

**CITY OF ROSEBURG**  
**Community Development Department**  
**LAND USE APPLICATION PROCESS**



The City of Roseburg Land Use and Development Ordinance (LUDO) regulates development projects within the City, as well as some areas outside the City's limits within the Urban Growth Boundary. Community Development reviews new development proposals, as well as changes to existing uses and developments for compliance with LUDO, the City of Roseburg Comprehensive Plan, and other applicable codes and programs.

Typical Land Use Review functions include:

- Coordinating pre-application meetings with potential applicants;
- Facilitating citizen participation in the land use process;
- Providing notice and information on land use applications to surrounding property owners and affected agencies;
- Completing a thorough review of proposed development projects and writing required legal findings;
- Making presentations on land use applications at Planning Commission and City Council public hearings;
- Conducting Site Plan Reviews for all development projects.

The goal of Community Development is to conduct thorough, accurate, balanced, expeditious and consistent reviews of land use applications to benefit the livability of the present and future citizens of the City of Roseburg. The review process, as well as submission of plans and materials may vary depending on the type of land use application(s) required.

All land use applications are to be submitted to the Community Development Department located at:

Roseburg City Hall	Monday through Friday – 8:00 a.m. to 5:00 p.m. (Closed during the noon hour.)
Third Floor	Phone Number – 541-492-6750
900 SE Douglas Avenue	e-mail: <a href="mailto:mwillis@cityofroseburg.org">mwillis@cityofroseburg.org</a> OR
Roseburg OR 97470	e-mail: <a href="mailto:cmorgan@cityofroseburg.org">cmorgan@cityofroseburg.org</a>

When a project requires multiple permits they may be filed concurrently. Application acceptance is based on:

- Having a completed application signed by the property owner(s)
- Fees, as established by City Council Resolution, paid at the time of submittal
- Required plans drawn at a standard architect or engineer scale, which show the name, address, phone number and preparer
- Plans assembled into sets per the number listed in the Submittal Requirements checklist. Rolled plans are not accepted
- Plans submitted with the initial applications are distributed for review by other City departments and agencies; if necessary, you may be contacted to provide additional plan sets

- When a PowerPoint Presentation is required (for permits to be reviewed by the Planning Commission and/or City Council), the presentation is to be submitted once the application has been deemed complete, but no less than 72 hours prior to any public hearings

**Timing:**

Once any application has been received, per Oregon Revised Statutes (ORS) and LUDO the Community Development Department must determine if it is complete within 30 days. If the application is found to be incomplete the applicant will be notified in writing within 30 days as to any needed revisions or additional materials, as well as optional responses.

Once an application is deemed complete, it will be scheduled for consideration based on noticing requirements and the regular meeting schedule. Typically, an administrative land use application is reviewed and acted on within 45-days of being deemed complete. This allows for the preparation and mailing of the required 15-day public notice. A land use application that needs to be reviewed and acted on by the Planning Commission will be scheduled based on the required 20-day public hearing notices, as well as any 45-day notice to the Department of Land Conservation and Development (DLCDD) required for certain types of applications. The Planning Commission holds regular meetings on the first and third Monday of each month.

**Review Process:**

For administrative land use permits, the applicant will be notified of the decision date and will also be required to post-notices (provided by Community Development Department) in the vicinity of the project site. If the application is found to be in compliance with the LUDO approval criteria and there are no remonstrance (objections) received, staff will prepare a decision document to be forwarded to the applicant, agent, and owner. If remonstrances are received, the item may be forwarded to the Planning Commission for consideration.

For matters heard by the Planning Commission, a written staff analysis will be prepared to be available at least 7 days prior to the Planning Commission public hearing. This report will include a description of the proposal, analysis based on the approval criteria, conclusion and a recommendation. Draft Findings of Fact (decision) may also be provided at the initial meeting for the Planning Commission's consideration. If Findings of Fact are not adopted at the initial meeting, they are typically presented at the next regular meeting. Once Findings of Fact are adopted, the decision of the Commission is final unless an appeal is filed within 14-day of the decision.

**Appeal procedure:**

Any affected party, as defined in LUDO, may appeal a decision on a Land Use application. An administrative decision by the Community Development Director may be appealed to the Planning Commission. A decision by the Planning Commission may be appealed to the City Council. Filing an appeal requires submitting a "Notice of Review" (form available from Community Development) along with the appropriate fee, within 14-days of the decision. The appeal is to be submitted to the Community Development Department.

## LAND USE APPLICATION SUBMITTAL REQUIREMENT

The following checklist will be used for determine completeness

- One complete/signed **application** form

5 copies of plans larger than 11" X 17"- 1 copy if 11" X 17" or smaller

**Site Plan** shall include:

- Title block
- North arrow and scale of drawing
- Vicinity map showing property location within the City of Roseburg
- Adjacent existing and proposed streets and name of each street, dimensioned to show width and distance from centerlines
- Points of access (vehicular and pedestrian from each street)
- All property lines and their dimensions and total lot area
- All existing and proposed building(s), their dimensions and setback from property line
- All existing and proposed paved surfaces, including walkways, driveways, etc.
- All existing and proposed parking spaces, loading spaces, and bicycle parking, and their dimensions
- All existing and proposed landscaped areas
- All trash enclosures and/or recycling facilities
- All existing and proposed freestanding signs and their dimensions
- Location of nearest building on abutting lots illustrated with edge line and use type identified
- All existing and proposed pad, ground or wall mounted equipments, utility vaults, transformers, backflow devices, gas meters, fire hydrants, mail boxes, light poles
- All existing and proposed fences including height and types
- All existing and proposed easements and their purpose
- Existing contour lines at two-foot intervals

5 copies of plans larger than 11" X 17"- 1 copy if 11" X 17" or smaller

**Elevations** that includes\*\*

- Title Block
- Elevations labeled appropriately north, south, east and west of all existing and proposed building(s)
- Height from top of nearest adjacent curb a the front property line to the highest point of the structure(s)
- General architectural features (windows, door, trim, roof pitch, etc.)

5 copies of plans larger than 11" X 17"- 1 copy if 11" X 17" or smaller

**Floor Plans** that includes\*\*

- Use and dimensions of all existing and proposed areas
- All entrance and exit points
- All enclosed and/or covered parking areas

**Supportive Findings of Fact statement** - The applicant is required to submit at least one written document to support the application based on the applicable criteria provided in LUDO. (see Review/Approval Criteria for appropriate type of land use action)

**Legal Description** - It may be necessary to submit a metes and bounds legal description. Staff will advise as a part of the completeness check.

**Fee(s)** as established by the City Council

**Electronic copy of plans** for application that are to be reviewed by the Planning Commission and/or City Council as PowerPoint or PDF presentation. (Slides are not to be animated or have large borders)

\*As noted, the initial submittal is distributed for review; additional plan sets may be needed to complete the processing.

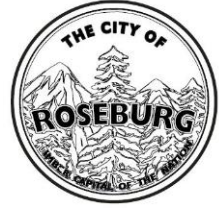
\*\*If the proposal does not include any structures and/or buildings, elevations and floor plans are not required.

I hereby certify that I have reviewed the above checklist and have provided all applicable Submittal Requirements for this project.

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

**CITY OF ROSEBURG**  
Community Development Department



**LAND USE APPLICATION**

**APPLICANT/AUTHORIZED AGENT:**

**CONTACT PERSON: (If different)**

\_\_\_\_\_

\_\_\_\_\_

Mailing Address

Mailing Address

\_\_\_\_\_

\_\_\_\_\_

Phone Number: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Fax: \_\_\_\_\_

Fax: \_\_\_\_\_

e-mail: \_\_\_\_\_

e-mail: \_\_\_\_\_

**PROPERTY OWNER: \***

\_\_\_\_\_

Phone: \_\_\_\_\_

Mailing Address:

Fax: \_\_\_\_\_

\_\_\_\_\_

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.

Signature

Date

Check as appropriate - Owner \_\_\_\_\_ Option Holder \_\_\_\_\_ Contract Buyer \_\_\_\_\_

**PROPERTY INFORMATION:\***

Legal Description: Assessor's Parcel Map Number:

Township \_\_\_\_ Range \_\_\_\_ Section \_\_\_\_ Lot Number \_\_\_\_ Tax Account \_\_\_\_\_

Township \_\_\_\_ Range \_\_\_\_ Section \_\_\_\_ Lot Number \_\_\_\_ Tax Account \_\_\_\_\_

Property Address/Location: \_\_\_\_\_

\_\_\_\_\_

Comprehensive Plan Designation: \_\_\_\_\_ Proposed Change if any: \_\_\_\_\_

Existing Zoning: \_\_\_\_\_ Proposed Change if any: \_\_\_\_\_

Total land area: \_\_\_\_\_

**PROJECT PROPOSAL: \* (Complete all applicable information)**

**Briefly describe the project, including:**

Current use: \_\_\_\_\_

Proposed use: \_\_\_\_\_

Is any demolition proposed/needed? \_\_\_\_\_ Describe: \_\_\_\_\_

Estimated time schedule for development: \_\_\_\_\_

**Land Use Action requested:** \_\_\_\_\_

**Site Data:**

Site Use	Square Feet Existing	Square Feet Proposed
Area Covered by Building(s)		
Area paved for parking and/or walkways		
Landscape Area		
Total		

**Building data:**

Number of stories	Number of buildings	Gross floor area	Building Height
One story			
Two stories			
Three stories			
Four stories			
Totals			

**If residential complete the following:**

Type of Unit	Existing number of units	Proposed number of units
Single Family		
Duplex		
Condominium/Townhouse		
Apartments (Rentals)		
Studio		
One bedroom		
Two bedrooms		
Three or more bedrooms		
Mobile/Manufactured Home		
Total number of units		

**Parking Data:**

Type	Existing spaces	New Spaces	Space dimensions
Open			
Carport			
Garage			
Total			

Number of compact parking spaces, if any: \_\_\_\_\_

Number of accessible parking spaces provided: \_\_\_\_\_

Briefly describe public and/or private utilities, including existing and proposed: \_\_\_\_\_

Is future division or lot area adjustment anticipated? \_\_\_\_\_

If commercial, estimated number of employees and hours of operation: \_\_\_\_\_/\_\_\_\_\_

Is the property located in the Hillside/Geologic Review Area or have slopes greater than 12%?

Yes \_\_\_\_\_ No \_\_\_\_\_

Is the property located in the Flood Plain? \_\_\_\_\_ If yes, Flood Certificate required.

Does the property have a any City Historic designation? \_\_\_\_\_ If yes, describe: \_\_\_\_\_

Was there a Pre-Application Conference? \_\_\_\_\_ If yes date: \_\_\_\_\_

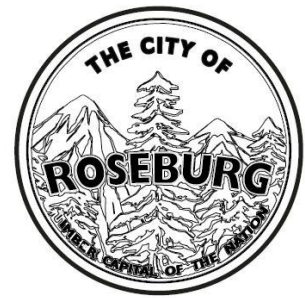
Any other information that may be pertinent or useful for the review and analysis: \_\_\_\_\_

\*Use Additional sheets if needed.

**FOR STAFF USE ONLY**

Dated Received:	Case Planner:
File No:	Administrative:
Received By:	Planning Commission:
Fee:	DLCD Noticing:

## VARIANCE REVIEW APPROVAL CRITERIA



**Application Filing Fee** - \$203.00 – Administrative  
\$405.00 – Planning Commission

### **Pre-Application Conference**

A pre-application conference is required for all requests, unless the Director indicates otherwise. The purpose of the conference is to provide an exchange of information regarding applicable Codes, programs, plans, and policies, and to provide technical assistance. Conceptual plans are acceptable for this process; however, the more information provided the more details can be determined.

### **Purpose**

A Variance is to recognize difficult and unusual difficulties that result from the size, shape, dimensions, geography, topography, or other physical conditions that application of the Land Use and Development Ordinance provisions would cause unintended hardships. Variance can be granted for lot area and dimensions, setbacks, yard area, lot coverage, height of structures, vision clearance, fences and walls, and other dimensional requirements. A variance may not be extended to use regulations.

### **Procedure**

Per Section 3.45.000 of LUDO the Community Development Director may administratively grant setbacks reduction up to a maximum of 50% of the requirement, provided it does not result in a setback of less than 4 feet; a variance from fence height limitations; and parking reductions up to 25% of the requirement. A decision of the Director can be appealed to the Planning Commission upon filing a "Notice of Review." All other Variance applications, and depending on the type of project and/or community interest, are reviewed and acted on by the Planning Commission.

### **Type of Review**

Administrative applications require a public notice 15-days prior a decision. Notices are mailed to all property owners within 100 feet of the subject site, as well as being posted in the vicinity of the property. If the case is referred to the Planning Commission, 20-days prior, notices are mailed to all property owners within 300 feet of the subject site, as well as being posted in the vicinity of the property and published in the newspaper.

### **Approval Criteria**

Per Section 3.40.100 of LUDO **all** of the following criteria shall be met in order to grant the request.

- Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity which result from lot size or shape, topography, or other circumstances over which the property owner since the enactment of this Ordinance has had no control.
- The variance is necessary for the preservation of a property right of the applicant which is the same as that enjoyed by other property owners in the same zoning district in the area.
- The variance would not conflict with the purposes of this Ordinance and would

not be materially detrimental to property in the vicinity in which the property is located, or otherwise conflict or reasonably be expected to conflict with the Comprehensive Plan.

- The variance requested is the minimum variance which would alleviate the difficulty.
- The need for the variance is not the result of a practical difficulty created by the actions of the current owner or previous owner.

**Format for applicant Findings of Fact:** The applicant is required to submit a written statement to support each criterion by facts consisting of two parts as provided in the following:

- a. Factual information such as the surrounding zoning, consistency with the Comprehensive Plan land use designation, ability of property to adequately and appropriately provide for uses allowed by the requested zone, etc. Facts should be referenced as to their source; plans, City plans, etc.
- b. An explanation of how these factors result in a conclusion that supports the criteria.

#### **Additional LUDO Provisions**

A variance will be invalid if it is not exercised within one (1) year of the date of approval. An extension of time may be requested provided it is submitted prior to the expiration date and such extension will be processed via an administrative review.