airsoft, or paintball gun, or other weapon that acts by force of pressurized air, gas, or electricity;
- 7.) Leather sap, sling, slingshot, crossbow, or bow and arrow;
- 8.) Any weapon, tool, or implement by use of which injury could be inflicted upon a person or property of a person, or by use of which damage could be done to City Real Property.

C. Financial/Resource Considerations.

Adding this ordinance has no financial impact.

D. Timing Considerations.

There are no timing considerations. However, adding this ordinance will help Police address public safety and property damage concerns on City Real Property.

COUNCIL OPTIONS

Council has the following options:

- Move forward with first reading of the proposed ordinance; or
- Direct Staff to make changes; or
- Do nothing.

STAFF RECOMMENDATION

Staff recommends Council move forward with first reading of Ordinance No. 3606.

SUGGESTED MOTION

No motion required at this time. First Reading.

ATTACHMENTS:

Attachment #1 - Proposed Ordinance # 3606

ORDINANCE NO. 3606

AN ORDINANCE ADDING CHAPTER 7.02.180 OF THE ROSEBURG MUNICIPAL CODE

WHEREAS, the City is experiencing public safety issues surrounding weapons on City Real Property; and

WHEREAS, the City is experiencing an increasing amount of damage to City Real Property via the use of carpentry, cutting, digging tools and implements; and

WHEREAS, the City wishes to adopt an ordinance to help address these issues.

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

SECTION 1. Roseburg Municipal Code Chapter 7.02.180, titled “Prohibited Weapons, Tools and other Implements on City Real Property” is hereby added and reads as follows:

§ 7.02.180 Prohibited Weapons, Tools, and other Implements on City Real Property.

Unless specifically authorized by law, permit or lease, or the City Manager or their designees, no person shall possess on their person the following weapons, tools or implements on City Real Property.

- 1.) Sword, butterfly knife, or knife with a blade longer than 6 inches;
- 2.) Bolt cutters, construction and carpentry tools;
- 3.) Machete, axe, handsaw, chainsaw, or other cutting tools;
- 4.) Shovel, pick, or other digging tools;
- 5.) Nunchuck or bullwhip;
- 6.) BB, Pellet, Airsoft, or paintball gun, or other weapon that acts by force of pressurized air, gas, or electricity;
- 7.) Leather sap, sling, slingshot, crossbow, or bow and arrow;
- 8.) Any weapon, tool, or implement by use of which injury could be inflicted upon a person or property of a person, or by use of which damage could be done to City Real Property.

SECTION 3. All other sections and subsections of Chapter 7.02 of the Roseburg Municipal Code shall remain in full force and effect as written.

ADOPTED BY THE ROSEBURG CITY COUNCIL THIS ____ DAY OF AUGUST, 2024.

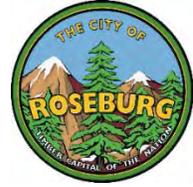
APPROVED BY THE MAYOR THIS _____ DAY OF AUGUST, 2024.

LARRY RICH, MAYOR

ATTEST:

AMY NYTES, CITY RECORDER

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



EXTEND TAXIWAY A PHASE II CONSTRUCTION BID AWARD RECOMMENDATION

Meeting Date: August 12, 2024
Department: Admin/Public Works
www.cityofroseburg.org

Agenda Section: Department Items
Staff Contact: Nikki Messenger, CM
Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

The City received bids for the Taxiway A Extension Project on May 16, 2024. The issue for the Council is whether to award the construction contract.

BACKGROUND

A. Council Action History.

At the July 22, 2024 meeting, the Council adopted Resolution No. 2024-16 authorizing acceptance of an FAA grant for the project.

B. Analysis.

The Taxiway A Extension project will lengthen the taxiway approximately 400 feet to the north to match the length of the runway, which was extended in 2011/12. The design and environmental work were funded through an FAA grant. The Oregon Department of Aviation (ODA) provided a grant to assist with the match through the COARS program. The construction project has been included in the airport's FAA approved five-year capital improvement plan (CIP) since at least 2021.

The FAA advised to bid the project with a 120-day bid hold. Typical bid holds are 90-days. The project was advertised on April 18, 2024. One bid was received on May 16, 2024.

LTM, Inc. dba Knife River Materials	\$2,064,955
<i>Engineer's Estimate</i>	<i>\$1,692,005</i>

The FAA has included Roseburg's grant in a recent announcement of federal Airport Improvement Program grants. Staff has not yet received the official grant offer.

C. Financial/Resource Considerations.

Total project costs are estimated as follows:

Construction	\$2,064,955
Construction Mgt	\$ 247,852
Administration	\$ 3,000

IFE fee	\$ 4,000
Contingency (7.5%)	\$ 154,872*
Estimated Total	\$2,474,679

Proposed Grant Funding

FAA Grant	\$2,087,826
City Match	\$ 231,981

**The FAA grant will not include the contingency line item. In general, FAA grants can be amended up to 15% if necessary, and require an approved grant amendment.*

Staff has submitted a Connect Oregon grant application to fund \$172,222 of the match. That process is ongoing. Although there is adequate cash available in the Airport fund to cover the City’s portion of the project, the project costs exceed the allocated budget for FY 24-25. Staff will be bringing a budget adjustment forward for Council consideration to ensure there is adequate authorization to award the project.

D. Timing Considerations.

The City has 120 days from bid opening to award the contract or reject all bids.

COUNCIL OPTIONS

The Council has the following options:

1. Award the Taxiway A Extension Project to the lowest responsible bidder, Knife River Materials for \$2,064,955; or
2. Request additional information;
3. Not award the contract and forego the grant opportunity.

STAFF RECOMMENDATION

The bid appears to be both responsive and responsible. The Airport Commission discussed this contract at the July 18, 2024 meeting. The Commission recommended the City Council award of the Taxiway A Extension Project to the lowest responsible bidder, LTM, Inc. dba Knife River for \$2,064,955 contingent upon receipt of a grant offer from the FAA. Staff concurs with the Commission’s recommendation.

SUGGESTED MOTION

“I move to award the Taxiway A Extension Project to the lowest responsible bidder, LTM, Inc. dba Knife River Materials, for \$2,064,955 contingent upon receipt of a grant offer from the FAA.”

ATTACHMENTS:

None.

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



TAXIWAY A EXTENSION PHASE II – CONSTRUCTION CONSTRUCTION MANAGEMENT SERVICES TASK ORDER

Meeting Date: August 12, 2024
Department: Admin/Public Works
www.cityofroseburg.org

Agenda Section: Department Items
Staff Contact: Nikki Messenger
Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

The City received bids for the Taxiway A Extension Project at the Roseburg Regional Airport. The issue for the Council is whether to authorize a consultant task order for construction management services.

BACKGROUND

A. Council Action History.

At the January 10, 2022 meeting, the Council awarded a five-year contract for consulting services at the airport to Mead & Hunt. At the July 22, 2024 meeting, the Council adopted Resolution No. 2024-16 authorizing acceptance of an FAA grant for the project.

B. Analysis.

The City selected Mead & Hunt in 2022 to perform Architectural, Engineering, Environmental, and Consulting Services for the Roseburg Regional Airport for a period of five years. The contract requires separate task orders be negotiated for each assignment.

Staff has negotiated a proposed scope and fee for this task order. Briefly, the process involves the following steps:

- Develop an agreed upon scope of work & submit to FAA for approval
- Consultant provides a fee estimate
- Sponsor (City) engages a third party consultant to provide an Independent Fee Estimate (IFE)
- Sponsor compares consultant's proposed fee with IFE, if they are more than 10% apart, sponsor works with consultant *and* IFE third party to ensure equal understanding of work
- Sponsor negotiates final fee with consultant and submits to FAA for approval with a statement that sponsor believes the fee is fair and reasonable

Staff has completed the negotiation process and has submitted the record of negotiations to the FAA.

C. Financial/Resource Considerations.

The proposed task order fee is \$247,851.65. This is down from the original proposal of \$286,657 and within 10% (8.27%) of the IFE of \$228,917. The total project costs and funding are outlined below:

Project Costs	
Construction	\$2,064,955
CM Task Order	\$ 247,852
IFE fee	\$ 4,000
Admin.	\$ 3,000
Total Grant Application	<u>\$2,319,807</u>
Contingency	<u>\$ 154,872</u>
Total (Est.) Project	<u>\$2,474,679</u>
 Proposed Grant Funding	
FAA Grant	\$2,087,826
City Match	\$ 231,981

Staff has submitted a Connect Oregon grant application to fund \$172,222 of the match. That process is ongoing. Although there is adequate cash available in the Airport fund to cover the City’s portion of the project, the project costs exceed the allocated budget for FY 24-25. Staff will be bringing a budget adjustment forward for Council consideration to ensure there is adequate authorization to award the project.

D. Timing Considerations.

Staff is expecting an official grant offer in the next two weeks.

COUNCIL OPTIONS

The Council has the following options:

1. Authorize the task order for Construction Management services for \$247,851.65; or
2. Request additional information; or
3. Not recommend authorization of the task order, which may delay the project.

STAFF RECOMMENDATION

The Airport Commission discussed this task order at their August 15, 2024 meeting. The Commission unanimously recommended the City Council authorize the task order with Mead & Hunt for \$247,851.65. Staff concurs with this recommendation.

SUGGESTED MOTION

“I move to authorize the task order with Mead & Hunt for construction management services on the Extend Taxiway A – Phase II Construction Project for \$247,851.65 contingent upon receipt of a grant offer from FAA.”

ATTACHMENTS: None