

CITY OF ROSEBURG PLANNING COMMISSION

Monday, January 3, 2022 at 7:00 pm

Electronic Meeting

✓
12-27-2021

**Public Access: Facebook Live at www.Facebook.com/CityofRoseburg
City website at: <https://www.cityofroseburg.org/your-government/commissions/planning-commission/videos>**

AGENDA

1. **CALL TO ORDER**
2. **ROLL CALL**
Ron Sperry Daniel Onchuck Victoria Hawks
Jaime Yraguen Shelby Osborn
3. **APPROVAL OF MINUTES**
A. – December 6, 2021 Planning Commission Meeting
4. **AUDIENCE PARTICIPATION: See Information on the Reverse**
5. **PUBLIC HEARING**
A. ZC-21-003 – 1802 W Harvard Avenue – Zone Change from C2 to C3 [Quasi-Judicial]
B. LUDR-22-001 – Add Mini-retail Businesses in PR zone [Legislative]
6. **BUSINESS FROM STAFF**
A. – Directors Report
7. **BUSINESS FROM THE COMMISSION**
8. **NEXT MEETING** – February 7, 2022
9. **ADJOURNMENT**

The agenda packet is available on-line at:

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

The Planning Commission meetings are available to view on the City website the next day at: <https://www.cityofroseburg.org/your-government/commissions/planning-commission/videos>

AMERICANS WITH DISABILITIES ACT NOTICE

Please contact the office of the City Recorder, Roseburg City Hall, 900 SE Douglas Avenue, OR 97470 (Phone 541-492-6700) at least 48 hours prior to the scheduled meeting time if you need an accommodation. TDD users please call Oregon Telecommunications Relay Service at 1-800-735-2900.

AUDIENCE PARTICIPATION INFORMATION

The Roseburg Planning Commission welcomes and encourages participation by citizens at all meetings. To allow the Commission to deal with business on the agenda in a timely fashion, we ask that anyone wishing to address the Commission follow these simple guidelines:

To provide comment during virtual meetings, contact the Community Development Department by phone (541-492-6750) or email cdd@cityofroseburg.org by 4:00 p.m. the day of the meeting. Please indicate at that time if ADA accommodations are requested. **Provide your name, address, phone number, whether or not you are a resident of the City of Roseburg and which item on the agenda you wish to speak. You will then be provided with a link and phone number to join the Commission meeting. 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**, you will be asked to enter your email and name. After entering your email and name, click "Join Webinar" to join the meeting as an attendee.
- When accessing the meeting through the **phone**, call the number provided.
- All attendees will be held in a "waiting room" until called on to speak.

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

PROVIDING COMMENTS

If you join the meeting via Zoom, please select the "raise hand" button when the Chair calls for speakers. You will be moved out of the "waiting room" to speak. After you have provided your comments, you will be moved back into the "waiting room".

If you join the meeting on the phone number you provided to the Community Development Department, you will be brought into the meeting to speak when the Chair calls for speakers, then moved back to the "waiting room".

CITIZEN PARTICIPATION – AGENDA ITEMS

Anyone wishing to speak regarding an item on the agenda may do so when the Commission addresses that item.

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

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

CITIZEN PARTICIPATION – NON-AGENDA ITEMS

Anyone wishing to speak regarding an item not on the evening's agenda, may do so under "Audience Participation."

Persons addressing the Commission must state their full name and address, including whether or not they are a resident of the City of Roseburg, for the record. All remarks are to be directed to the Commission. For items not on the agenda:

- Presentation should be brief and on a topic of interest to the Planning Commission, such as a general land use matter.
- These presentations are reserved for new material which has not been previously considered.

The Commission will not be taking action on any item presented under Audience Participation and if needed will provide direction to staff for appropriate follow-up.

For further details or information please contact the Community Development Department Monday through Friday, 8-12 and 1-4:30 p.m., closed 12-1 p.m. Tel: 541-492-6750, or e-mail cdd@cityofroseburg.org. Roseburg City Hall, 900 SE Douglas Avenue, Roseburg OR 97470.

**CITY OF ROSEBURG
PLANNING COMMISSION MINUTES
December 6, 2021**

CALL TO ORDER

Chair Sperry called the meeting of the Roseburg Planning Commission to order at 7:14 p.m. on Monday, December 6, 2021 via Zoom.

ROLL CALL

Present: Chair Ron Sperry, Commissioners Victoria Hawks, Stephanie Newman, Dan Onchuck and Jaime Yraguen.

Absent: Commissioner Shelby Osborn

Others present: Community Development Director Stuart Cowie, Associate Planner John Lazur, Associate Planner Caleb Stevens, and Department Technician Chrissy Matthews.

APPROVAL OF MINUTES

Commissioner Onchuck moved to approve the October 4, 2021 minutes as submitted. The motion was seconded by Commissioner Newman and approved with the following votes: Chair Sperry, Commissioners Hawks, Newman, Onchuck and Yraguen voted yes. No one voted no.

AUDIENCE PARTICIPATION – None

Chair Sperry read the Rules of Conduct when providing comments via Zoom.

Mr. Cowie shared the Community Development Department received an email from Bernie Woodard regarding the October 4th Planning Commission meeting when Mr. Cowie expressed to the Commission there hasn't been any interest in development in the Pine Street Overlay area. Mr. Cowie clarified Mr. Woodard has expressed interest and ideas but has not submitted anything for development. He has obtained properties in the area. Mr. Cowie has encouraged Mr. Woodard to submit for a pre-application conference to formalize any plans he may have.

PUBLIC HEARING

V-21-003 – 152 W Bodie Street - Variance to side yard setback [Quasi-Judicial]

Chair Sperry read the procedures for the Quasi-Judicial hearing and opened the public hearing.

Mr. Lazur stated no letters of opposition were received.

No request for party status was received.

Commissioner Hawks recused herself due to her personal friendship with the Petersons.

Chair Sperry disclosed he served on Kiwanis with Mr. Peterson's father but is able to remain objective.

Mr. Cowie explained the process for variances requesting relief from the criteria beyond 50 percent of the code requirement, resulting in a setback less than four feet do not qualify for administrative processing and are required to go before the Planning Commission for a public hearing and decision.

Mr. Lazur provided a powerpoint presentation and staff report stating the property owners, Mr. & Mrs. Peterson, requested a variance approval from Roseburg Municipal Code to decrease the setback from 5 feet to 15 inches on the side property line in order to construct a carport addition to an existing single family dwelling. This request results in a setback less than four feet. Notice was provided to property owners within 300 feet of surrounding properties. Adjacent property owner, Anna Carver submitted a letter of support. Examples of 17 properties with carports with a decreased setback in the neighborhood, within the notice area, was provided.

Commissioner Newman asked if the properties in the example were approved by the City and if Ms. Carver owns the home next door.

Mr. Lazur stated the City doesn't have record of construction for the properties in the example. At times, construction occurs without proper permitting and is only realized through a complaint or when a property is for sale and research is conducted. Many could be pre-existing, constructed prior to our Land Use Regulations. These are considered non-conforming. Ms. Carver owns the home next door which is currently a rental; however, she expressed plans to occupy the dwelling in the future.

AUDIENCE PARTICIPATION

Kenny Pederson, 152 W Bodie Street, resident of the City of Roseburg stated he wanted to build a carport on the side of his house to store his classic car.

Anna Carver, 166 W Bodie Street, resident of City of Roseburg, stated she has no objection to Mr. Peterson building the carport; however, she asked if this variance and carport addition will hinder her future request for a variance to the possible addition she is considering for her house.

Mr. Lazur stated Mr. Pederson is required to record an easement on Ms. Carver's adjacent property to ensure he can access his carport addition to construct and maintain it. He conducted a site visit with Ms. Carver and measured the site and determined there is room for Ms. Carver's addition according to her plans at this time.

Hearing no further discussion, the public hearing was closed.

Based on the analysis of the application and the criteria listed in RMC 12.10.050(B) of the Land Use and Development Regulations as contained in the Findings of Fact and Order, staff recommended the Planning Commission approve the variance request.

Commissioner Onchuck moved to adopt the Findings of Fact and Order Approving the Variance request as presented. The motion was seconded by Commissioner Newman and approved with the following votes: Chair Sperry, Commissioners Newman, Onchuck and Yraguen voted yes. No one voted no. Commissioner Hawks abstained.

V-21-005 – 1025 W Copper Court – Variance to rear and side yard setback [Quasi-Judicial]

Chair Sperry read the procedures for the Quasi-Judicial hearing and opened the public hearing.

Mr. Stevens stated two letters of objection from the neighbors were received and entered in to the record. Party status was granted to applicant/property owner Dale Rosenboom, adjacent property owners Brian and Karen Clark, 1035 W Cooper Court and Don Ramberg, 985 W Silver Court.

No ex-parte contact or conflicts of interest were declared by the Commissioners.

Mr. Stevens provided a power point and staff report stating a complaint was received regarding the construction of the deck and gazebo because of the size. He initially met with Mr. Rosenboom and explained building permit requirements regarding size and height requirements and advised that property setbacks must be met, even if a building permit isn't required for the structures. Photos were taken and provided to the Building Department. Mr. Rosenboom met with the Building Department and reported if he backfilled under the deck so it is 30 inches or less he would not need to obtain a building permit, which he did. The gazebo is under 200 square feet so a building permit isn't required.

The purpose of the variance is to retroactively bring the property into compliance. The property owner requested a variance to the Roseburg Municipal Code to decrease the side yard setback from 5 feet to 3 feet and the rear yard setback from 10 feet to 3 feet at 1025 W Copper Court for a detached deck/gazebo structure. Notice was provided to property owners within 300 feet of surrounding properties as well as City departments and RUSA. RUSA responded that the deck and gazebo appears to be over a sanitary service line which is not necessarily against code but would be the property owner's responsibility to access the line if a problem occurred. The Building Department indicated permits are not required because the deck is less than 30 inches from grade and the gazebo is less than 200 square feet but the construction of the structures are required to meet building code requirements.

Mr. Cowie discussed building permit requirements, the shape of the parcel and steep topography. A site visit was conducted and pictures were taken of the structures and vantage points from the neighbors.

Commissioner Newman asked why the structures couldn't be constructed closer to the house. Mr. Stevens stated the applicant said he could not build closer because of the second story deck on his house.

Chair Sperry asked how long the structure has been there. Mr. Stevens stated he didn't have that information but said he received the complaint early September.

A discussion ensued regarding variance criteria, permit process, and placement of the deck and gazebo. Mr. Cowie said the purpose of the hearing is to determine if the code criteria has been met and if the structures are being constructed appropriately. The Commission can add a condition of approval to ensure the structures are constructed to building code requirements.

Commission Yraguen discussed the neighbor's concerns of invasion of privacy.

Mr. Cowie stated the code criteria doesn't allow for privacy. He gave an example of two story dwellings built in residential neighborhoods next to single story dwellings.

Discussion ensued regarding code criteria. Based on the analysis of the application and the criteria listed in RMC 12.10.050(B) of the Land Use and Development Regulations as contained in the Findings of Fact and Order, staff recommended the Planning Commission approve the variance request.

Commissioner Onchuck reminded the commission that owners have the right to build on their property when following City and building code requirements.

AUDIENCE PARTICIPATION

There were no parties in favor present.

Parties in opposition:

Brian and Karen Clark, 1035 W Copper Court, resident of the City. He doesn't understand rewarding someone who doesn't follow building codes. He discussed privacy concerns.

Mr. Ramberg, 985 W Silver Court, resident of the City. Discussed construction and height of the deck/gazebo and privacy concerns.

Hearing no further discussion, the public hearing was closed.

Commissioner Onchuck moved to adopt the Findings of Fact and Order Approving the Variance request as presented and adding a condition to require the owner to obtain a building permit. The motion was not seconded.

Commissioner Yraguen moved to deny the Variance request as presented. The motion was seconded by Commissioner Hawks. Discussion ensued regarding code criteria and privacy concerns. Commissioners Hawks and Yraguen voted to approve. Chair Sperry, Commissioners Newman and Onchuck voted to deny. The motion failed 3 to 2.

Further discussion ensued regarding code criteria.

Commissioner Newman moved to adopt the Findings of Fact and Order Approving the Variance request as presented and adding a condition to require the owner to obtain a building permit. The motion was seconded by Commissioner Onchuck and approved with the following votes: Chair Sperry, Commissioners Onchuck and Newman voted in favor. Commissioners Hawks and Yraguen voted to oppose. Motion carried.

BUSINESS FROM STAFF

Mr. Cowie thanked the Commissioners for volunteering their time and effort reviewing the matters that come before the Commission. He wished everyone a Merry Christmas.

BUSINESS FROM COMMISSION

Commissioner Newman stated her Planning Commission term is expiring at the end of December and is considering not renewing her term. She is expecting twins in January and may have limited time. She has enjoyed serving on the Planning Commission.

Chair Sperry thanked her for her service and asked her to reconsider renewing for another term.

ADJOURNMENT - The meeting adjourned at 9:11 p.m. The next meeting is scheduled for Monday, January 3, 2022.



Chrissy Matthews
Department Technician

**CITY OF ROSEBURG
PLANNING COMMISSION
STAFF REPORT**



FILE NO. ZC-21-003

MEETING DATE: JANUARY 3, 2021

TO: Planning Commission
FROM: Stuart Cowie, Community Development Director
SUBJECT: Zone Change No. ZC-21-003

PROJECT SUMMARY & PROCEDURES:

Cordell Smith, on behalf of Thundering Water, submitted an application for approval of a zone change of a 3.30+/- ac. unit of land from Community Commercial (C2) to General Commercial (C3). The subject properties have a Commercial Comprehensive Plan designation. The property is comprised of two (2) separate parcels, addressed as 1802 W Harvard Avenue. The properties can further be described on Douglas County Assessors Map as Township 27 South, Range 06 West, Willamette Meridian, Section 23AA, Tax Lot 0200 and Section 14DC, Tax Lot 1700; R14193 and R14201;

The applicant's goal for the proposed zone change is to allow for a wider variety of commercial uses on the property, specifically for a future miniature golf course/outdoor recreation area. The current C2 zoning does not allow for Places of Amusement or Outdoor Recreational Facilities as use categories allowed within the zone. By changing the zoning to C3, it would allow for the desired development to be a permitted use on the subject property.

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

BACKGROUND:

- A. A pre-application conference with the applicant was conducted on June 23rd, 2021. During that meeting, City staff provided feedback regarding the zone change criteria as well as specific Comprehensive Plan Policies that would need to be addressed when applying for the zone change. A follow-up meeting was conducted with the applicant as well as their Land-Use Consultant and engineer on October 13th to review more specific site plans. The applicant has demonstrated that they intend to comply with the City's and other agency's requirements for the zone change, future site plan review and building code requirements.
- B. The applicant has also conducted a Traffic Impact Study, per the City's request in order to address new traffic that would be generated in the area with future development on the subject property. This Traffic Impact Study is included as an Exhibit for reference and discussed in further detail in the Findings of Fact.

APPLICABLE CRITERIA:

The applicant's request for a zone change application was reviewed by the City, as shown within the attached findings of fact (exhibit A), based on the applicable criteria as follows from the Roseburg Municipal Code:

Redding, California

A. RMC Section 12.10.040 – "Zone Change"

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

STAFF RECOMMENDATION:

Staff determines that the zone change request as reviewed within the findings of fact attached as Exhibit A, satisfies the criteria for approval subject to conditions 1-2 included at the end of the findings of fact. Therefore, it is recommended the Planning Commission approve file ZC-21-003, based on the findings of fact attached as Exhibit A.

OPTIONS:

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

SUGGESTED MOTION:

I MOVE TO ADOPT THE FINDINGS OF FACT AS PRESENTED, AND REFER THE REQUEST TO CITY COUNCIL, RECOMMENDING APPROVAL OF THE REQUESTED ZONE CHANGE, REFERENCED AS FILE NO. ZC-21-003.

EXHIBITS:

- A – Findings of Fact
- B – Application & Applicant's Narrative
- C – Subject Property Map
- D – Zoning Map
- E – Letters of support (submitted by applicant)
- F – Letters of opposition

EXHIBIT A

In the matter of the)
Zone Change) Zone Change
request by Cordell Smith) File No. ZC-21-003
on behalf of Thundering Water)

BEFORE THE ROSEBURG PLANNING COMMISSION FINDINGS OF FACT AND ORDER

I. NATURE OF APPLICATION

Cordell Smith, on behalf of Thundering Water, submitted an application for approval of a zone change of a 3.30+/- ac. unit of land from Community Commercial (C2) to General Commercial (C3). The subject properties have a Commercial Comprehensive Plan designation. The property is comprised of two (2) separate parcels, addressed as 1802 W Harvard Avenue. The properties can further be described on Douglas County Assessors Map as Township 27 South, Range 06 West, Willamette Meridian, Section 23AA, Tax Lot 0200 and Section 14DC, Tax Lot 1700; R14193 and R14201.

The applicant's goal for the proposed zone change is to allow for a wider variety of commercial uses on the property, specifically for a future miniature golf course/outdoor recreation area. The current C2 zoning does not allow for Places of Amusement or Outdoor Recreational Facilities as use categories allowed within the zone. By changing the zoning to C3, it would allow for the desired development to be a permitted use on the subject property.

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

II. FINDINGS OF FACT

A. EXISTING CONDITIONS

1. The Planning Commission takes official notice of the Roseburg Urban Area Comprehensive Plan adopted by City Council Ordinance No. 2980 on December 9, 1996 and of Title 12, Land Use and Development Regulations (LUDR) of the Roseburg Municipal Code (RMC), as originally adopted July 1, 1984, and re-adopted in Ordinance No. 3497 on May 1, 2018.
2. Notice of the public hearing was given by publication in The News Review, a newspaper of general circulation, at least 20 days prior to the hearing. Notice of the public hearing was mailed to all owners of property within 300 feet of the property 20 days prior to the hearing.
3. The subject property is described on Douglas County Assessors Map as Township 27 South, Range 06 West, Willamette Meridian, Section 23AA, Tax Lot 0200 and Section 14DC, Tax Lot 1700; R14193 and R14201.

4. The subject property is 3.30+/- acres, is designated by the Comprehensive Plan as Commercial and is currently zoned Community Commercial (C2). The property previously had a dilapidated single-family dwelling on the south end nearest W. Harvard Blvd. that has recently been demolished and removed. The only other development on this property is an existing 7,600 +/- sq. ft. parking lot.
5. Cordell Smith, on behalf of Thundering Water, applied for a Zone Change to change the zone of the subject property from Community Commercial to General Commercial.

B. AGENCY COMMENTS

Comments regarding the zone change request were solicited from the Fire Department, Public Works Department, Douglas County Building Department, County Public Works Department, and Roseburg Urban Sanitary Authority. All comments received are part of the record and have been incorporated, where appropriate, into the conditions of approval at the end of these findings of fact.

C. PUBLIC COMMENTS

The Community Development Department notified all owners of adjacent and neighboring properties per ORS 197.610 and RMC 12.10.030.

Letters of support have been collected by the applicant and are submitted as part of the record and included in the Planning Commission packet as Exhibit F.

Two letters of opposition have been received by Staff and are included in the Planning Commission packet as Exhibit G.

D. PUBLIC HEARING

A public hearing was held on January 3, 2021 regarding the matter of the zone change request.

E. APPLICABLE CRITERIA

The applicable approval criteria for the subject zone change is contained within Roseburg Municipal Code 12.10.040(D):

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

Findings: The property is located within the Roseburg Growth Boundary in an area that is designated Commercial in the Comprehensive Plan. Regarding zoning designations, the current zoning for the property is Community Commercial (C2) and it is surrounded by Professional Office (PO) zoned parcels to the south across W. Harvard, and directly west, and Public Reserve (PR) parcels to the north across the South Umpqua River as well as directly east. The proposed C3 zone conforms to the Comprehensive Plan under the Commercial Comprehensive Plan designation, and therefore does not require a Comprehensive Plan amendment. Findings provided below demonstrate how the proposal conforms to applicable policies, goals and objectives.

In addition, the Roseburg Comprehensive Plan provides the following policies, goals and objectives identified in the Roseburg Comprehensive Plan.

Natural Resources Policy No. 10

The City shall cooperate with the Department of Environmental Quality in developing and implementing ongoing plans and programs necessary to assure compliance with adopted air quality standards, water quality standards, and noise level standards.

The proposed zone change from C2 to C3 will allow for a wider range of commercial uses on the property. With greater commercial opportunity, future development will necessitate compliance with the standards listed in order to protect the natural resources of the City.

Noise levels generated from the property will be in compliance with DEQ standards and will be comparable to the types of noise generated from nearby Fir Grove Park and Stewart Park.

With the property's close proximity to the South Umpqua River, the applicant indicates that plans to discharge stormwater runoff from future development of the property into the South Umpqua River will occur in compliance with DEQ regulations.

Natural Resources Policy No. 11

The South and North Umpqua Rivers, Newton Creek and Deer Creek are major waterways that are scenic, recreational, and natural resources of the community. They are, however, to be 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 applicant states;

"The site is in the AE Floodway area which is the main conveyance channel for the South Umpqua River. Floodways can be dangerous in a flood event as water moves through the area at high velocities. Therefore, the applicant will keep the area clear of buildings. Planned improvements in the floodway will be designed to account for potential flooding.

The Site Plan shows a potential future extension of the existing Riverfront Park trail system in Fir Grove Park extending to the northeast corner of the subject property. Extending the Riverfront Park trail system from Fir Grove Park to the subject property would encourage patrons to use alternative transportation and improve the community's access to nature and the outdoors. Currently, this section of the riverbank is difficult to monitor making it attractive to transients and subject to illegal camping and dumping of trash and debris. To address public safety concerns and to allow Thundering Water to be closed after hours, a gate may be constructed if the public bike/pedestrian path is extended and connects to Thundering Water."

In addition to this, the City of Roseburg Municipal Code requires a minimum setback of any structure, impervious surface, retaining wall, or channel alterations to the

South Umpqua River of 50 feet (riparian vegetation setback). This required setback would be implemented during any future development on the site. This will minimize adverse impacts on scenic, recreational, and natural values found along this stretch of the South Umpqua River.

Natural Resources Policy No. 13

The development of uses relating to the rivers for public recreation and scenic enjoyment should be encouraged.

The proposal to change the zoning of the subject property from C2 to C3 will create the opportunity for greater commercial uses, specifically the outdoor recreational use of a miniature golf course. With fewer limitations on the type of use, it should encourage and promote development on the subject property that will enhance public recreation along the South Umpqua River.

The applicant indicates that the zone change and future development of the Thundering Water commercial development will provide opportunities for the community to have improved access to the river for recreation and scenic enjoyment.

Natural Resources Policy No. 14

Mature ground cover and trees, wildlife habitats, and the natural contours of identified significant stream banks shall be preserved. This shall be accomplished with a setback of structural and any other physical development such as parking lots, retaining walls, channel alterations, etc., from identified stream banks unless findings are made, after consultation with the Oregon Department of Fish and Wildlife, that any such activity:

- a. Will not have a significant adverse effect on streambank erosion, water temperature and quality, or wildlife; or*
- b. Is required for flood control and actions are taken to mitigate such impacts as much as is possible; or,*
- c. Is not required for flood control and will include all actions as are necessary to prevent or sufficiently mitigate any significant immediate or potential streambank erosion, adverse effect on water temperature and quality, or wildlife.*

As mentioned above in the Natural Resources Policy No. 11 Finding, Roseburg Municipal Code requires a minimum setback of 50 feet from the top of a stream bank to any development. This will be enforced with any future projects on the subject property, regardless of the zoning classification. According to the applicant,

"The policy above is directed towards preserving natural contours and riparian habitats along significant stream banks including the South Umpqua River. The subject property is adjacent to South Umpqua River and design consideration will be given to help preserve wildlife habitats and the natural contours of the riverbank. The

applicant will work with the appropriate agencies to determine the top of the riverbank and the 50-foot riparian setback.

As shown on two conceptual Site Plans (L1.0 Site Plan and L4.0 Site Plan Alternative), no buildings are proposed within the Floodway. Any site grading or improvements in the Floodway, such as the bike pump track, will be designed to avoid significant adverse effects on streambank erosion, water temperature and quality, or wildlife. Any site grading will take into consideration applicable standards for the Floodway and the riparian setback.”

Economic Growth Policy No. 3

The City shall encourage economic activities which strengthen the urban area’s position as a regional distribution, trade, and service center.

The subject property, which sits vacant, is surrounded by a variety of developments and uses, from multi-family development to the west, professional office use to the west and south, and the Roseburg National Cemetery and Fir Grove Park to the east. By changing the zoning from C2 to C3, it would open up the possibility for development on a property that has not been utilized in a commercial capacity for the entirety of its existence. This allowance for greater commercial development would strengthen the surrounding area’s diverse uses, and in regards to the specific desired use of an outdoor recreation center, would attract more service and entertainment-oriented business to this area of West Harvard.

The applicant expounds on this idea further;

“The key amenities such as the miniature golf course will provide additional opportunities for residents to learn about and engage in healthful living and strengthen community resilience. For example, the miniature golf course will:

- Include a public education campaign on food choices and healthy eating*
- Offer an affordable outdoor community recreation space that involves physical movement and appeals to all generations and ages.*

The community’s bowling alley, roller skating rink, YMCA, Boys/Girls Club, movie theaters, virtual arcade, etc. are indoor activities that offer alternative opportunities for healthy activities. Thundering Water will give families in Douglas County in-town, affordable, wholesome, and outdoor family-friendly recreation. Thundering Water will provide jobs and volunteer opportunities that will strengthen the local economy.”

Economic Growth Policy No. 4

Through the planning process, the City and County shall continue to monitor the supply of developable commercial and industrial sites to ensure opportunity for the expansion of existing and the establishment of new economic enterprises throughout the urban area.

As already mentioned, the request to change the zoning on the subject property from C2 to C3 is to allow for the establishment of an outdoor recreation attraction. The supply of commercial zoning throughout the city is being monitored, and the change from C2 to C3 will not reduce the amount of developable commercially zone

properties, rather allow for a wider variety of commercial uses. This proposed change will hopefully spur on development on this site which the applicant has pointed out will create new job opportunities while helping diversify the local economy.

Economic Growth Policy No. 9

The City shall encourage the development of convention and tourist related facilities in the urban area.

This proposed zone change is being made by a local corporation to allow for the establishment of an outdoor recreation facility that would consist of a miniature golf course, bicycle pump track, as well as an event building and food cart area. If the zone change is approved and the business is then able to proceed with their plans for the property, it would attract not only local residents, but also individuals visiting the area from out-of-town and could be classified as a tourist-related facility.

The applicant states;

“Thundering Water will provide a variety of educational programs and recreation amenities attractive to residents living in the City of Roseburg and the region. Some of the uses, such as the miniature golf, will promote tourism.”

Transportation Development Policy No. 3

Transportation facilities shall be designed and constructed to minimize noise, energy consumption, neighborhood disruption, cost, and social, environmental, and institutional disruptions, and to encourage the use of public transit, bikeways, and walkways.

The subject property is located in a well-established part of town with existing roadway infrastructure that handles traffic volumes adequately. With the zone change and subsequent development on the subject property, there will undoubtedly be an increase in traffic volumes on the W Harvard corridor and surrounding roadways. As part of this application submittal, the applicant plans to alleviate some of this traffic generation in order to reduce traffic volumes by encouraging alternate modes of transportation, such as biking with bicycle parking on-site, as well as walking to and from the site with pedestrian-friendly routes on and off of the property. While vehicles are the main beneficiary of the surrounding streets, the existing sidewalks also serve as a reliable mode of transportation for pedestrians. During the time of development, it will be a requirement that these sidewalks meet all city/ADA standards to ensure their safety and functionality for all members of the community.

The applicant includes;

“Development of the site will require the existing access on W Harvard to be eliminated to prevent queuing and to minimize access connections to the street. Listed below are planned public street improvements:

- Remove and replace the existing ramp at the NW quadrant of the W Harvard @ Keady Court intersection to comply with current city and ADA standards.*

- Remove and replace sidewalk panels on W Harvard that do not meet cross slope standards (2% or less).
- Remove the existing driveway access on W Harvard and replace with new Thundering Water Page 8 of 13 Zone Change Narrative October 18, 2021 curb and new 7-foot-wide sidewalk.

The improvements listed above will be designed and constructed to minimize noise, neighborhood, social, environmental, and institutional disruptions to the area. Given the site's proximity to nearby commercial uses, parks, and schools, the improvements to the intersection will encourage the public to bike and walk to the site and nearby amenities."

Transportation Development Policy No. 4

Traffic movement on arterial streets should be facilitated by limiting or controlling access wherever possible.

As mentioned in Transportation Development Policy No. 3, it will be a requirement of any future development on the subject property to eliminate the existing access that leads to the paved parking area on the lot, which will require the primary access to be located on the north stub-out of W Keady Ct. This portion of W Keady Ct. is currently owned by the City of Roseburg, and will require dedication to Public Right-of-Way as part of development on the property. W. Harvard is classified as an Arterial street in the Roseburg Comprehensive Plan, while W Keady Ct. is a designated Cul-De-Sac. This will limit the amount of trips directly accessing W Harvard Ave; a street that already contains a high number of access points in this area. By accessing off W Keady Ct. and having the control of a traffic signal, future development on the subject property will minimize the amount of traffic movement directly onto W Harvard Ave.

Transportation Development Policy No. 10

New developments shall include consideration of improvements which would accommodate public transit and other modes.

As part of the development criteria for this site, it will be a requirement to designate a portion of this property closest to the river as a future multi-use path via an easement. This path, called the Riverfront Park trail, is outlined in the City of Roseburg's Parks Master Plan. While the timeline of this path extension is unknown, the applicant has indicated that their plans for development have taken this pathway plan into consideration and will accommodate its future installation.

Additionally, the applicant indicates the proximity of the UTRANS bus lines and improvements made to the W Keady/W Harvard intersection will improve pedestrian and bicycle access.

The applicant states;

"The Umpqua Public Transit District provides service near the site via the Roseburg Greenline bus route and the intersection improvements noted above will encourage more foot traffic on Keady Court. If in the future, the city extends the existing

Riverfront Park trail system from Fir Grove Park to Thundering Water it would enhance bike and pedestrian movements.”

Energy Conservation Policy No. 2

The City shall incorporate into its land use and ordinance provisions which encourage new development to utilize density and location, in balance with the requirements of other planning policies, in order to reduce the need to travel, increase access to transit, and permit building configurations which increase the efficiency of space heating in residences.

The proposed zone change will allow for a greater opportunity for commercial development than the current C2 zoning. By providing this opportunity to the subject property, it will result in better utilization of what is a vacant piece of land in the center of town that is surrounded by already-developed properties. Because of its close proximity to existing infrastructure and access to transit, it will not require extensions of services that would otherwise be costly to developers and city maintenance. Additionally, the location of the subject property and its proximity to existing parks and walking/bicycle paths make it an ideal location for commercial development that would benefit the surrounding area.

The applicant indicates;

“The proximity of Thundering Water to other family activities in the area makes this location highly compatible for an amusement park. The site is located near Fir Grove Fields and Stewart Park which contain soccer fields, a splash pad, disc golf, tennis court, and the Riverfront Park trail system. The site is also close to schools reducing the travel distance to recreational amenities. The location of Thundering Water will encourage patrons to use alternative transportation and improve the community access to nature and the outdoors.”

Energy Conservation Policy No. 5

The City will encourage and support the development of a resource recovery program as an energy conservation measure.

The applicant indicates;

“The applicant plans to carefully consider both energy and water conservation measures in the design of the project. It is anticipated that any water features in the miniature golf course will be recycled and recirculated to support resource recovery and energy conservation.”

Parks and Recreation Policy No. 5

The City shall take an active role in promoting both the public and private recreation industries in the Roseburg urban area.

The proposed zone change would allow for “places of amusement” which would allow for the applicant’s proposed development on the property. This zone change would be a decision that would promote a private recreation establishment and would add to the recreation industry within the city of Roseburg. The applicant has pointed out

that aside from parks around the city, there is a lack of outdoor options for outdoor family entertainment and recreation. Approving the zone change from C2 to C3 and developing the subject property with the miniature golf course and bicycle pump track would fill a need and provide members of the community as well as tourists with an outdoor option for recreation.

The applicant states;

“Thundering Water will be operated by a private, nonprofit organization striving to increase recreational opportunities for all ages and provide education on healthy lifestyle and eating choices. The proposed uses will compliment other nearby public and private recreational amenities.”

Public Facilities and Services Policy No. 8

All new residential plans, industrial and commercial development in the urban area shall make provisions for fire hydrants and fire lanes where applicable.

The proposed zone change does not allow or approve site development that would trigger fire safety mitigation. Instead, this requirement would be part of a future Site Review application process conducted by the City of Roseburg. However, to provide the applicant with as much helpful information as early as possible in their inquiry to the site and its feasibility for development, the City of Roseburg Fire Department outlined what improvements would be necessary in order to meet this policy. During the time of development, it shall be required that all future facilities be served by adequate level of fire hydrants and fire lanes. If approved, it has been determined that appropriate fire hydrants and fire access to the proposed development would be feasible.

The applicant indicates;

“There is an existing fire hydrant on the corner of Keady Court and West Harvard Avenue. If additional fire hydrants are required, they will be located no more than 100 feet from the fire department connection, no closer than 40 feet from the building, and no further than 12 feet from an approved Fire Department access road per the National Fire Protection Association requirements.

Regarding fire separation and access, the proposed parking lot drive aisle will have a minimum width of 24’ and a fire turnaround where the length of the aisle exceeds 150’. The proposed food trucks will also maintain a 10’ setback from each other and any buildings.”

Urban Growth Policy No. 10

New developments shall make maximum use of available land areas with minimal environmental disturbance and be located and designed to minimize such public costs as extension of sewer and water services, schools, parks, and transportation facilities.

As stated in the Energy Conservation Policy No. 2, new development on the subject property would require minimal service extension due to its close proximity to existing infrastructure. The proposal to change the property zoning from C2 to C3 would

maximize the potential use on the property and allow for a wider range of commercial uses on a property that is already provided public services.

The applicant includes;

"The subject property is within the City limits and development can occur with the efficient extension of public infrastructure and minimal impacts on schools, parks, and transportation facilities.

Stormwater: *City of Roseburg storm water requirements state that any new impervious area greater than 3,000 square feet will require stormwater detention treatment, adequate pipe size, materials, and markings per City standards. Based on the site's natural grade, stormwater runoff primarily flows to the South Umpqua River. The applicant will obtain DEQ approval for any proposed discharge of stormwater runoff to the South Umpqua River. The applicant also expects to provide all catch basins with an approved infiltration device and a marking of "Do Not Dump, Drains to Stream".*

Sewer: *The parcel was previously served by a non-conforming sewer service. The new development will need to find a new way to provide sewer service in conformance with existing standards. The applicant is exploring the viability of obtaining an easement from the neighboring property on Homewood Court to extend an existing 8" sewer line. Only if necessary, will the applicant consider a direct connection to the sewer line trunk that parallels the river and goes through the subject property.*

Water: *There is an existing 2" water line that extends to the north leg of the W Harvard @ Keady Court intersection. The site is currently served with an active 5/8" water meter. There is an existing 12" water main along the south side of Harvard Avenue. To increase the water service to the site, the applicant is exploring obtaining an easement from the adjacent property owner west of the site to allow a new water line to connect to the existing 8" water line that runs along Homewood Lane.*

Schools & Parks: *The site is located near Fir Grove Park and Stewart Park and the nearest public school is Fremont Middle School. Thundering Water will enhance outdoor recreational opportunities in the area and complement existing facilities.*

Transportation: *The site has historically been underutilized based on the existing Commercial plan designation and C2 zoning. Any development of the site will require some level of improvements such as the removal of the existing driveway on W Harvard Avenue and the construction of a new driveway on the north leg of Keady Court. Please refer to findings on page 7 related to Transportation Development Policy No. 3 and the Sandow Engineering Traffic Impact Analysis prepared for this zone change application."*

Commercial Development Policy No. 4

Community shopping and service facilities shall be located close to major arterials and shall provide adequate parking and service areas. The zoning ordinance, subdivision ordinance, and other appropriate regulations shall include provisions as to siting and development which discourage major customer traffic from outside the immediate neighborhoods from filtering through nearby residential streets.

The subject property fronts W. Harvard Ave., which has a classification of Major Arterial in the Roseburg Comprehensive Plan. Future development on the subject property will access onto W. Keady Ct. and although it has a lower street classification (cul-de-sac), it terminates at the subject property and will therefore not have a direct impact on nearby residential streets. By requiring access to come off of W. Keady Ct., it will eliminate the existing access on W. Harvard, which will improve the areas already cluttered access points, as well as utilize the existing traffic signal - thus allowing for safer transportation on and off the site by vehicles, bicycles, and pedestrians.

In addition to this, the applicant states;

"The applicant intends to comply with required off-street parking with the potential use of a shared parking agreement with a nearby property owner. West Harvard Avenue is a major thoroughfare in the City of Roseburg and uses fronting the street are primarily commercial, professional office, or public uses. Therefore, the development will discourage customer traffic from filtering through nearby residential streets as there are none in the vicinity."

Commercial Development Policy No. 10

Adequate off-street parking and buffer strips shall be provided for all commercial development. When appropriate, transit services and shelters may be provided in lieu of some off-street parking. Parking and loading facilities shall be designed so that ingress and egress driveways do not disrupt the efficient flow of traffic on arterial streets, intrusion into abutting uses is minimized, and safe and convenient pedestrian circulation is provided.

The subject property currently sits vacant, with no developed improvements to note other than the existing parking lot with access onto W. Harvard Ave. The proposed zone change does not trigger site improvements as mentioned above. Rather, the purpose of the zone change is to determine whether uses allowed in the new zone will be compatible with existing surrounding uses and those uses being proposed are feasible at the proposed location. Future development of the site will occur upon approval of a Site Review and Building Permit to ensure municipal code will be satisfied. These code requirements include adequate off-street parking spaces for the proposed use, as well as proper screening and buffering from adjacent properties zoned Residential and public right-of-way.

The applicant states;

"Thundering Water anticipates providing sufficient parking on-site to accommodate typical daily use with overflow parking available off-site for peak times or use by employees.

The new driveway connection to Keady Court will not disrupt the efficient flow of traffic or pedestrian circulation as it will be the only driveway connection to the right-of-way. Improvements to the intersection will promote walking and should the extension of the Riverfront Park trail system occur, the site and nearby amenities can expect an increase in patrons biking or walking to the site."

Staff recognizes that because of the zoning of the adjacent properties, buffered parking areas would not be required on the east (Public Reserve zoning) or the west (Professional Office zoning) property lines. However, to respect the privacy of the existing use of the National Cemetery (Public Reserve zoning) directly adjacent to the subject property, and with the understanding that the proposed zone change from C2 to C3 could increase the intensity of commercial usage on the property in the future, Staff recommends requiring screening be in place along the east property line of the subject property. The existing laurel hedge along the east property line is sufficient screening to satisfy this requirement. If this screening ceases to exist, it will be a requirement of the subject property owner to re-establish adequate screening from the Roseburg National Cemetery.

Commercial Development Policy No. 11

Zoning regulations governing the siting of commercial development shall take into consideration the relationship of adjacent development in terms of building height, mass, and activity.

As mentioned previously in Commercial Development Policy No. 10, the subject property is directly adjacent to Professional Office zoning to the west, and Public Reserve zoning to the east. The proposed zone change from C2 to C3 will increase the types of commercial operations that could occur on this property, and that increase ought to be taken into consideration while looking at the existing adjacent development.

Directly east of the subject property is a chiropractic office at 1844 W Harvard Ave., a single-family dwelling at 543 W Homewood Ct., and an assisted living facility at 523 W Homewood Ct.. Directly east is the Roseburg National VA Cemetery.

Per Roseburg Municipal Code, the Community Commercial (C2) classification is intended to provide areas for community shopping facilities. It is intended to preserve and enhance areas with a wide range of retail sales and service establishments serving both long and short term needs on a community-wide basis (RMC12.04.040).

Per Roseburg Municipal Code, the General Commercial (C3) classification is intended to provide areas within which a variety of retail and wholesale business occurs. These areas serve general community-wide and regional commercial needs (RMC12.04.040).

Directly east of the Roseburg National Cemetery is Fir Grove Park, which hosts sporting events and other public uses on a regular basis, including adolescent soccer games. This existing use and its proximity to the Roseburg National Cemetery have operated successfully in conjunction with each other for several years. The cemetery parking lot to the east of the cemetery grounds offers as a buffer from the park's soccer fields. The proposed zone change is to allow for a similar type use as the Fir Grove Park and Steward Park (across the South Umpqua River to the north). In similar fashion as the cemetery, the applicant has indicated their site development designs will include a parking lot between their outdoor recreation facilities and the cemetery grounds to act as a buffer.

Additionally, the nearby uses to the south - from the Farmer's Market located directly south across W Harvard Ave at the First United Methodist Church, to the medical offices and Freemont Middle School - generate traffic and noise to the surrounding area greater than what would be generated with a new commercial use on the subject property.

The applicant indicates;

"To minimize impacts to these abutting uses, the site will be screened with fences and landscaping along the property boundaries. There is an existing tall hedge on the Roseburg National Cemetery that provides a dense, vegetative screen along the east side of the subject property. Any development of the subject property will be required to comply with code standards related to building setbacks, parking lot landscaping, and open space. In addition, the building height and mass will be comparable with other commercial buildings in the vicinity."

Resource Area and Hazardous Area Development Policy No. 2

Development in the floodplain shall be regulated to preserve and maintain the capability of the floodplain to convey floodwaters discharges and to minimize danger to life and property.

Resource Area and Hazardous Area Development Policy No. 3

New subdivisions and other development which occurs on property extending into the floodplain should be encouraged to utilize only that portion of the property lying outside the floodplain by employment Planned Unit Development or cluster-type development techniques.

Both of these policies require proper floodplain mitigation in order to ensure safety of life and property. The applicant has been made aware of the floodplain mapping in the area and how it will affect future development on the property. The proposed zone change would not approve any specific development, and these floodplain mitigation requirements would be enforced during the Site Review process.

The applicant states;

"The proposed zone change will allow additional uses on the subject property and stimulate redevelopment for Thundering Water. The northern portion of the subject property is in the Floodway. Preliminary Site Plans do not contain any buildings or intensive uses within the Floodway. Instead, the north portion of the site along the river is envisioned for use as a new bike/pedestrian paths, stormwater treatment facilities, and a bike pump track. There may be some intrusion of the parking lot but no permanent enclosed structures. Prior to any grading or improvements within the Floodway, the proposed development will be required to demonstrate compliance with applicable standards."

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

Finding: By proposing a zone change from C2 to C3, the applicant shall address whether or not the change in zoning may cause any compromise to the existing conditions of public health, safety and welfare to the surrounding area. Both C2 and

C3 zones allow for commercial development in some capacity. Many of the permitted uses listed in Roseburg Municipal Code are either the same or similar between these two zones, with the exception of some higher-intensity commercial uses, such as places of amusement, department store, auto dealer, etc. With the potential for a more intense commercial use if the zone change were approved, the applicant has indicated how these criteria regarding public health, safety, and welfare will be met;

“The proposed site is especially suited for Thundering Water based on its location near many local schools, the soccer fields/park, and other commercial uses along W Harvard. The proposed site is also in an ideal location along the south side of the South Umpqua River. Located on the river, the site offers a unique opportunity for Thundering Water to provide views and access to the river. Studies have shown a strong positive correlation between personal health and access to nature. The proposed site is one of the few remaining vacant sites in Roseburg with river frontage and the use will help enhance public health. The proposed use will also address existing public safety issues by cleaning up debris along the riverbank, select thinning of trees and removal of invasive, non-native plants. The proposed use will also result in public street improvements that will enhance safety for all motorists, bicyclists, and pedestrians.

The site is of a suitable size and configuration to allow C3 permitted uses that meet fire access circulation requirements. The applicant prepared fire access circulation plans for the two different Site Plans. Both plans meet fire truck turnaround standards.”

It is determined that the proposed use will help to enhance the welfare of the surrounding area, by providing additional economic opportunities to the vicinity, creating the extension of recreational opportunities provided at nearby Fir Grove Park, and enhancing traffic safety by eliminating a direct access point from the property onto Harvard and instead utilizing the adjacent Harvard/Keaty Court intersection.

- c. The zone change is consistent with the safety and performance measures of the transportation system.

Finding: The subject property is served by established roadways and existing utility services. The proposal to convert the zoning to C3 will not compromise the existing roadways this property benefits, but the zone change and future development will lead to greater trip counts and traffic generated as a result. Because of this, it was required of the applicant to conduct a Traffic Impact Study (TIS) to determine if any traffic mitigation strategies were needed during the time of development.

The applicant summarizes the results of the TIS in the following paragraph;

“The applicant hired Sandow Engineering to prepare a Traffic Impact Analysis (TIA) for the zone change application. The TIA evaluated the transportation impacts per the City of Roseburg criteria, evaluating adjacent roadway and intersection operations with the addition of development traffic for the year

of completion and a 20-year future analysis. Since this is a zone change application, the TIA also included an evaluation to show compliance with OAR 660-012-0060, Transportation Planning Rule. The full TIA has been submitted as part of the record.

The Sandow Engineering TIA concluded that the zone change would not require any major transportation system improvements. The TIA contained the following findings:

- The proposed new zone, C3, is consistent with the Comprehensive Plan. As per OAR 660-012-0060(9), the TPR findings can be found to be met.*
- The study area intersections will meet the mobility standards with the development in place.*
- The addition of development trips does not increase queuing conditions at study area intersections.*
- The site access, the intersection of Harvard and Keady, will operate safely and efficiently for all modes of travel.*
- The site will have safe and adequate access for pedestrians and bicycles to and within the site.”*

Based on the TIS findings, there will be no required improvements or alterations to the existing intersections and roadways in the area, aside from the required improvements per Public Works standards at the time of site development (which may include a new gutter valley, W. Keady Ct. improvements, sidewalk improvements, lane striping, etc.). The proposed zone change and future development will not create enough of an increase in traffic to warrant further traffic mitigation to what is already in place. Public Works has reviewed the submitted TIS and concurred with the determinations made. Because the existing infrastructure already sees a fair amount of traffic from the surrounding uses, the proposed zone change and future development will not pose any traffic overload because it has already been designed to handle the numbers this future development will generate.

Because of the existing infrastructure's adequacy that is stated in the submitted TIS, Staff finds that the zone change as proposed is consistent with safety and performance measures of the Transportation System. Please note that if the zone change is approved, upon submittal of a Site Plan Review Application, revisions or additional analysis specific to the design of the future building may be required as part of the TIS.

III. CONCLUSION

Upon review of the application, and other materials referenced as File ZC-21-003 and after conclusion of the Public Hearing and all testimony provided herein, the Planning Commission concludes that the application by Cordell Smith, on behalf of Thundering Waters, satisfies the approval criteria, therefore warranting the approval of the zone change as requested.

IV. ORDER

Based on the Findings and Conclusions above, the Planning Commission refers the zone change request to the City Council recommending **APPROVAL** of the zone change, as contained within file ZC-21-003 and subject to the conditions as follows:

1. The applicant shall obtain Site Plan Review and Building Permit Approval prior to the commencement of any construction of the subject property.
2. Any future development of the property shall fully conform to all the applicable standards and requirement of the Roseburg Municipal Code.
3. Vegetative screening shall be maintained along the eastern property line in order to screen any future development of the property from the Roseburg National Cemetery.

Ronald Sperry, Planning Commission Chair

Date

Stuart Cowie, Community Development Director

Date

Planning Commission Members:
Ronald Sperry, Chair
Daniel Onchuck, Vice Chair
Victoria Hawks
Jamie Yraguen
Shelby Osborn

**CITY OF ROSEBURG
COMMUNITY DEVELOPMENT DEPARTMENT
LAND USE APPLICATION**

EXHIBIT B

LAND USE(S) REQUESTED:

(Please check all that apply)

- | | | |
|---|---|---|
| <input type="checkbox"/> Amendment | <input type="checkbox"/> Annexation | <input type="checkbox"/> Boundary Line Adjustment |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Partition |
| <input type="checkbox"/> Planned Unit Development | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Vacation |
| <input type="checkbox"/> Variance | <input checked="" type="checkbox"/> Zone Change | <input type="checkbox"/> Temporary Use Permit |

PROPERTY INFORMATION:

Property Address/Location: 1802 W Harvard Avenue, Roseburg OR

Township 27 Range 06W Section 23 Lot Number _____ Tax Account R14201

Township 27 Range 06W Section 23 Lot Number _____ Tax Account R14193

**BRIEFLY DESCRIBE THE PROPOSED LAND USE ACTION
AND ANY ADDITIONAL INFORMATION PERTINENT FOR THE REVIEW:**

This is a request to amend the zoning of the subject property from C2 Community Commercial to C3 General Commercial. The change is zoning will allow the development of the

Thundering Water Recreation Center.

APPLICANT/AUTHORIZED AGENT:

Name: Thundering Water

Mailing Address: 2300 NW Steward Parkway
Roseburg OR 97471

Phone Number: 541-673-7322

E-mail: csmith@roseburgpodiatry.com

PROPERTY OWNER: (If different)

Name: Harvard Medical Park LLC

Mailing Address: 1813 W Harvard Ave
Roseburg, OR 97871

Phone Number: 541-672-8541

E-mail: ktorvik@abct.com

PROPERTY OWNER 2: (for B.L.A.)

Name: _____

Mailing Address: _____

Phone Number: _____

E-mail: _____

I hereby certify that the information furnished herein is the data and information required for the project and the facts, statements, and information presented is true and correct to the best of my knowledge. My signature authorizes the listed applicant/agent to act in my behalf relative to the processing of this application.



Property Owner Signature

9-10-2021

Date

Property Owner Signature

Date



PLANNING & DEVELOPMENT SERVICES

375 West 4th Ave., Ste 204, Eugene
PO Box 50721
Eugene, OR 97405
541-514-1029
www.bishowconsulting.com

October 18, 2021

Caleb Stevens
City of Roseburg
Community Development
Department 900 SE Douglas Ave
Roseburg, OR 97470

Sent via e-mail: cstevens@cityofroseburg.org

RE: Thundering Water Zone Change REVISED Written Narrative and Site Plans

Thank you for facilitating the Thundering Water Pre-Application conference held on October 13, 2021. Please accept this revised written narrative and Site Plans (L1.0, L 2.0, L 3.0, and L4.0). All other Zone Change application materials remain the same.

Address: 1802 W Harvard Avenue, Roseburg OR 97871

Assessor's Map: 27-06W-23 **Tax Account:** R14193

Assessor's Map: 27-06W-14 **Tax Account:** R14201

Site Size: 3.3 Acres

Comp. Plan Designation: Commercial

Existing Zoning: C2 Community Commercial

Proposed Zoning: C3 General Commercial

Pre-Application Mtgs: PRE- 21-032 **Date:** June 23, 2021
PRE- 21-042 **Date:** October 13, 2021

Property Owner: Harvard Medical Park LLC - Knut Torvik
1813 W Harvard Ave, #431
Roseburg, OR 97871
k.torvik@abct.com

Applicant: Thundering Water
Cordell B. Smith, DPM
2300 NW Stewart Parkway
Roseburg, OR 97471
csmith@roseburgpodiatry.com

**Applicant's
Representative
Land Use Planner:** Teresa Bishow, AICP
Bishow Consulting LLC
PO Box 50721
Eugene, OR 97405
teresa@bishowconsulting.com

Engineers: Alex Palm, PE
Nick Jones, PE
i.e. Engineering
809 SE Pine Street
Roseburg, OR 97470
palm@ieengineering.com
jones@ieengineering.com

Traffic Engineer: Kelly Sandow, PE
Sandow Engineering
160 Madison St, Suite A
Eugene, OR 97402
Kellysandow@sandowengineering.com

Architect: Paul L. Bentley, AIA NCARB LEED AP
Paul L. Bentley Architect
615 SE Jackson St
Roseburg, OR 97470
paul@paulbentleyarchitect.com

Landscape Architect: John Anderson, ASLA, LEED AP
The Satre Group
375 West 4th Avenue, Suite 201
Eugene, OR 97401
johna@satregrgroup.com

General Contractor: Pete Pappas
Victory Builders
428 Industrial Drive
Roseburg, OR 97471
pete@victorybuilders.com

ZONE CHANGE APPLICATION CONTENTS

Application Form Signed 9/10/21
Written Narrative, Revised 10/18/2021
L1.0 Preliminary Site Plan, Revised 10/15/2021
L1.1 Fire Access Circulation Plan 9/17/2021
L2.0 Preliminary Site Plan overlaid on aerial photo, Revised 10/15/2021
L3.0 Preliminary Site Plan Alternative, Revised 10/15/2021
L3.1 Fire Access Circulation Plan Alternative 9/17/2021
L4.0 Preliminary Site Plan Alternative overlaid on aerial photo, Revised 10/15/2021
Boundary & Topo Maps (Sheets 1 and 2) 9/28/2020
Sandow Engineering Traffic Impact Analysis, 9/24/2021
Title Report with Legal Description, 9/15/2020

WRITTEN STATEMENT

This written statement provides findings that demonstrate the requested zone change complies with the approval criteria.

I. Project Summary

This is a request to change the zoning of the subject property from C2 Community Commercial to C3 General Community to allow development of Thundering Water.

This zone change request is submitted on behalf of Thundering Water, a non-profit organization. Established in 2021, the organization's mission statement and foundational principles provide the framework for the requested zone change and proposed development.

Thundering Water Mission Statement: *To utilize upstream, preventive, proactive and sustainable approaches in providing affordable, wholesome recreational opportunities and lifestyle/nutrition education in Douglas County to bridge generational gaps, boost inter/intra-family relationships and strengthen community resilience.*

Thundering Water Foundational Principles: *Successful marriages, families and communities are established and maintained on principles of respect, love, forgiveness, compassion, faith, work, and wholesome recreational activities. Wholesome recreational activities should be meaningful and have greater purpose than just pure diversion and entertainment. There is no such thing as private choice. All private choices have public consequences. All educated and informed individuals and families must set a solid example for those who lack similar educational opportunities and resources. Leaders who genuinely seek to make upstream improvements in their communities must first live these foundations principles themselves.*

As shown on [L1.0 Preliminary Site Plan](#), the project contains the following key amenities:

- **Recreation Center** providing space for a small office, social gatherings, teaching kitchen, lifestyle/nutrition center, and restrooms. The open floor plan will provide a space for between 30 to 40 people.
- **Game Pavilion** providing outdoor space for activities, such as table tennis.
- **Miniature Golf** with educational component.
- **Bike Pump Track** offering fun for different age groups and ability levels.
- **Parking** with landscaping.
- **Food Trucks and Plaza**

Basis for Zone Change

At an initial pre-application conference, the Community Development Director determined that the proposed development best aligned with the Roseburg Municipal Code (RMC) zoning use *“Places of amusement (e.g., billiard parlors, bowling alleys, drive-in theaters, dance halls, video arcades, miniature golf, etc.)”*.

According to RMC Table 2-7: Commercial – Allowed Uses, the C3 zone is the only commercial zone that lists *“Places of amusement”* as a Permitted Use. The site is suitable for an amusement park based on the existing land uses and zoning in the vicinity. A place of amusement will include attractively designed outdoor facilities that are compatible with the Roseburg National Cemetery and compliment recreation uses at Fir Grove Park.

The C3 zone is the only commercial zone that lists: *“Outdoor recreational facilities (e.g., golf/country/swimming/tennis clubs, skateboard parks, etc.)”* as a Permitted Use, subject to a Conditional Use Permit (CUP). Since Thundering Water does not contain any outdoor recreational facilities for exclusive use by a membership club or uses, such as a skateboard park, that generate excessive noise, the city staff determined a CUP would not be required.

II. Site Description and Surrounding Area

The site address is 1802 W Harvard Avenue and is located at the northwest corner of W Harvard Avenue and Keady Court. The site currently has an existing driveway onto W Harvard Avenue, an asphalt parking lot and concrete pads remaining from a house demolished on the site. The site has a natural slope towards the river with the northern portion of the site within the Floodway Boundary. For further information regarding the site, see the survey prepared by i.e. Engineering (Sheets 1 / 2 and 2 / 2.)

Surrounding land uses include South Umpqua River to the north, Roseburg National Cemetery to the east, Harvard Medical Park to the south, and Umpqua Homes for Handicapped to the west. Other uses in the vicinity include Fir Grove Park, Umpqua Valley Arts Association, Riverview Terrace, First Community Credit Union and St Joseph School and Catholic Church.

III. Zone Change Approval Criteria – Supporting Findings

The applicable approval criteria for the zone change is contained within the Roseburg Municipal Code 12.10.040(D):

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

The property is designated Commercial in the Comprehensive Plan and zoned Community Commercial (C2) in the Roseburg Zoning Map. The subject site is surrounded by Professional Office (PO) parcels to the west and south and Public Reserve (PR) parcels to the east. The South Umpqua River abuts the property to the north. The proposed C3 zone conforms to the Comprehensive Plan as both the C2 and C3 zone have the “Commercial” Comprehensive Plan designation, and therefore does not require a Comprehensive Plan amendment. The zone change will also conform to the Zoning Map and applicable policies.

The Roseburg Comprehensive Plan contains the following applicable policies:

Natural Resources Policy No. 10: *The City shall cooperate with the Department of Environmental Quality in developing and implementing ongoing plans and programs necessary to assure compliance with adopted air quality standards, water quality standards, and noise level standards.*

The policy above is directed towards the City and has been implemented through a variety of measures. Prior to development of the site, the property owner will need to demonstrate the project will comply with City and DEQ air quality standards, water quality standards and noise level standards. Any plans to discharge stormwater runoff into the South Umpqua River will also require coordination with DEQ and compliance with any State regulations.

Natural Resources Policy No. 11: *The South and North Umpqua Rivers, Newton Creek and Deer Creek are major waterways that are scenic, recreational, and natural resources of the community. They are, however, to be 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 site is in the AE Floodway area which is the main conveyance channel for the South Umpqua River. Floodways can be dangerous in a flood event as water moves through the area at high velocities. Therefore, the applicant will keep the area clear of buildings. Planned improvements in the floodway will be designed to account for potential flooding.

The Site Plan shows a potential future extension of the existing Riverfront Park trail system in Fir Grove Park extending to the northeast corner of the subject property. Extending the Riverfront Park trail system from Fir Grove Park to the subject property would encourage patrons to use alternative transportation and improve the community’s access to nature and the outdoors. Currently, this section of the riverbank is difficult to monitor making it

attractive to transients and subject to illegal camping and dumping of trash and debris. To address public safety concerns and to allow Thundering Water to be closed after hours, a gate may be constructed if the public bike/pedestrian path is extended and connects to Thundering Water.

Natural Resources Policy No. 13: The development of uses relating to the rivers for public recreation and scenic enjoyment should be encouraged.

The proposed zone change will allow recreational uses on land adjacent to the South Umpqua River. Thundering Water will provide opportunities for the community to have access to the river for recreation and scenic enjoyment.

Natural Resources Policy No. 14: Mature ground cover and trees, wildlife habitats, and the natural contours of identified significant stream banks shall be preserved. This shall be accomplished with a setback of structural and any other physical development such as parking lots, retaining walls, channel alterations, etc., from identified stream banks unless findings are made, after consultation with the Oregon Department of Fish and Wildlife, that any such activity:

- a. Will not have a significant adverse effect on streambank erosion, water temperature and quality, or wildlife; or*
- b. Is required for flood control and actions are taken to mitigate such impacts as much as is possible; or,*
- c. Is not required for flood control and will include all actions as are necessary to prevent or sufficiently mitigate any significant immediate or potential streambank erosion, adverse effect on water temperature and quality, or wildlife.*

The policy above is directed towards preserving natural contours and riparian habitats along significant stream banks including the South Umpqua River. The subject property is adjacent to South Umpqua River and design consideration will be given to help preserve wildlife habitats and the natural contours of the riverbank. The applicant will work with the appropriate agencies to determine the top of the riverbank and the 50-foot riparian setback.

As shown on two conceptual Site Plans (L1.0 Site Plan and L4.0 Site Plan Alternative), no buildings are proposed within the Floodway. Any site grading or improvements in the Floodway, such as the bike pump track, will be designed to avoid significant adverse effects on streambank erosion, water temperature and quality, or wildlife. Any site grading will take into consideration applicable standards for the Floodway and the riparian setback.

Economic Growth Policy No. 3: The City shall encourage economic activities which strengthen the urban area's position as a regional distribution, trade, and service center.

Thundering Water will provide a diverse range of activities that encourage economic growth by enhancing the quality of life in Roseburg. The key amenities such as the miniature golf course will provide additional opportunities for residents to learn about and engage in healthful living and strengthen community resilience. For example, the miniature golf course will:

- Include a public education campaign on food choices and healthy eating
- Offer an affordable outdoor community recreation space that involves physical movement and appeals to all generations and ages.

The community’s bowling alley, roller skating rink, YMCA, Boys/Girls Club, movie theaters, virtual arcade, etc. are indoor activities that offer alternative opportunities for healthy activities. Thundering Water will give families in Douglas County in-town, affordable, wholesome, and outdoor family-friendly recreation. Thundering Water will provide jobs and volunteer opportunities that will strengthen the local economy.

Economic Growth Policy No. 4: *Through the planning process, the City and County shall continue to monitor the supply of developable commercial and industrial sites to ensure opportunity for the expansion of existing and the establishment of new economic enterprises throughout the urban area.*

The Policy above is directed to the City and County to monitor the supply of developable commercial sites. The proposed zone change does not remove land from the inventory of available commercial sites. The change from C2 to C3 will allow a different range of uses but will allow a new economic enterprise to be developed for the Thundering Water non-profit organization.

The proposed use is permitted in the C3 zone and will result in the creation of new jobs helping to diversify the local economy.

Economic Growth Policy No. 9: *The City shall encourage the development of convention and tourist related facilities in the urban area.*

The zone change will increase the range of uses permitted on the subject property including tourist related uses. Thundering Water will provide a variety of educational programs and recreation amenities attractive to residents living in the City of Roseburg and the region. Some of the uses, such as the miniature golf, will promote tourism.

Transportation Development Policy No. 3: *Transportation facilities shall be designed and constructed to minimize noise, energy consumption, neighborhood disruption, cost, and social, environmental, and institutional disruptions, and to encourage the use of public transit, bikeways, and walkways.*

Development of the site will require the existing access on W Harvard to be eliminated to prevent queuing and to minimize access connections to the street. Listed below are planned public street improvements:

- Remove and replace the existing ramp at the NW quadrant of the W Harvard @ Keady Court intersection to comply with current city and ADA standards.
- Remove and replace sidewalk panels on W Harvard that do not meet cross slope standards (2% or less).
- Remove the existing driveway access on W Harvard and replace with new

curb and new 7-foot-wide sidewalk.

The improvements listed above will be designed and constructed to minimize noise, neighborhood, social, environmental, and institutional disruptions to the area. Given the site's proximity to nearby commercial uses, parks, and schools, the improvements to the intersection will encourage the public to bike and walk to the site and nearby amenities.

Transportation Development Policy No. 4: *Traffic movement on arterial streets should be facilitated by limiting or controlling access wherever possible.*

W Harvard Avenue is classified as an arterial street. The proposed zone change will stimulate redevelopment of the subject property that will result in the removal of the existing driveway on W Harvard Avenue. Access to the site will come from the north leg of Keady Court, thereby providing access from a lower street classification.

Transportation Development Policy No. 10: *New developments shall include consideration of improvements which would accommodate public transit and other modes.*

The Umpqua Public Transit District provides service near the site via the Roseburg Greenline bus route and the intersection improvements noted above will encourage more foot traffic on Keady Court. If in the future, the city extends the existing Riverfront Park trail system from Fir Grove Park to Thundering Water it would enhance bike and pedestrian movements.

Energy Conservation Policy No. 2: *The City shall incorporate into its land use and ordinance provisions which encourage new development to utilize density and location, in balance with the requirements of other planning policies, in order to reduce the need to travel, increase access to transit, and permit building configurations which increase the efficiency of space heating in residences.*

The Policy above is directed toward the City and is not a mandatory approval criterion for the proposed zone change.

The proximity of Thundering Water to other family activities in the area makes this location highly compatible for an amusement park. The site is located near Fir Grove Fields and Stewart Park which contain soccer fields, a splash pad, disc golf, tennis court, and the Riverfront Park trail system. The site is also close to schools reducing the travel distance to recreational amenities. The location of Thundering Water will encourage patrons to use alternative transportation and improve the community access to nature and the outdoors.

Energy Conservation Policy No. 5: *The City will encourage and support the development of a resource recovery program as an energy conservation measure.*

This policy is directed towards the City taking steps to support energy conservation and is not directly applicable to the proposed zone change. The applicant plans to carefully consider both energy and water conservation measures in the design of the project. It is

anticipated that any water features in the miniature golf course will be recycled and recirculated to support resource recovery and energy conservation.

Parks and Recreation Policy No. 5: *The City shall take an active role in promoting both the public and private recreation industries in the Roseburg urban area.*

The proposed zone change will support both the public and private recreation industries that serve the Roseburg urban area. Thundering Water will be operated by a private, non-profit organization striving to increase recreational opportunities for all ages and provide education on healthy lifestyle and eating choices. The proposed uses will compliment other nearby public and private recreational amenities.

Public Facilities and Services Policy No. 8: *All new residential plans, industrial and commercial development in the urban area shall make provisions for fire hydrants and fire lanes where applicable.*

There is an existing fire hydrant on the corner of Keady Court and West Harvard Avenue. If additional fire hydrants are required, they will be located no more than 100 feet from the fire department connection, no closer than 40 feet from the building, and no further than 12 feet from an approved Fire Department access road per the National Fire Protection Association requirements.

Regarding fire separation and access, the proposed parking lot drive aisle will have a minimum width of 24' and a fire turnaround where the length of the aisle exceeds 150'. The proposed food trucks will also maintain a 10' setback from each other and any buildings.

Urban Growth Policy No. 10: *New developments shall make maximum use of available land areas with minimal environmental disturbance and be located and designed to minimize such public costs as extension of sewer and water services, schools, parks, and transportation facilities.*

The zone change will maximize use of the subject property by increasing the range of uses permitted on the property. The subject property is within the City limits and development can occur with the efficient extension of public infrastructure and minimal impacts on schools, parks, and transportation facilities.

Stormwater: City of Roseburg storm water requirements state that any new impervious area greater than 3,000 square feet will require stormwater detention treatment, adequate pipe size, materials, and markings per City standards. Based on the site's natural grade, stormwater runoff primarily flows to the South Umpqua River. The applicant will obtain DEQ approval for any proposed discharge of stormwater runoff to the South Umpqua River. The applicant also expects to provide all catch basins with an approved infiltration device and a marking of "Do Not Dump, Drains to Stream".

Sewer: The parcel was previously served by a non-conforming sewer service. The new development will need to find a new way to provide sewer service in conformance with existing standards. The applicant is exploring the viability of obtaining an easement from

the neighboring property on Homewood Court to extend an existing 8" sewer line. Only if necessary, will the applicant consider a direct connection to the sewer line trunk that parallels the river and goes through the subject property.

Water: There is an existing 2" water line that extends to the north leg of the W Harvard @ Keady Court intersection. The site is currently served with an active 5/8" water meter. There is an existing 12" water main along the south side of Harvard Avenue. To increase the water service to the site, the applicant is exploring obtaining an easement from the adjacent property owner west of the site to allow a new water line to connect to the existing 8" water line that runs along Homewood Lane.

Schools & Parks: The site is located near Fir Grove Fields and Stewart Park and the nearest public school is Fremont Middle School. Thundering Water will enhance outdoor recreational opportunities in the area and compliment existing facilities.

Transportation: The site has historically been underutilized based on the existing Commercial plan designation and C2 zoning. Any development of the site will require some level of improvements such as the removal of the existing driveway on W Harvard Avenue and the construction of a new driveway on the north leg of Keady Court. Please refer to findings on page 7 related to Transportation Development Policy No. 3 and the Sandow Engineering Traffic Impact Analysis prepared for this zone change application.

Commercial Development Policy No. 4: Community shopping and service facilities shall be located close to major arterials and shall provide adequate parking and service areas. The zoning ordinance, subdivision ordinance, and other appropriate regulations shall include provisions as to siting and development which discourage major customer traffic from outside the immediate neighborhoods from filtering through nearby residential streets.

Thundering Water fronts on West Harvard Avenue, a major arterial, but access will come from the north leg of Keady Court, a local street. The applicant intends to comply with required off-street parking with the potential use of a shared parking agreement with a nearby property owner. West Harvard Avenue is a major thoroughfare in the City of Roseburg and uses fronting the street are primarily commercial, professional office, or public uses. Therefore, the development will discourage customer traffic from filtering through nearby residential streets as there are none in the vicinity.

Commercial Development Policy No. 10: Adequate off-street parking and buffer strips shall be provided for all commercial development. When appropriate, transit services and shelters may be provided in lieu of some off-street parking. Parking and loading facilities shall be designed so that ingress and egress driveways do not disrupt the efficient flow of traffic on arterial streets, intrusion into abutting uses is minimized, and safe and convenient pedestrian circulation is provided.

Development of the site will be done according to City standards regarding off-street parking and buffer strips. Given the unique nature of the use and the likelihood that patrons will participate in more than one activity, the amount of needed parking will vary.

Thundering Water anticipates providing sufficient parking on-site to accommodate typical daily use with overflow parking available off-site for peak times or use by employees.

The new driveway connection to Keady Court will not disrupt the efficient flow of traffic or pedestrian circulation as it will be the only driveway connection to the right-of-way. Improvements to the intersection will promote walking and should the extension of the Riverfront Park trail system occur, the site and nearby amenities can expect an increase in patrons biking or walking to the site. Please refer to specific planned street improvements shown on the Site Plans (L1.0 and L3.0).

Commercial Development Policy No. 11: Zoning regulations governing the siting of commercial development shall take into consideration the relationship of adjacent development in terms of building height, mass, and activity.

The site abuts the Roseburg National Cemetery to the east and Homewood Court to the west. To minimize impacts to these abutting uses, the site will be screened with fences and landscaping along the property boundaries. There is an existing tall hedge on the Roseburg National Cemetery that provides a dense, vegetative screen along the east side of the subject property. Any development of the subject property will be required to comply with code standards related to building setbacks, parking lot landscaping, and open space. In addition, the building height and mass will be comparable with other commercial buildings in the vicinity.

Resource Area and Hazardous Area Development Policy No. 2: Development in the floodplain shall be regulated to preserve and maintain the capability of the floodplain to convey floodwaters discharges and to minimize danger to life and property.

Resource Area and Hazardous Area Development Policy No.3: New subdivisions and other development which occurs on property extending into the floodplain should be encouraged to utilize only that portion of the property lying outside the floodplain by employment Planned Unit Development or cluster-type development techniques.

The proposed zone change will allow additional uses on the subject property and stimulate redevelopment for Thundering Water. The northern portion of the subject property is in the Floodway. Preliminary Site Plans do not contain any buildings or intensive uses within the Floodway. Instead, the north portion of the site along the river is envisioned for use for new bike/pedestrian paths, stormwater treatment facilities, and a bike pump track. There may be some intrusion of the parking lot but no permanent enclosed structures. Prior to any grading or improvements within the Floodway, the proposed development will be required to demonstrate compliance with applicable standards.

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

The mission of Thundering Water is to promote public health awareness for healthy eating

and active lifestyles. The conceptual design includes multi-generational activities so that all ages can play together:

- Each mini golf course hole may highlight one of Douglas County's many beautiful waterfalls, lakes or mountains, including early native tribes and local veterans. Each tee spot would also have a flip lid trivia game that educates participants on a variety of nutritional, environmental, or preparedness topics.
- A bike pump track will be located in the northern area of the site that will include circular bends with both inner and outer rims. The applicant expects that there will be many different types of bikes to rent and that children can bring their own bikes to race. Staff will be present to organize races and allow visitors to win vouchers for the food trucks and admission discounts.
- The food trucks at Thundering Water will offer delicious nutritional meals to dispel the myth that eating healthy means "just eating salad". The applicant hopes the food trucks will offer farm to pantry staples and low-cost recipes.

Safety and security at the center are tantamount to helping visitors feel like they can make a positive change in their lives. Thundering Water is working closely with DHS social workers and Aviva medical residents to help engage their services, especially during peak times. Finally, as needed, security fencing will be installed with additional safety measures such as alarms and cameras to discourage illegal activities such as camping, littering or vandalism.

The proposed site is especially suited for Thundering Water based on its location near many local schools, the soccer fields/park, and other commercial uses along W Harvard. The proposed site is also in an ideal location along the south side of South Umpqua River. Located on the river, the site offers a unique opportunity for Thundering Water to provide views and access to the river. Studies have shown that a strong positive correlation between personal health and access to nature. The proposed site is the last remaining vacant site in Roseburg with river frontage and the use will help enhance public health. The proposed use will also address existing public safety issues by cleaning up debris along the riverbank, select thinning of trees and removal of invasive, non-native plants. The proposed use will also result in public street improvements that will enhance safety for all motorists, bicyclists, and pedestrians.

The site is of a suitable size and configuration to allow C3 permitted uses that meet fire access circulation requirements. The applicant prepared fire access circulation plans for the two different Site Plans. Both plans meet fire truck turnaround standards. Please refer to L1.1 Fire Access Circulation Plan and L3.1 Fire Access Circulation Plan.

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

The applicant hired Sandow Engineering to prepare a Traffic Impact Analysis (TIA) for the zone change application. The TIA evaluated the transportation impacts per the City of Roseburg criteria, evaluating adjacent roadway and intersection operations with the addition of development traffic for the year of completion and a 20-year future analysis.

Since this is a zone change application, the TIA also included an evaluation to show compliance with OAR 660-012-0060, Transportation Planning Rule. The full TIA is available under separate cover.

The Sandow Engineering TIA concluded that the zone change would not require any major transportation system improvements. The TIA contained the following findings:¹

- The proposed new zone, C3, is consistent with the Comprehensive Plan. As per OAR 660-012-0060(9), the TPR findings can be found to be met.
- The study area intersections will meet the mobility standards with the development in place.
- The addition of development trips does not increase queuing conditions and study area intersections.
- The site access, the intersection of Harvard and Keady, will operate safely and efficiently for all modes of travel.
- The site will have safe and adequate access for pedestrians and bicycles to and within the site.

In closing, the applicant has demonstrated that the proposed zone change meets the approval criteria. If you have any questions or need further information, please contact me.

Sincerely,

Teresa Bishow

Teresa Bishow, AICP

cc: Dr. Cordell Smith, Thundering Water
Knut Torvik, Harvard Medical Park LLC

¹ Page 1, Sandow Engineering Thundering Water Traffic Impact Analysis, September 24, 2021.

EXHIBIT C

1802 W HARVARD AVENUE

PROPOSED ZONE CHANGE - VICINITY MAP
T27S R06W SEC23AA TL0200 & SEC14DC TL1700

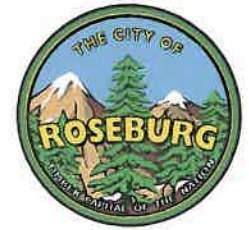


EXHIBIT C

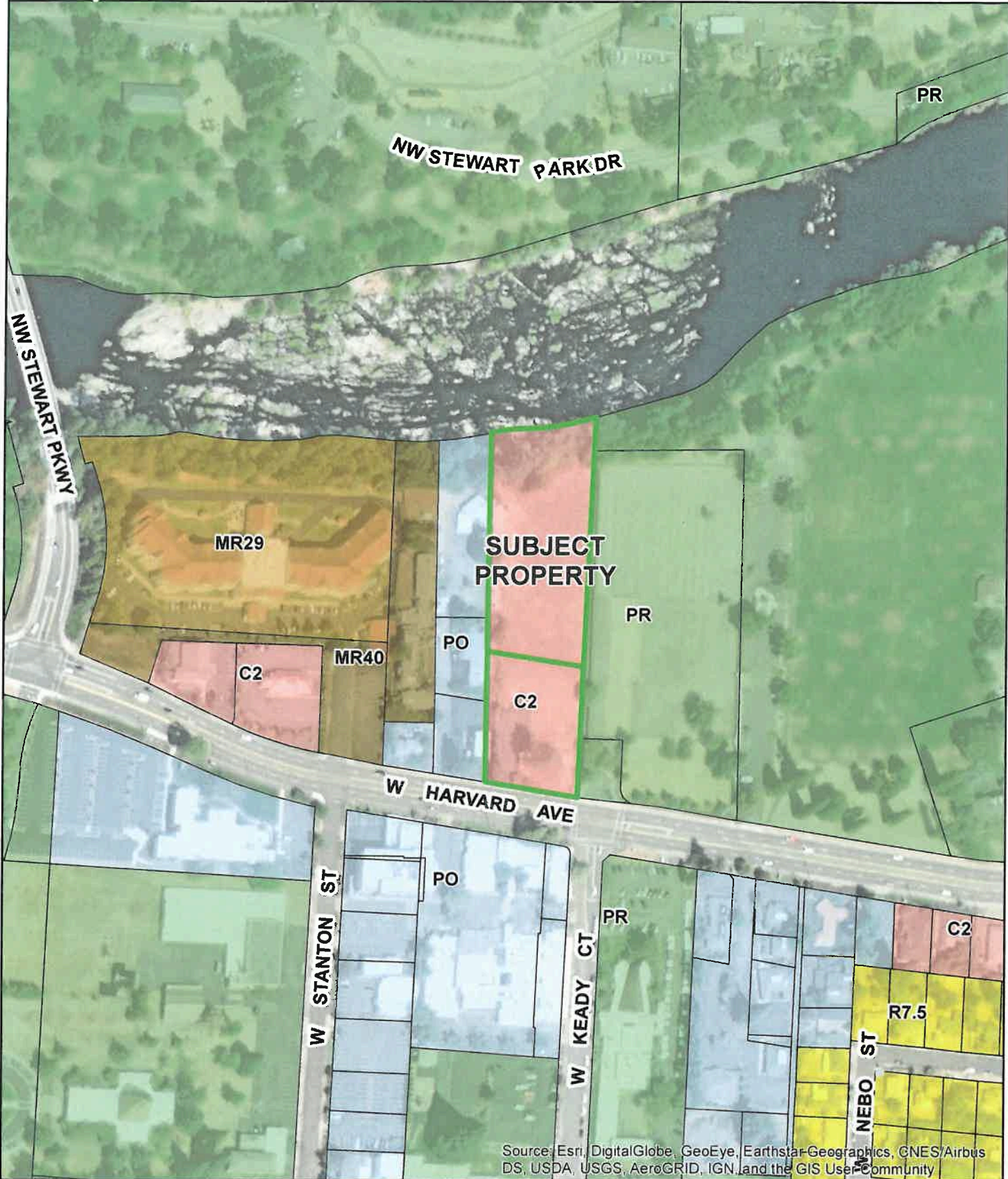




Zoning Map 1802 W Harvard Ave.

T27S R06W SEC23AA TL 0200 & SEC14DC TL1700
R14193 & R14201

Community Development Department | 900 SE Douglas Ave., Roseburg, Oregon 97470 | 541-492-6750



Source: Esri, DigitalGlobe, GeoEye, Earthstar-Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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

EXHIBIT E

**LETTERS OF SUPPORT COLLECTED BY THE APPLICANT
AND SUBMITTED TO ROSEBURG COMMUNITY DEVELOPMENT**



December 14, 2021

To whom it may concern:

Hello, my name is Dr. Kiran Kaul and I'm the owner of a business and two properties adjacent to proposed recreation site called Thundering Waters. At first, when I heard a miniature golf course was being planned for next door, I must admit I had some reservations. However; after watching the project develop and seeing who the contributors and leaders of the project were, my concerns have been assuaged. Thundering Waters has solid, community based and healthy ideals that it is based upon.

In light of the values and companies supporting this project, I have eager anticipation for the success of this project and welcome its proximity.

Should further questions arise, please feel free to ask.

Sincerely,

A handwritten signature in black ink that reads "Dr. Kiran Kaul".

Dr. Kiran Kaul



Retirement Living at its Best

12/16/21

This letter is in support of the Thundering Water recreation and wellness park proposed near our facility on Harvard Avenue. This would be a wonderful addition to our beautiful city and to the nearby area.

Riverview Terrace has many residents that would enjoy the nearby location and amenities to stay fit and healthy. We appreciate the safety and accessibility of the proposed park for our senior community.

We are excited and looking forward to the reimagined approach to enjoying the outdoors with innovative and health minded amenities.

Thank you so much for your hard work and making this all happen.

Most Sincerely,

Patricia Koch
Executive Director / Health Care Administrator
Riverview Terrace

Caleb P. Stevens

From: Cordell Smith, DPM <csmith@roseburgpodiatry.com>
Sent: Thursday, December 16, 2021 12:39 PM
To: Caleb P. Stevens; Teresa Bishow; Heidi Marks
Subject: HMP letter of support

Hello Caleb,
Please see below letter of support from Dr Liesinger:

To Whom it may concern

As a managing general partner of Harvard Medical Park LLC I would like to endorse the concept and development of Thundering Waters. Any concept that enhances the growth of our youth and their families is worthy of consideration and support. I have had the opportunity to read the proposal as set forth by the organization and believe it possesses the necessary foundation for enhancing the quality of life of our community youth. It further connects the activities associated with Thundering Waters with community health and continued growth. Any organization with such stated goals is certainly worthy of our support.

It is my hope that Thundering Waters will meet the necessary criteria with any organization that can assist in the advancement of this concept.

Alan Liesinger DMD
Harvard Medical Park LLC

Cordell B. Smith, DPM
Roseburg Foot & Ankle Specialists, PC
2300 NW Stewart Pkwy
Roseburg, OR 97471
(541)673-7322



Please update your records to reflect that my email address has been changed to:

csmith@roseburgpodiatry.com

THIS ELECTRONIC COMMUNICATION (EMAIL) MAY CONTAIN PROTECTED HEALTH INFORMATION (PHI). IF YOU ARE NOT THE INTENDED RECIPIENT, YOU CANNOT USE OR FURTHER DISCLOSE THE PHI. STATE AND FEDERAL LAWS PROVIDE FOR SUBSTANTIAL PENALTIES AGAINST THOSE WHO INAPPROPRIATELY USE OR DISCLOSE PHI. INADVERTENT RECEIPT OF THIS EMAIL DOES NOT GRANT A LICENSE OR OWNERSHIP INTEREST IN THE PHI CONTAINED HEREIN. IF YOU HAVE RECEIVED THIS EMAIL IN ERROR, PLEASE CONTACT THE SENDER IMMEDIATELY AT (541) 673-7322 TO ARRANGE FOR THE RETURN OR DESTRUCTION OF THE PHI



To Whom It May Concern,

Umpqua Homes (UHI) is proud to give their endorsement for Thundering Water. We believe that Douglas county will be greatly served by the addition of a recreation and wellness center.

Wellness is an important factor for those that experience intellectual and developmental disabilities. At UHI we often find ourselves searching for new and improved ways to increase wellness. Thundering Waters will be a place where those we serve can gain increased knowledge regarding health, exercise and overall lifestyle.

As stated in our mission, "UHI's reward is your growth. We are united in providing a foundation on of independence and choice. Engaging all people to explore a lifestyle that makes them proud", we believe Thundering Water will be a great partner to UHI and those we serve.

Natasha Atkinson (She/Her/Hers)

CEO/ Executive Director

Umpqua Homes, Inc.

541-673-2240 Office

541-430-0055 Cell



Oregon

Kate Brown, Governor

Department of Human Services

Child Welfare

738 W. Harvard Ave

Roseburg, OR 97471-2969

541-440-3373

Fax: 541-673-9938

TTY: 541-440-3308

November 23, 2021

Dr. Cordell B Smith, DPM
2300 NW Stewart Pkwy
Roseburg OR 97471



DHS, Child Welfare Program in Douglas County is interested in our families, both bio and foster (resource), having passes to the recreation center to promote and address the following:

Meaningful community visitation

As we look to have children visiting with their parents, caregivers, siblings, and extended family members in the least restrictive setting possible, while promoting a positive visit experience, the recreation center will offer an alternative location and activity to what is currently available to us. This could have a direct impact on our ability to reunify children with their parents and families as quickly as possible. There is a direct correlation between frequency and quality of visitation, and parent/child reunification. The more time a family spends together, the better, and we don't want families visiting in the restrictive environment of the Child Welfare office, unless it is absolutely necessary due to safety concerns.

Family preservation work- as we, as any agency, move forward in our work to prevent children from being removed and placed in substitute care in the first place, and instead make diligent efforts to wrap around the family with safety and support resources, I can see the recreation center having a role. Oftentimes as families contend with the underlying issues resulting in a decreased capacity to safely parent, they learn how to parent in new ways which are unfamiliar. One example of this is a parent who struggles with substance abuse issues and has not ever parented sober for any length of time. Part of our efforts to support and help the family repair would be to introduce some parents to a whole new way of parenting, inclusive of healthy family activities. There are parents and families who have not experienced this type of family activity, or this sort of parenting, due to poverty, lack of access, or conditions that greatly reduce the capacity of a parent to meet the holistic needs of their child or children. It is to the benefit of these families, and our communities, to teach these parents a different way, and support their incredible and brave efforts at making difficult changes in their lives.

"Safety, health and independence for all Oregonians"
An Equal Opportunity Employer

Foster care recruitment- One of my longer-term goals is to eventually offer foster parents for teens, sibling groups, and other hard-to-place populations of youth, a benefits package of sorts. We are currently exploring the possibility of writing a grant or requesting sponsorship of this project. I would like passes to the recreation center to be a part of a benefits package, to also include movie passes, Wildlife Safari passes, YMCA memberships, etc. Rec center passes would be such a great addition to a benefits package. I'm hopeful that the positive outcomes of this project will include placement preservation (stabilization for kids working through trauma), pro-social skill building in our older youth, and an increase in the number of foster parents willing to take youth who are experiencing trauma-related behavior challenges, which is something we see often in our pre-teens and teens and is one of the reasons why they can be an underserved population.

Sincerely,

Jessica Hunter
Program Manager
Douglas County Child Welfare
Jessica.hunter@dhsosha.state.or.us
(541) 464-2109 desk
(541) 643-1805 cell



September 23, 2021

On behalf of UC-VEG, I'd like to share a letter of support for the Thundering Water Outdoor Recreation Center.

Considering the historically, comprehensively poor state of Douglas County's health, we are in desperate need of effective intervention. As a local, grassroots, non-profit, UC-VEG has been providing nutrition and lifestyle education throughout Douglas County, free of charge, for over 10 years. Through our work with thousands of people within the community, we've seen how health transformations, including the reversal of disease, are possible through simple lifestyle changes.

We believe education is only a part of the battle and subscribe to the statement that "you can't put a changed person in an unchanged environment"...and expect continuity or positive outcomes. Creating spaces that cultivate, support, and nudge it's patrons toward healthy behaviors is critical. Thundering Water will foster social connectedness, improve the quality of life for its patrons, encourages physical activity, recreation and economic development opportunities, increase property values in the West Harvard area, and exhibit a myriad of healthy behaviors including consuming plant-based foods, incorporating movement, connecting with neighbors and community members, and putting loved ones first.

Through our programs, UC-VEG has been able to see some of these benefits first hand and we're eager to see efforts augmented and expanded across the community. The Lifestyle & Nutrition Course has seen thousands of participants transform their health, with a consistent participant decrease in cholesterol, HbA1c markers, weight, and waist circumference, and consistent increase in kidney function, participant attested increases in energy, mobility, and improved mood. In-person offerings of the Lifestyle & Nutrition Course require a space that can serve an audience of 100 people, with an adjacent cooking demonstration area and storage closet. UC-VEG would be pleased to host the Course at Thundering Water, to station the Loan Library there, to host cooking classes, and to use the location as a pickup site for Veggie Rx Vouchers. If a small office space is available, UC-VEG can also locate a staff member at Thundering Waters to provide onsite nutrition education and to receive community members interested in utilizing the Loan Library.

As the Thundering Water Board explores opportunities for the recreation center, please be assured that UC-VEG will do our part to help these efforts find success and longevity to the extent we are capable.

With the work of Thrive Umpqua, formerly Blue Zones Project-Umpqua, our efforts over the past 10 years, and many other community organizations, we hope that Thundering Water will take us one step closer to mitigating some of the gaps in well-being within our community. Furthermore, we believe that this collaboration will inspire further integration amongst health and community-oriented organizations and work to secure the ability for members of our community to live long, healthy, happy lives.

Thank you for the opportunity to support this effort.

Sincerely,

A handwritten signature in black ink that reads "Juliete Palenshus". The script is fluid and cursive, with the first letter 'J' being particularly large and stylized.

Juliete Palenshus
UC-VEG Executive Director



Newsletter December 2021

Thundering Water has big news to share!

We now have a fiscal sponsor, and we have received several sizable donations towards Douglas County's new recreation and wellness park!

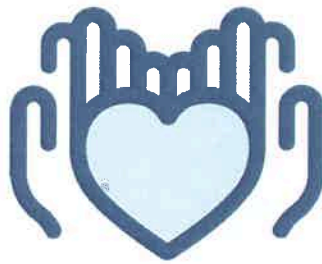
**Thundering
Water made a
splash and it is
growing!**



Morning Rotary has graciously offered to be *Thundering Water's* fiscal sponsor until our 501(c)(3) status is active. Also, donors have begun to answer our call. Our campaign for this new facility where recreation is completely reimagined now has over \$100,700.00 in donations! This means that you and the entire Douglas County community just passed a huge milestone towards having a park unlike any other in existence!



***Thank you Morning Rotary, donors, and Douglas County!
From all of us on the *Thundering Water* team!***



***Thundering Water* is a recreation and wellness park that aims to disrupt less effective downstream “disease care” with upstream preventative health care, the effects of which will ripple through communities, changing lives for good.**

Your donation will help *Thundering Water* achieve our dream of a happier and healthier Douglas County by coupling health and wellness recreation with evidence-based nutrition. The park will feature unique amenities and a Lifestyle and Nutrition Course, directed by UC-VEG.

To learn more search *Thundering Water* Outdoor Recreation Center on Facebook. There you will find a News Review article, KQEN radio interview, and a write up about us on the Facebook page *Roseburg Tracker*. Our website is coming soon!

Regarding IRS tax benefits:

Taxpayers, including married individuals filing separate returns, can claim a deduction of up to \$300 for cash contributions to qualifying charities during 2021. The maximum deduction is \$600 for married individuals filing joint returns. Taxpayers who itemize can generally claim a deduction for charitable contributions to qualifying organizations. The deduction is typically limited to 20% to 60% of their adjusted gross income and varies depending on the type of contribution and the type of charity; however, the law now allows taxpayers to apply up to 100% of their AGI for calendar-year 2021 qualified contributions.

Be sure to write "donation for Thundering Water" in the memo section of your check and make it payable to "Morning Rotary, Inc".

The mailing address for donations is:

Morning Rotary, Inc.
P.O. Box 849
Roseburg, OR 97470

If you have any questions please contact Heidi Marks (541) 680-8833 hmarks@thunderingwater.org.

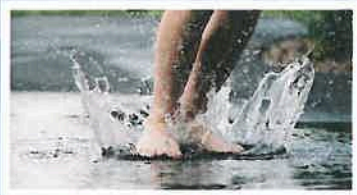
Help us create a multi-generational, multi-faceted recreation center in the heart of Roseburg.



RECREATION REIMAGINED

60%

of Douglas County residents live with one or more severe chronic diseases. **Let's change that.**



A HEALTHIER COMMUNITY, IN EVERY WAY

Thundering Water will provide affordable, wholesome recreational opportunities and lifestyle/nutrition education in Douglas County to bridge generational gaps, boost inter/intra-family relationships, improve health/wellness and strengthen community resilience.

POTENTIAL FEATURES

- A locally inspired miniature golf course
- BMX track & mountain bike pump track
- Climbing bouldering walls
- Outdoor games pavilion (concrete table tennis, foosball, cornhole, shuffleboard, ladder ball)
- Recreation center building
- 30-seat classroom, loan library, teaching kitchen
- Toddler splash pad
- Food truck courtyard
- River view seating
- Wildland firefighter's monument
- Emergency preparedness resources

YOUR DONATION WILL HELP MAKE THIS HAPPEN!

LEARN MORE AT THUNDERINGWATER.ORG

SEND DONATIONS TO Thundering Water, P.O. Box 176, Roseburg, OR 97470

EXHIBIT F

**LETTERS OF OPPOSITION RECEIVED BY
ROSEBURG COMMUNITY DEVELOPMENT**



DEPARTMENT OF VETERANS AFFAIRS
NATIONAL CEMETERY ADMINISTRATION
Pacific District Office
1301 Clay Street, Suite 1230 N
Oakland, CA 94612-5209
(510) 637-6270

December 21, 2021

Stuart Cowie
Director
Community Development Department
City of Roseburg
900 SE Douglas Avenue
Roseburg OR 97470

RE: NCA Concerns Regarding Proposed Property Zoning Change Directly Adjacent to Historic Roseburg National Cemetery

Dear Mr. Cowie:

The Department of Veterans Affairs, National Cemetery Administration (VA NCA) is writing to the City of Roseburg regarding a rezoning request that is being considered for property located directly adjacent to historic Roseburg National Cemetery. At this point in the project, please accept this letter as NCA's objection to the rezoning as proposed. Please enter this letter into the record for any Public Hearings, and/or Section 106 review processes which may be occurring in conjunction with the proposed rezoning request.

NCA is concerned that the requested zoning change to General Commercial (C3), if approved, will allow development uses that will not be compatible with the adjacent historic Roseburg National Cemetery. It is our understanding that the current zoning change is being proposed to allow for a family fun center with various recreational features including miniature golf, bicycle tracks, etc.

Roseburg National Cemetery is listed in the National Register of Historic Places (NRHP). The historic significance, physical character and cultural landscape of Roseburg National Cemetery are all criteria which contribute to the cemetery's NRHP status. Established with first burials in 1897, the national cemetery is a national shrine, with over 6,300 veterans interred therein, representing service to the Nation in conflicts from the Civil War to present. NCA maintains this property and the historic features that contribute to its significance in perpetuity to honor and serve today's veterans with time-honored burial benefits. Based on our initial understanding of the rezoning being requested for a potential adjacent project, NCA has concerns about the close proximity, viewshed, and direct adjacency of that development from within Roseburg National Cemetery. Specifically, that the proposed rezoning and associated development may seriously diminish the contemplative landscape, peaceful serenity, and dignified respectful setting for those who we honor with this national shrine final resting place.

NCA requests a meeting with the City of Roseburg officials so that we may have a clearer understanding of the proposed rezoning and development, and possible measures that would likely be required to mitigate NCA concerns and buffer the historic Roseburg National Cemetery

from potential adverse impacts posed by this development. We are copying the Oregon State Historic Preservation Officer as the responsible entity for compliance with the National Historic Preservation Act, which protects federal historic properties.

NCA staff is available to discuss this important matter and to meet with City officials as needed. Please contact the Acting Cemetery Director Greta Hamilton, email: greta.hamilton@va.gov; phone: 541-677-3152.

Thank you,

Brad Phillips
NCA Executive Director, Pacific District

cc:
John Lazur, Associate Planner
Hector Abreu, VA Deputy Historic Preservation Officer

December 27, 2021

City of Roseburg
Community Development Department
900 SE Douglas Ave
Roseburg, OR 97470

RE: Letter of Objection for Zone Change ZC-21-003, 1802 W Harvard Ave

Dear Planning Commissioners,

My husband and I are submitting a letter of objection for the zone change application for 1802 W Harvard Ave, R14193 & R14201 as our Son, Sr. Airman Ryan Matthews is laid to rest in the Historic Roseburg National Cemetery which borders the W Harvard properties. Our son was deployed to Afghanistan and served his county with pride. We chose the Historic Roseburg National Cemetery for our son's final resting place because of the honor, dignity, respect and tranquility this Cemetery provides. These hallowed grounds are like no other. We visit there to find peace and comfort at the only place left to visit our son.

It is critical that this zone change request not be considered with the Thunder Water fun center/amusement park as the primary focus because this is not a conditional use application. We do not believe that the zone change to C3 has been proven to be compatible to warrant the approval. The Planning Commission should be considering the zone change in relation to ALL uses permitted within the C3 zone.

This C3 zone change is strictly for 1802 W Harvard Ave, R14193 & R14201 properties and if approved, would allow more intense uses as indicated in the Roseburg Municipal Code Table 2-7: Commercial – Allowed Uses. The following uses are **not allowed in the current C2 zone but would be allowed in the more intense C3 zone.** **These are permitted uses outright:** *mobile home parks, nursing home, agriculture supplies/machinery sales rooms, athletic/health clubs (including racquet sports and spas) (indoors only), automobile, truck, and motorcycle dealers/garages/service stations/washes/detailers, auto parts/tools supply stores, brewery, micro-, builders supplies (including retail sales of lumber), commercial storage units, department store, dry cleaning facility, mobile home and recreational vehicle sales, motion picture production/distribution/services, places of amusement (e.g., billiard parlors, bowling*

alleys, drive-in theaters, dance halls, video arcades, miniature golf, etc.), plumbing/heating/electrical/sheet metal shop, store (retail and wholesale) and business uses similar to other permitted uses and typically found in commercial districts, provided that: a) where there is manufacturing, compounding, processing or treatment of products for whole-sale, a minimum of 25 percent of the total floor area shall be used for retail sales. And b) use is not objectionable due to odor, dust, smoke, noise, vibration or appearance.

The following uses are not allowed in the current C2 zone but would be allowed in the more intense C3 zone. These are conditional uses: boarding/rooming houses, homeless shelters, adult entertainment or adult bookstore, automobile body shop in conjunction with an auto sales agency, brewer, macro-, crematory or mausoleum, outdoor recreational facilities (e.g., golf/country/swimming/tennis clubs, skateboard parks, etc.), stadium/coliseum.

The Maximum Building Height (feet) for C3 is 80'; C2 is 45'.

According to the city zoning map, C3 zone does not surround, or is near 1802 W Harvard parcels. These two parcels are not the only pieces of property in the city limits that are left to be developed that would warrant the C3 zone change. Especially in an area that is surrounded by Public Reserve, Professional Office, Multi-residential and C2 Community Commercial. The Diamond Lake corridor is zoned C3 and has recently experienced an increase in development.

It is saddening that the examples of compatibility in the Findings mention schools and parks but didn't address the compatibility of the Historic Roseburg National Cemetery which shares a property line. What about the families and friends that visit their loved ones at the Cemetery for the peace, comfort and tranquility. In our opinion this is overlooked in the analysis of compatibility. We understand that the property owner has a right to development under the current C2 zoning; however, a more intense C3 zone change is what is proposed and what is being opposed.

Because the Findings focus on Thundering Water, I wanted to express the following: The Findings and Staff Report compare the positives of Thundering Water fun center/amusement park to parks and schools; however, this zone change isn't for Thundering Water, it is for 1802 W Harvard, R14193 & R14201. If approved the C3 zone change uses would remain permanently on the parcels whether Thundering Water was interested in the parcels or not.

If the zone change is approved for the properties, Thundering Water is expressing interest in the parcels but there is no guarantee that they will purchase the properties or build. The Findings indicate Thundering Water does not have adequate parking according to the plans they submitted which they stated they **intend** to comply with a shared parking agreement with the neighboring property. Additionally, they do not have adequate sewer or water lines which they stated they **will try** to obtain easements from neighboring properties. At the time of writing this letter, Thundering Water does not own the properties. According to the Douglas County Assessor's office webpage, the properties are owned by Harvard Park Medical LLC since 2007.

On page 5 of the Findings, in part, it states "By changing the zoning from C2 to C3, it would open up the possibility for development on a property that has not been utilized in a commercial capacity for the entirety of its existence. This allowance for greater commercial development would strengthen the surrounding area's diverse uses, and in regards to the specific desired use of an outdoor recreation center, would attract more service and entertaining-oriented business to this area of West Harvard."

The existing community commercial zone is sufficient for the immediate area. The Historic Roseburg National Cemetery, as well as the families and friends of loved ones laid to rest there deserve to not be overlooked when analyzing the compatibility of a more intense zone. C3, a more intense zone, is not compatible.

The Historic Roseburg National Cemetery was established in the 1800's long before zoning was established and designated. There was a reason why the C3 zone was not designated for these parcels next to the Historic Roseburg National Cemetery.

In conclusion, if this zone change was presented in a different manner to justify ALL the permitted and conditional uses in the C3 zone, would it even be before the Planning Commission? In actuality, this proposed C3 zone change is to allow ALL of the permitted and conditionally permitted uses in that zone which are more intense uses like, mobile home and recreational vehicle sales, mobile home parks, adult entertainment or adult bookstore, to name a few. This zone change is not specifically to allow Thundering Water to operate. It is for ALL C3 uses.

We feel like the original zoning of the property as C2 "Community Commercial" was deliberate. The property is positioned between open space uses, low intensity professional office uses, and residential. The C2 zone is a recognition that commercial

uses should be limited to a certain intensity and scope within the specific area to ensure long-term compatibility with the surrounding uses.

We ask that you deny the C3 zone change for 1802 W Harvard Ave, R14193 & R14201 because compatibility was not proven. Thank you for your time.

Jerry and Chrissy Matthews

Attachments

12.04.040 - Commercial Districts.

- A. Purpose. Roseburg's commercial districts are primarily intended to provide economic opportunity for business owners and a suitable market of goods and services for the public by establishing zones and standards appropriate for certain types of business respective of surrounding Zoning Districts, uses and infrastructure.
 - 1. The Professional Office District is intended to provide areas for low intensity office uses, which utilize harmonious exterior design and landscaping to serve as a transition or buffer between residential and more intensively developed properties. It is intended that the administrative, professional, and limited business office uses permitted in the PO District will provide for more compatible land uses in close proximity to residential areas than would otherwise be permitted by other commercial districts.
 - 2. The Limited Commercial classification is provided for a desirable mixing of the residential land uses with limited commercial land uses. The C1 Zone is intended to serve local neighborhood needs rather than an entire community. The limited commercial uses allowed in this district are selected for their compatibility with residential uses and their ability to meet the needs of the neighborhood. Normally, the district is to be applied as a small compact area conveniently located in or near residential areas, and may be applied to areas designated as "Residential" or "Commercial" by the Comprehensive Plan.
 - 3. The Community Commercial classification is intended to provide areas for community shopping facilities. It is intended to preserve and enhance areas with a wide range of retail sales and service establishments serving both long and short term needs on a community-wide basis.
 - 4. The General Commercial classification is intended to provide areas within which a variety of retail and wholesale business occurs. These areas serve general community-wide and regional commercial needs.

List and Map Symbols

DISTRICT NAME	MAP SYMBOL
Professional Office	PO
Limited Commercial	C1
Community Commercial	C2
General Commercial	C3

B. Allowed uses and standards.

1. Permitted Uses. Uses identified with a "P" in Table 2-7 are permitted as-of-right in the subject zoning district, subject to compliance with any use standards identified in the final column of the table and all other applicable standards of this Code. Uses not specifically listed but similar to other permitted uses may be approved by the Director.
2. Conditional Uses. Uses identified with a "C" in Table 2-7 may be allowed if reviewed and approved in accordance with the Conditional Use Permit procedures of Section 12.10.080 of this Code. Conditional uses are subject to compliance with any use standards identified in the final column of the table and all other applicable standards of this Code. Uses not specifically listed but similar to other conditional uses may be applied for through the Conditional Use Permitting process.
3. Prohibited Uses. Uses identified with a "-" are expressly prohibited. Uses not identified are also prohibited.
4. Use Standards. The "use standards" column of Table 2-7 identifies use-specific standards that apply to some uses. Unless otherwise expressly stated, compliance with such standards is required regardless of whether the use is permitted as-of-right or requires conditional use approval.
5. Development Standards. Development of land within these Districts must comply with the standards referenced in Table 2-8, as well as other applicable development standards contained within this Code. If standards for specific aspects of development are not provided, such as minimum lot size, other required standards will dictate unspecified standards (i.e., setbacks and coverage).

TABLE 2-7: COMMERCIAL—ALLOWED USES

USE CATEGORY		PO	C1	C2	C3	STANDARDS
Specific Use						
RESIDENTIAL						
1)	Dwellings Units subject to MR14	P [1], C	P [1]	-	-	<u>12.04.030(B)</u>

2)	Dwellings Units subject to MR29	-	C	P ^[1] , C	C	12.04.0030(B)
3)	Dwelling units above commercial structures (one (1) dwelling unit per 800 sq. ft. of lot area)	C	C	P	P	-
4)	Boarding/Rooming Houses, Homeless Shelters	C	-	-	C	-
5)	Mobile Home Parks	-	-	-	P	<u>12.10.120</u>
6)	Residential Facility	-	P	P	P	-
7)	Residential Home	C	C	C	C	-
8)	Nursing Home	-	-	-	P	-
9)	Severe Event Shelter	P ^[7]	P ^[7]	P ^[7]	P ^[7]	<u>12.08.060</u>
PUBLIC/CIVIC						
10)	Library, Museums and Galleries	C	-	P	P	-
11)	Parking Lots or Structures	C	-	P	P	<u>12.06.020</u>
12)	Parks and Playgrounds	P	-	-	-	-
13)	Police, fire and rescue services	-	C	P	P	-
14)	Public and semi-public buildings and uses	-	-	C	P	-
15)	Religious Institutions	C	C	C	P	-
16)	Schools	-	-	P	P	-

17)	Social Services (e.g., job training centers, individual/family services)	C	-	-	-	-
18)	Youth/senior/community centers	P	P		-	-
COMMERCIAL						
19)	Adult entertainment or adult bookstore	-	-	-	C	-
20)	Agricultural supplies/machinery sales rooms	-	-	-	P	-
21)	Ambulance Service	C	C	P	P	-
22)	Art, music, dance school/studio/gallery/supplies	P	-	P	P	-
23)	Athletic/Health clubs (including racquet sports and spas) (indoors only)	-	-	-	P	-
24)	Automobile body shop in conjunction with an auto sales agency	-	-	-	C	-
25)	Automobile service station	-	C	P	P	-
26)	Automobile, truck, and motorcycle dealers/garages/service stations/washes/detailers	-	-	-	P	-
27)	Auto parts/tools supply stores	-	-	-	P	-
28)	Bank, credit/insurance agency, brokerage house, etc.	-	-	P	P	-
29)	Bed and Breakfast Facility	-	P	P	P	<u>12.08.040(K)</u>

30)	Brewery, Macro-	-	-	-	C	-
31)	Brewery, Micro-	-	-	-	P	-
32)	Builders supplies (including retail sale of lumber)	-	-	-	P	-
33)	Business services or offices (e.g., corporate offices, radio/TV stations, answering or dispatch services, insurance offices, etc.)	P	-	P	P	-
34)	Commercial storage units	-	-	-	P	-
35)	Crematory or mausoleum	-	-	-	C	-
36)	Day Care Facility	C	P	P	P	-
37)	Delivery services	-	-	P	P	-
38)	Department store	-	-	-	P	-
39)	Drive-up window service for permitted use	-	-	C	P	-
40)	Liquor store	-	-	P	P	-
41)	Dry cleaning facility	-	-	-	P	-
42)	Dry goods/notions store or meat market	-	-	P [4]	P [4]	-
43)	Family Day Care Home	P	P	P	-	-
44)	Food services within an office complex	C	-	-	-	-
45)	Funeral Home (no crematories)	-	-	P	P	-

46)	Grocery, hardware, garden supply, cafe, deli, bakery, florist, gift, video, variety store/shop, etc.	-	P [3]	P	P	-
47)	Laundromat	-	P [2]	P	P	-
48)	Manufacturing of handicraft goods for sale on premises only, such as wood, pottery, tile, archery, and shell	-	-	P	P	-
49)	Marijuana Dispensary, Medical	-	-	P [6]	P [6]	-
50)	Marijuana Retailer	-	-	P [6]	P [6]	-
51)	Membership associations or clubs	P	-	-	-	-
52)	Mini-Retail Business	P	P	P	P	<u>12.08.040(M)</u>
53)	Mobile home and recreational vehicle sales	-	-	-	P	-
54)	Motel/Hotel	-	-	P	P	-
55)	Motion picture production/distribution/services	-	-	-	P	-
56)	Outdoor recreational facilities (e.g., golf/country /swimming/tennis clubs, skateboard parks, etc.)	-	-	-	C	-
57)	Personal Service providers (e.g., barbershop, beauty/tanning salon, massage parlor, tailor shop)	P	-	P	P	-
58)	Pharmacy	-	P [2]	P [2]	P	-

59)	Places of amusement (e.g., billiard parlors, bowling alleys, drive-in theaters, dance halls, video arcades, miniature golf, etc.)	-	-	-	P	-
60)	Plant nursery/greenhouse	-	-	C	P	-
61)	Plumbing/heating/electrical/sheet metal shop	-	-	-	P	-
62)	Printing and publishing	-	-	P	P	-
63)	Professional offices	P	P [2]	P	P	-
64)	Recycling Center	C	P [2]	P [5]	P [5]	-
65)	Restaurant, Cafe, Tavern, Confectionery, Catering	-	-	P	P	-
66)	Retail Stores: sporting goods, clothing/hats, jewelry, books/stationary, antiques/curios, furniture, household/office supplies, surgical supplies/equipment, etc.	-	-	P	P	-
67)	Secondhand store	-	-	P	P	-
68)	Sidewalk Cafes	-	-	C	C	<u>12.08.040(l)</u>
69)	Stadium/coliseum	-	-	-	C	-
70)	Store (retail and wholesale) and business uses similar to other permitted uses and typically found in commercial districts, provided that:	-	-	-	P	-

	a) Where there is manufacturing, compounding, processing or treatment of products for whole-sale, a minimum of 25 percent of the total floor area shall be used for retail sales.					
	b) Use is not objectionable due to odor, dust, smoke, noise, vibration or appearance.					
71)	Telecommunications Facilities	C	C	C	C	<u>12.08.030</u>
72)	Telephone/telegraph exchanges	-	-	P	P	-
73)	Theaters (indoor)	-	-	P	P	-
74)	Veterinarian clinic (no outside animal runs/pens)	-	C	P	P	-

[1] Dwelling unit above or behind a permitted use.

[2] Limited to 1,500 square feet in area.

[3] Limited to 2,500 square feet in area.

[4] Limited to 25,000 square feet in area.

[5] Limited to 5,000 square feet in area.

[6] Location shall not be within 1,000 feet of a school or pre-school; 500 feet from any property zoned Public Reserve or 200 feet from any property zoned Residential except when an arterial street lies between a dispensary and Residential or Public Reserve zoned property. A marijuana retailer (non-medical) shall not be within 1,000 feet of another marijuana retailer; a medical marijuana dispensary shall not be within 1,000 feet of another medical marijuana dispensary. In addition, any and all Medical Marijuana Dispensaries must be registered with the Oregon Health Authority under ORS 475B.858 and comply with all OHA rules. In addition, any and all Marijuana Retailers must be licensed by OLCC and comply with all OLCC rules.

[7] Severe event shelters provide short-term relief from severe events, such as extreme weather. Severe event shelters shall be within an existing institutional building or other buildings, typically not intended for residential uses, and not currently classified as a Residential

Occupancy per Building or Fire Code. It is the intent of these standards to ensure that any conflicts with the severe event shelters and the surrounding land uses are mitigated through the special regulations set forth in this Section 12.08.060.

TABLE 2-8: COMMERCIAL PARCEL AND BUILDING STANDARDS

DISTRICTS	PO	C1	C2	C3
Minimum Lot Area (sq. ft.)				
Any use not specified below	-	7,500	-	-
Residential Facility or Home (Min. Lot Area/Lot Area per five (5) beds) ^[1]	-	10,000/4,700	10,000/4,700	10,000/4,700
Coverage	80%	60%	100% ^[4]	100% ^[4]
Setbacks (feet) ^[2]				
Front	10	20	0	0
Rear	0 ^[6]	0 ^[6]	^[4]	^[4]
Side (interior)	5 ^[5]	5	0 ^[4]	0 ^[4]
Side (exterior)	10	10	0 ^[4]	0 ^[4]
Maximum Building Height (feet)	35	35	45	80 ^[6]

^[1] Residential Facility/Home buildings shall contain more than 20 beds.

^[2] Alleys contiguous to or within the property being used may be included in the required setback.

^[3] A Residential Facility or Home shall have maximum coverage equal to that allowed in the MR18 district.

[4] When abutting a district other than commercial or industrial, the side and rear setbacks shall be the same as those established for the abutting zone. A separation of parcels by an alley shall not exclude the application of this provision.

[5] Minimum Distance between Buildings. Where office buildings are grouped as one (1) project on one (1) tract of land, the minimum distances between any two (2) buildings at any given point shall not be less than the sum of the required side yards computed separately for each building.

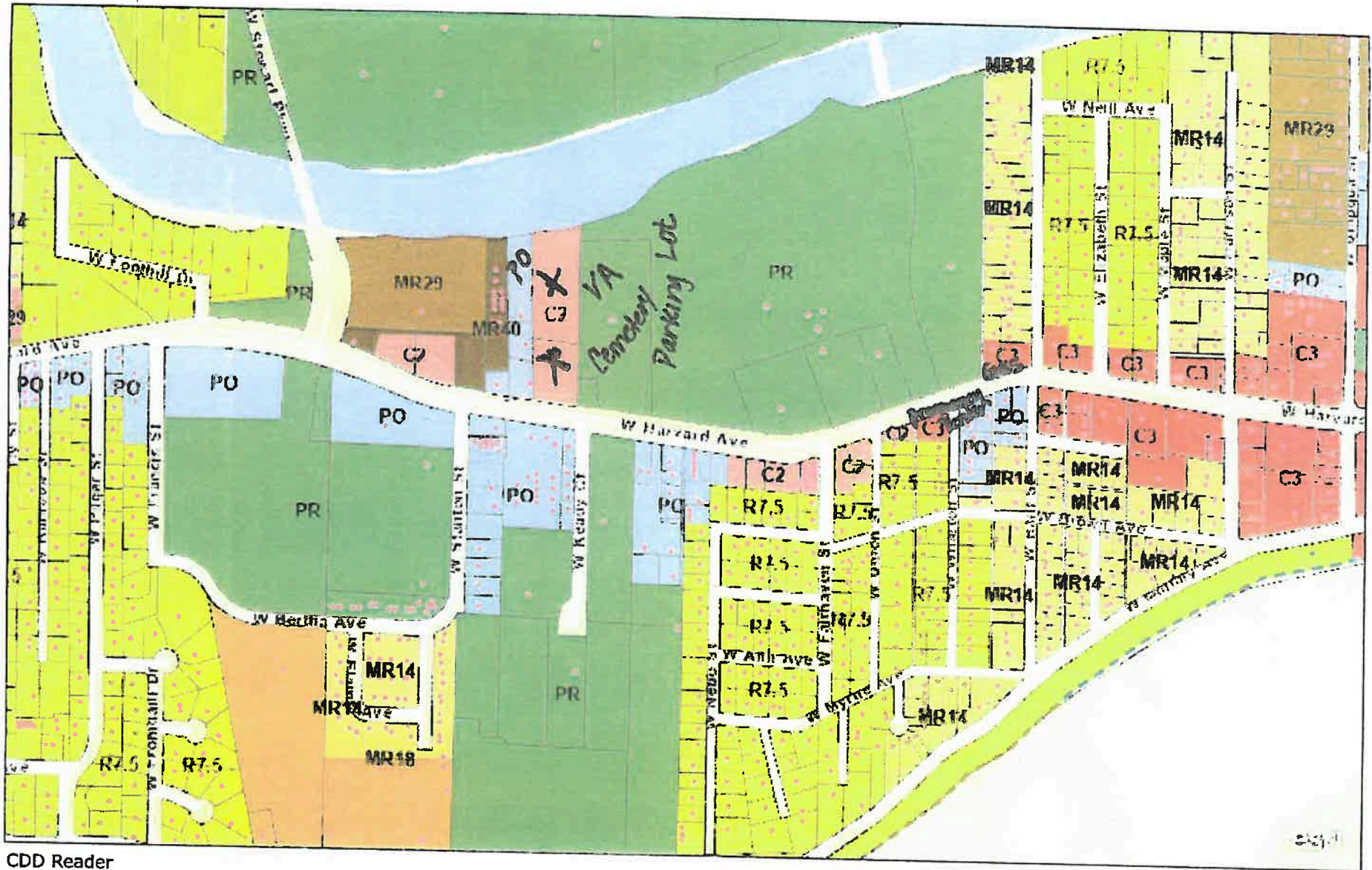
[6] For parcels within the C3 district that abut residentially zoned properties with a maximum allowed building height of 35 feet, the maximum building height at the property line is 35 feet. Height may be increased above 35 feet by increasing the setback and/or by incorporating step-backs into the design of the building, the ratio for each shall be one (1) foot vertical for each six (6) inches horizontal. A separation of parcels by an alley shall not exclude the application of this provision.

C. Screening. All nonresidential development abutting a residential zone or use shall be screened by a minimum six (6) feet-high sight-obscuring fence or hedge along the abutting property lines. Fences shall be subject to the standards set forth in Subsection 12.08.040(G) of this Code. Nonresidential development to which this applies includes, but is not limited to:

1. Religious Institutions
2. Day Care Centers

(Ord. No. 3514, § 2, 11-26-2018; Ord. No. 3538, § 2, 3-23-2020; Ord. No. 3545, § 4, 12-14-2020)

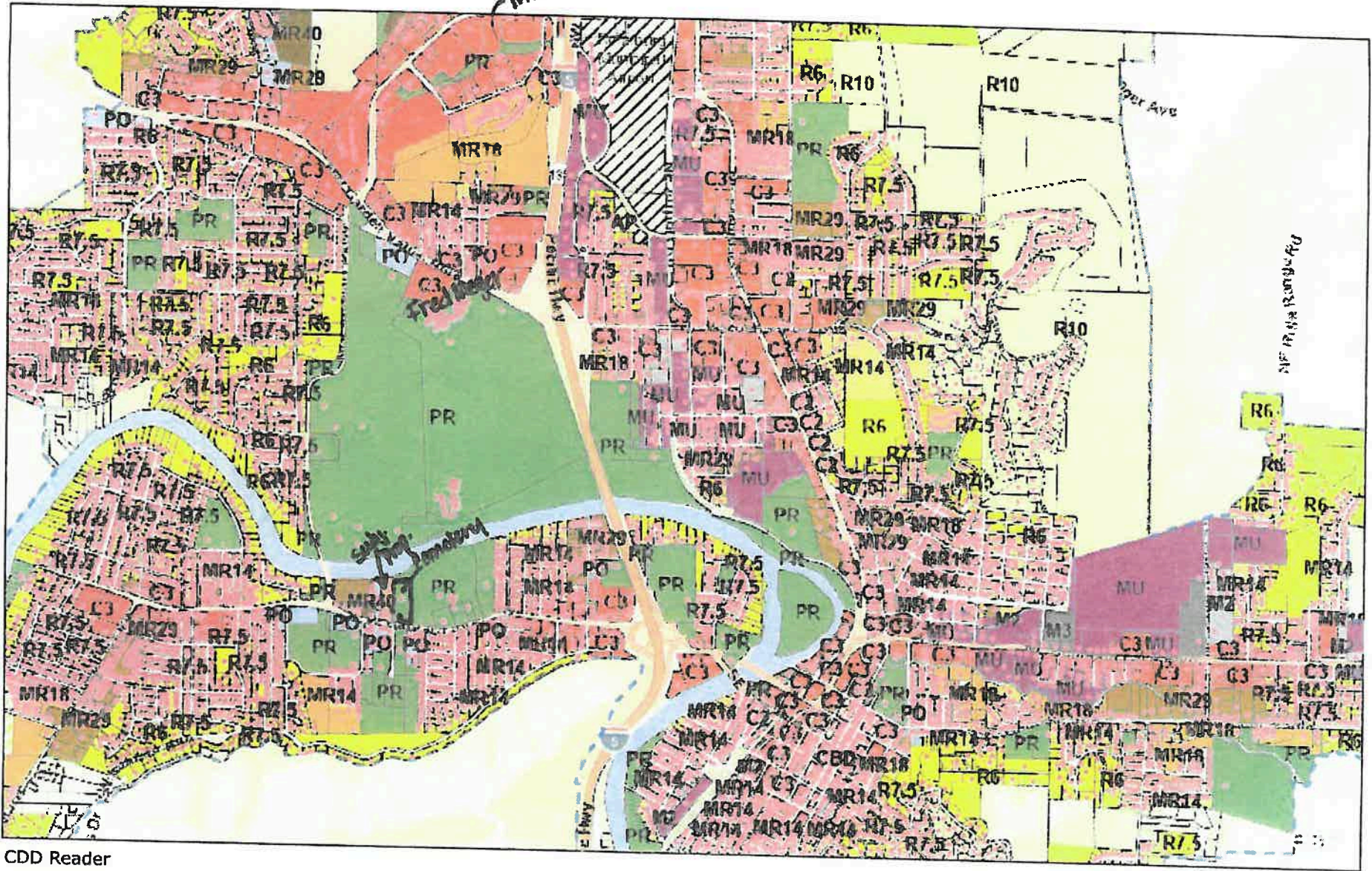
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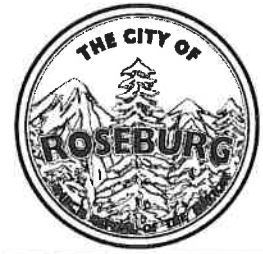
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CITY OF ROSEBURG PLANNING COMMISSION STAFF REPORT

Land Use Regulation Text Amendments File No. LUDR-22-001

Meeting Date: January 3, 2022

Completeness Date: N/A

120-Day Limit: N/A

Staff Contact: John K. Lazur, Associate Planner

Applicant: City of Roseburg

Request: Amend Roseburg Municipal Code, RMC 12.04.020 to allow mini-retail businesses (MRB's) as permitted uses in the Public Reserve (PR) Zone.

ISSUE STATEMENT AND SUMMARY:

The following amendments are proposed to allow for mini-retail business uses within the PR zone.

The proposed amendments to RMC 12.04.020 are as follows:

1. The code amendment proposes to allow mini-retail businesses, or uses that are commonly referred to as food trucks or mobile vendors, to be permitted outright in any public reserve zone (PR) to match what is currently allowed in commercial or industrial zones. The intent of this code amendment is to allow more freedom and flexibility for mini-retail businesses to locate in parks, around government buildings, schools, churches, and other public oriented uses found in the PR zone.

The attached Findings of Fact and Order provides justification for the text amendments.

OPTIONS:

1. Adopt proposed Findings of Fact recommending the City Council approve the text amendments.
2. Adopt proposed Findings of Fact recommending the City Council deny the text amendments.
3. Adopt modified Findings of Fact.

RECOMMENDATION:

Given the proposal meets applicable criteria, staff recommends the Planning Commission recommend City Council approve of Findings of Fact as presented.

SUGGESTED MOTION:

I MOVE TO ADOPT THE FINDINGS OF FACT AND ORDER AS PRESENTED, AND RECOMMEND THE PLANNING COMMISSION RECOMMEND CITY COUNCIL **APPROVE** THE PROPOSED TEXT AMENDMENTS FILE NO.LUDR-22-001.

ATTACHMENTS:

Text Amendment Summary
Findings of Fact and Order

**BEFORE THE ROSEBURG PLANNING COMMISSION
ORDER OF APPROVAL**

I. NATURE OF AMENDMENTS

The City of Roseburg proposes changes to the Land Use Regulations of the Roseburg Municipal Code (RMC) in an effort to provide more opportunities for the placement of mini-retail businesses.

II. PUBLIC HEARING

A public hearing was held on the proposed amendments before the Roseburg Planning Commission on January 3, 2022. At the hearing, the Planning Commission reviewed Land Use File LUDR-22-001 for legislative text amendments 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 #2980 on December 9, 1996 and of the Roseburg Land Use and Development Ordinance #2363, as originally adopted July 1, 1982, and most recently updated in Ordinance #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. Opportunities were provided for all interested parties to be involved in the planning process through the public hearing.
3. The proposal is to legislatively amend text within the Land Use Development Regulations in the Roseburg Municipal Code.

B. PROPOSAL

The full text of the changes made in this amendment are attached to the implementing Ordinance, a summary of which is below.

Summary of LUDR-22-001 Proposed Amendments		
Amendment	Summary	Effect
Public Reserve (PR)	<p>Allows Mini-retail businesses as a permitted use, subject to requirements identified in RMC 12.08.040(M)</p> <p>Adds “public reserve” to definitions and RMC 12.08.040(M)</p>	Deregulation

C. AGENCY/DEPARTMENT COMMENTS

The Roseburg Public Works Department has indicated, that if approved, they will be drafting amended park rules concerning the placement of food trucks within City parks that they intend to present to the Parks Commission for approval. No other agency/departments comments were received prior to the hearing.

D. PUBLIC COMMENTS

No public comments were received prior to the hearing.

E. ANALYSIS

Text Amendments are required to satisfy approval criteria contained within RMC Section 12.10.020.

F. REVIEW CRITERIA

Pursuant to RMC Section 12.10.020(F)(2) all legislative action proposals shall be analyzed for consistency with the policies of the Comprehensive Plan, Statewide Planning Goals, and other provisions of the Code.

Comprehensive Plan

Pertinent policies that apply to the proposal have been evaluated as follows:

Economic Growth Policy No. 3

The City shall encourage economic activities which strengthen the urban area's position as a regional distribution, trade, and service center.

Finding:

As Roseburg currently serves as the regional trade center in the region, adding opportunities for economic activity within the PR zone, notably parks properties serving a regional population, should strengthen its position as a regional distribution, trade, and service center.

Parks and Recreation Policy No. 3

The City shall continue to encourage and facilitate cooperation and coordination with other appropriate agencies regarding the planning, acquisition, development, and use of parks and recreation facilities.

Finding:

A substantial portion of PR zoned property within the City is operated maintained by the City of Roseburg Public Works department and Parks and Recreation Department. Therefore, the Community Development department has been coordinating with Parks and Public Works concerning the effects of mini-retail businesses in the PR zone.

Statewide Planning Goals

Pertinent Statewide Planning Goals that apply to the proposal have been evaluated as follows:

Statewide Planning Goal # 1 - Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

The City of Roseburg and Douglas County have an adopted and acknowledged Comprehensive Plan for the Roseburg Urban Area. The Comprehensive Plan is implemented via the adopted Code, in which 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 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 public 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 and Municipal Code requirements, as well as publishing the notice in the News-Review, a newspaper of general circulation. A public hearing(s) is 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.

Statewide Planning Goal # 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.

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. 2980 on December 9, 1996.) Implementation of the Comprehensive Plan is accomplished through the adopted Code. The Land Use and Development Regulations Chapter of Roseburg Municipal Code has been acknowledged by the State of Oregon and has been amended from

time-to-time in order to comply with ORS. (Roseburg Land Use and Development Ordinance No. 2363, as originally adopted July 1, 1984, and most recently updated in Ordinance No. 3497 on May 1, 2018.) Both the Comprehensive Plan and RMC have been amended from time-to-time.

IV. CONCLUSION

Based on the above findings, the Planning Commission concludes that the application meets the criteria for approval in RMC 12.10.020(F)(2).

V. ORDER

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

Ron Sperry, Chair

Date

Stuart Cowie, Community Development Director

Date

Planning Commission Members:

Ron Sperry, Chair

Dan Onchuck, Vice Chair

Victoria Hawks

Shelby Osborn

Jamie Yraguen

12.02.090 - Definitions.

"Mini-retail business (MRB)" means a commercial operation from a small permanent or temporary structure, vehicle or cart (e.g. Food truck, coffee stand, vendor cart) ~~within an existing the parking lot-of an existing business location, or a vacant parcel~~ within the public reserve, commercial or industrial zones. A certificate of occupancy and/or a business registration shall not be issued until all conditions of approval from various departments are satisfactorily met.

12.04.020 - Public reserve and residential open space districts.

A. Purpose. The Public Reserve (PR) and Residential Open Space (RO) Districts are intended to establish areas which have unique characteristics which require unique regulations. Within the Public Reserve District, a variety of public service activities may be conducted without interference from inappropriate levels of residential, commercial, or industrial activities. It is intended to be applied primarily, though not exclusively, to publicly owned lands. The Residential Open Space District is intended to be applied to areas which have been identified as having significant scenic, cultural, or economic value to the urban area, but which under controlled development conditions are also suitable for limited residential use. Planned Unit Development approval is required to ensure retention of the site's natural character and/or economic benefit to the community.

List and Map Symbols

DISTRICT NAME	MAP SYMBOL
Public Reserve	PR
Residential Open Space	RO

B. Allowed uses and standards.

1. Permitted Uses. Uses identified with a "P" in Table 2-2 are permitted as-of-right in the subject zoning district, subject to compliance with any use standards identified in the final column of the table and all other applicable standards of this Code.

2. Conditional Uses. Uses identified with a "C" in Table 2-2 may be allowed if reviewed and approved in accordance with the Conditional Use Permit procedures of Section 12.10.080 of this Code. Conditional uses are subject to compliance with any use standards identified in the final column of the table and all other applicable standards of this Code.

3. Prohibited Uses. Uses identified with a "-" are expressly prohibited. Uses not identified are also prohibited.

4. Use Standards. The "use standards" column of Table 2-2 identifies use-specific standards that apply to some uses. Unless otherwise expressly stated, compliance with such standards is required regardless of whether the use is permitted as-of-right or requires conditional use approval.

5. Development Standards. Development of land within these Districts must comply with the standards referenced in Table 2-3, as well as other applicable development standards contained within this Code. If standards for specific aspects of development are not provided, such as minimum lot size, other required standards will dictate unspecified standards (i.e., setbacks and coverage). Within the Public Reserve District, development abutting a residential zone or use shall be screened by a minimum

six (6) foot-high sight-obscuring fence or hedge along the abutting property lines subject to the standards set forth in Subsection 12.08.040(G).

TABLE 2-2: RO AND PR—ALLOWED USES

USE CATEGORY	RO	PR	STANDARDS
Specific Use			
RESIDENTIAL			
1) Single-Family Dwelling	-	C ^[1]	-
2) Family Day Care Home	P	-	-
3) Residential Home	P	-	-
4) Residential Facility	C	-	-
5) Day Care Facility	C	-	-
6) PUD	P	-	12.12.020
7) Severe Event Shelter	P ^[2]	P ^[2]	12.08.060
PUBLIC/CIVIC			
8) Public/Semi-public Uses and Activities	C	P	-
9) Parks and Playgrounds	P	P	-
10) Schools	-	P	-
11) Botanical, Zoological and other types of Gardens	-	P	-

USE CATEGORY	RO	PR	STANDARDS
Specific Use			
12) Cemeteries	-	P	-
13) Fairgrounds	-	P	-
14) Fire prevention/detection/suppression facilities	-	P	-
15) Fish and wildlife management	-	P	-
16) Golf Course	-	P	-
17) Hospital and nursing homes	-	P	-
18) Children's Group Home and charitable institutions	-	P	-
19) Campgrounds/boating facilities/lodges/camps and other such recreational facilities	-	P	-
20) Public airport/heliport/landing strips	-	C	-
21) Hydroelectric, solar wind, geothermal facilities, transmission lines or pipes, and substations	-	C	-
22) Religious Institutions	C	C	-
COMMERCIAL			
23) Mini-Retail Business	-	<u>P</u>	12.08.040(M)
24) Private airport/heliport/landing strips	-	C	-

USE CATEGORY	RO	PR	STANDARDS
Specific Use			
25) Solid waste transfer/disposal sites and recycling centers	-	C	-
26) Telecommunications Facilities	C	C	12.08.030
27) Mining operations	-	C	12.08.050

M. Mini-Retail Businesses.

1. Definition: A commercial operation from a small permanent or temporary structure, vehicle or cart (e.g. Food truck, coffee stand, vendor cart) ~~within an existing the parking lot of an existing business location, or a vacant parcel~~ within the public reserve, commercial or industrial zones. A certificate of occupancy and/or a business registration shall not be issued until all conditions of approval from various departments are satisfactorily met.

2. The following standards shall apply to all mini-retail businesses:

- a. Shall not obstruct or be located in the public right-of-way, fire lane, private access way (e.g. driveway, parking aisle, pedestrian walkway, bike lane) or restrict access to any parking facilities (auto, motorcycle, or bicycle) or loading zones.
- b. Shall allow for unobstructed access from the nearest active driveway by locating further than 20 feet from any local or collector driveway entrance or 40 feet from any arterial driveway entrance, respectively.
- c. Drive-up windows for temporary businesses that require the stacking and idling of vehicles awaiting service are prohibited.
- d. Shall provide documented property owner permission to operate the business
- e. Any appurtenances associated with the business (e.g. Tables, chairs, trash bins, wash stations) shall be removed from the site when the vendor vacates the site.

3. A site which allows the placement of mini-retail businesses to be placed permanently for more than 7 days or the placement of more than two (2) vendors at a time in a commercial or industrial zone:

- a. Shall meet the applicable standards of the base zone, including conformance with the site review standards of RMC 12.06.010.

4. All food service vendors shall follow local fire, health and sanitation standards including:

- a. Obtain a Roseburg Fire Department annual vendor permit.
- b. Provide documentation from RUSA indicating an approved wastewater/graywater disposal method to ensure fats, oils and grease (FOG) do not enter the RUSA sanitary system.
- c. Vendors requiring the provision of restroom facilities shall utilize permanently constructed facilities or have documented permission to access restroom facilities from an adjacent business. The use of temporary restroom facilities is prohibited.
- d. Shall comply with Douglas County Health standards and obtain appropriate licenses prior to operation.