

**CITY OF ROSEBURG/DOUGLAS COUNTY  
URBAN GROWTH MANAGEMENT AGREEMENT**

AGREEMENT BETWEEN THE CITY OF ROSEBURG AND DOUGLAS COUNTY, FOR THE JOINT MANAGEMENT OF THE ROSEBURG URBAN GROWTH AREA AND FOR THE COORDINATION OF LAND USE ACTIVITY IN IDENTIFIED AREAS OF MUTUAL INTEREST.

RECITALS:

- A. The City of Roseburg (City), and Douglas County (County), are authorized under the provisions of ORS 190.003 to 190.030 to enter into intergovernmental agreements for the performance of any or all functions that a party to the agreement has authority to perform; and
- B. ORS 197.175, 197.190, and 197.250, require counties and cities to prepare and adopt comprehensive plans consistent with statewide planning goals, and to enact ordinances or regulations to implement the comprehensive plans; and
- C. Statewide Planning Goal 14 requires that the establishment and change of urban growth boundaries shall be through a cooperative process between the city and the county; and
- D. The City and the County share a common concern regarding development and use of lands within the Urban Growth Area (UGA) and other identified areas of mutual interest; and
- E. The City and the County are required to have coordinated and consistent comprehensive plans which establish an Urban Growth Boundary (UGB) and a plan for the UGA; and Statewide Planning Goal 2 requires the City and County to maintain a consistent and coordinated plan for the UGA and UGB when amending their respective comprehensive plans; and
- F. The City and the County recognize that it is necessary to cooperate with each other to implement the City Plan for the UGA.

**NOW THEREFORE, THE PARTIES DO MUTUALLY AGREE AS FOLLOWS:**

**1. Intent of Agreement**

1.1 The City and the County hereby establish a procedure to implement the Roseburg Urban Area Comprehensive Plan (City Plan) for the Roseburg Urban Growth Area (UGA). The "plan for the UGA" shall consist of the Roseburg Urban Area Comprehensive Plan. For purposes of this agreement, the UGA shall be defined as the unincorporated area within the Roseburg Urban Growth Boundary (UGB). The City and County Comprehensive Plans are incorporated in this agreement by reference.

1.2 The City Plan, in conjunction with this agreement, shall establish the standards and procedures for review and action on comprehensive plan amendments, land use ordinance changes, proposed land use actions, provision of services, public improvement projects, and other related matters which pertain to implementing the City Plan within the UGA.

1.3 The City shall have jurisdiction, within the UGA, to implement the City Plan using City land use ordinances in jurisdictional subarea No. 1 as delineated in Exhibit A attached hereto and incorporated herein by this reference.

1.4 The County adopts, and incorporates by reference, the current (current as of the date of this agreement) City Comprehensive Plan, as it applies to the UGA, and the current City land use ordinances and authorizes the City to administer those ordinances within jurisdictional subarea No. 1 as provided for in this agreement.

1.5 The County shall have jurisdiction, within the UGA, to implement the City Plan using County land use ordinances in jurisdictional subarea No. 2 as delineated in Exhibit A attached hereto and incorporated herein by this reference. In addition, the County shall apply the standards set forth in the attached Exhibit B, as appropriate, to all land use actions in jurisdictional subarea No.2.

1.6 It is recognized that within the UGB a variety of urban services are provided including: sanitary sewer, water, storm drainage, fire protection, parks and recreation, and transportation. Providers of such services contribute both to existing services and future development within the UGB and serve essential functions. It is intended that this agreement serve to strengthen coordination between urban service providers, the County, and the City in order to maximize efficiency of urban service delivery within the UGB.

1.7 The boundaries of jurisdictional subareas No. 1 and No. 2 may be amended as provided in Section 12 of this agreement.

1.8. All actions as specified by this agreement shall be taken to ensure that the City and County comprehensive plans remain consistent and coordinated with each other.

1.9. All land within the UGB may be subject to future annexation, however, establishment of a UGB does not imply that all land within the boundary will be annexed.

1.10. This Urban Growth Management Agreement (UGMA) replaces all prior UGMAs between the City and the County.

## **2. Amendments to the City Plan and City Land Use Ordinances.**

2.1. All City Plan text or map amendments and all City Land Use and Development Ordinance amendments, not including Zone Map amendments, affecting the UGA shall be enacted in accordance with the procedures established in this Section. This section does not apply to those areas within the city limits of Roseburg.

2.1.1. All amendments referenced in Subsection 2.1 shall be initially processed by the City. The City shall notify the County of the proposed amendment at least 20 days before the City Planning Commission's first hearing. The City Planning Commission shall consider the County's comments when making its recommendation. The City Planning Commission's recommendation shall be forwarded to the County for comments. The County may provide additional comments prior to the City Council's (Council) final decision. In making its decision, the Council shall consider the comments of the County. The City shall notify the County in writing of its decision.

2.1.2. Within 14 days of receipt of written notice of the Council's decision, the Board of Commissioners (Board) may, on its own motion, notify the City of its intent to review the Council's decision. If the Board fails to respond within 14 days, the Council's decision shall be final and take effect, for the UGA, on the 15th day.

2.1.3. If the Board reviews the Council's decision, the Board shall establish a hearing date for its review which shall be held within 30 days from the date the City is given written notice of the Board's intent to review. If the review is of a quasi-judicial proceeding, it shall be confined to arguments of those who qualified as parties in the proceedings conducted by the City and to a de novo review of the record of the proceeding before the City Council and City Planning Commission. Notice and opportunity to be heard shall be provided as if the hearing were a review of a decision of the County Planning Commission. If the review is not quasi-judicial in nature, the review shall be de novo and any person may appear and be heard. The Board shall render a decision on the review within 30 days after such hearing.

2.1.4. If the Board reviews the Council's decision, the Council's decision shall not take effect in the UGA until 31 days after the hearing by the Board unless the Board affirms the Council's decision before the 31-day period elapses. In such case the Council's decision, if affirmed by the Board, shall take effect immediately upon the decision of the Board. If the Board

reverses the Council's decision before the 31-day period elapses, the Council's decision shall not take effect in the UGA and the City may appeal such reversal to the Land Use Board of Appeals within the time period specified in ORS 197.830 and OAR 661 -10-015.

2.1.5. If the Board fails to make a decision within 30 days after the hearing, the decision of the Council shall take effect on the 31<sup>st</sup> day after the Board's hearing.

### **3. Review Process for Land Use Actions**

3.1 Subsection 3.2. applies to the following land use actions being considered in jurisdictional subarea No.1 within the UGA:

- a. Amendments to the Zoning Map
- b. Conditional Use Permits
- c. Planned Unit Developments
- d. Subdivisions
- e. Partitions
- f. Road Dedications and Vacations

3.1.1 Subsection 3.4. applies to the following land use action being considered in jurisdictional subarea No. 1 within the UGA:

- a. Alteration, Restoration or Repair of and continuance of a residential nonconforming use.

3.2. All applications for land use actions referenced in Subsection 3.1. shall be initially processed by the City. The City shall notify the County of each application and shall give the County 15 days to comment. Other land use actions not specifically dealt with in this UGMA shall be administered by the City without notice to Douglas County.

3.2.1. The County's failure to timely respond to the notice shall mean no comment regarding the proposal.

- 3.2.2. In making its decision, the City shall consider, and is obligated to respond to, as appropriate, all comments made by the County regarding the notice. The City shall notify the County in writing of all land use decisions, as listed in Subsection 3.1., whether or not the County has commented. If a timely response is received by the City from the County, the County shall have standing to appeal decisions consistent with the appeals process specified in the City Land Use and Development Ordinance for those areas within subarea No.1.

3.3 Subsection 3.4. applies to the following land use actions being considered in jurisdictional subarea No. 2 within the UGA:

- a. Amendments to the Zoning Map
- b. Conditional Use Permits
- c. Planned Unit Developments
- d. Subdivisions
- e. Partitions
- f. Road Dedications and Vacations
- g. Riparian Setback Variances

3.4. All applications for land use actions referenced in Subsection 3.3. and 3.1.1. shall be initially processed by the County. The County shall notify the City of each application and shall give the City 14 days to comment. Other land use actions not specifically dealt with in this UGMA shall be administered by the County without notice to the City.

3.4.1. The City's failure to timely respond to the notice shall mean no comment regarding the proposal.

3.4.2. In making its decision, the County shall consider, and is obligated to respond to, as appropriate, all comments made by the City with regard to the notice. The County shall notify the City in writing of all land use decisions, as listed in Subsection 3. 3., whether or not the City has commented. If a timely response is received by the County from the City, the City shall have standing to appeal decisions consistent with the appeals process specified in the County Land Use and Development Ordinance.

#### **4. Review Process for Other Specified Land Use Activities**

4.1. The City and County shall use the following process for review and action on legislative amendments not covered under Section 2 of this agreement and public improvement projects specified below which affect land use within the UGA.

4.1.1. The County shall seek comments from the City with regard to the following items, for which the County has ultimate decision-making authority, and which affect land use within the UGA.

- a. Major public works projects sponsored by the County for transportation improvements.
- b. Proposed plan, or plan amendments, for sewer, water, drainage, solid waste, or transportation.

- c. Proposal for formation of, or changes of organization, boundary, or function of special districts, as these terms are defined in ORS 198.705 to ORS 198.710.
- d. Recommendations for designation of an area as a health hazard.

4.1.2. The City shall seek comments from the County regarding the following items, for which the City has ultimate decision-making authority, and which affect land use within the UGA.

- a. Proposed plan, or plan amendments, for sewer, water, drainage, solid waste, or transportation.
- b. Proposals for extension of any City service, utility, or facility outside of the UGB.
- c. Major public works projects sponsored by the City for transportation improvements.

4.2. The initiating jurisdiction shall allow the responding jurisdiction 30 days to comment regarding the items listed in Subsections 4.1.1. and 4.1.2. Failure to timely respond to the proposal shall mean no comment.

4.3. The initiating jurisdiction shall consider and respond to the comments of the responding jurisdiction in making its decision.

## **5. Approvals for Structural Development (Building Permits)**

5.1. Requests for authorization of structural development which can be authorized at the ministerial level, within jurisdictional subarea No. 1 of the UGA, shall be initiated at the City. Requests for authorization of structural development within jurisdictional subarea No. 2 shall be initiated at the County.

5.1.1. The City may utilize (within subarea No. 1) a discretionary structural development review process (site plan review) as required by the City's ordinance. The City may charge a fee for site plan review as provided in City Ordinances. Notice of fee changes shall be provided to the County under the process specified in Section 3 of this agreement. The City's site plan review process may impose additional conditions to approvals of structural development that are necessary to implement the City ordinances.

5.1.2. Floodplain Certifications: The County shall be responsible for authorizing floodplain certification on structural development in the UGA. Such certification shall be consistent with the County's floodplain ordinance except that the City's floor height elevation shall apply if higher than the County standard.

- a. For requests initially processed by the City in jurisdictional subarea No. 1, the City will first review and, if appropriate, approve the land use portion of the request. The City will then forward the request to the County and the County will review and, if appropriate, sign off the floodplain certification clearance, thereby completing the process.

5.2. The County shall have the authority for issuing permits (commonly referred to as "building permits"), as provided for by the State Building Codes Agency, within the UGA. Within jurisdictional subarea No. 1 the County shall not issue "building permits" without written verification from the City that site plan review pursuant to subsection 5.1.1. has been completed.

5.2.1. County issued permits include, but are not limited to: structural, mechanical, plumbing, manufactured dwelling alterations and placement, and manufactured dwelling and recreational vehicle parks.

5.2.2. The County will not issue a temporary or final occupancy permit for any structural development which is subject to City site plan review conditions or other structural development authorization conditions until such time as the City certifies that the conditions have been fulfilled.

## **6. Annexations**

6.1. City Annexations: The City may annex land or enter into agreements for delayed annexation in accordance with state law.

6.1.1. At least ten days prior to the City's final action, the City shall-notify the County of any proposed annexation and permit the County to make comments.

6.1.2. Proposals for annexations to the City which are for areas outside the UGB shall be considered concurrently with a proposal to amend the UGB in accordance with Section two.

## **7. Urban Services in the UGA**

7.1. The extension, development and maintenance of sewer, water and storm drainage facilities shall be consistent with the City Plan and any Urban Service Agreement that has been made for the extension, development and maintenance of these facilities.

7.2. The City shall be responsible for public facility planning within the UGA unless other arrangements are provided for in the Urban Service Agreement.

## 8. Coordination With Urban Service Providers

8.1. The City and County shall jointly enter into Urban Service Agreement(s) with individual Urban Service Providers operating within the UGB. The Urban Service Agreement, as used in this UGMA, is defined as an agreement that meets the statutory requirements for both a "cooperative agreement" (ORS 195.020) and an "urban service agreement" (ORS 195.065). The intent of the Urban Service Agreement is to assure effectiveness and efficiency in the delivery of urban services required by the City Plan, and to enhance coordination between the City, the County and each urban service provider (including, but not necessarily limited to, special districts as defined by ORS 450.005, county service districts as defined by ORS 451.410, authorities as defined by ORS 450.710, and corporations and associations). For purposes of this agreement, "urban services" means sanitary sewer, water, fire protection, parks, open space, recreation, and streets, roads, and mass transit. The Urban Service Agreement should at a minimum:

- a. Describe how the City and County will involve the Urban Service Provider in comprehensive planning, including plan amendments, periodic review and amendments to land use regulations;
- b. Describe the responsibilities of the Urban Service Provider in comprehensive planning, including plan amendments, periodic review and amendments to land use regulations regarding provision of urban services;
- c. Establish the role and responsibilities of each party to the agreement with respect to City or County approval of new development;
- d. Establish the role and responsibilities of the City and County with respect to Urban Service Provider interests including, where applicable, water sources, capital facilities and real property, including rights of way and easements;
- e. Specify whether the urban service will be provided in the future by the City, County, Urban Service Provider or a combination thereof;
- f. Set forth the functional role of all parties in the future provision of the urban service within the UGB;
- g. Determine the future service area within the UGB for each party;
- h. Assign responsibilities for:
  - 1) Planning and coordinating provision of the urban service with other urban services;
  - 2) Planning, constructing and maintaining service facilities; and,



- 3) Managing and administering provision of services to urban users.
  - i. Define the terms of necessary transitions in provision of the urban service, ownership of facilities, annexation of service territory, transfer of moneys or project responsibility for projects proposed on a plan of the City or Urban Service Provider prepared pursuant to ORS 223.309 and merger of service providers or other measures for enhancing the cost efficiency of providing urban services;
  - j. Provide a process for resolving disputes between the parties; and,
  - k. Establish a process for review and modification of the Urban Service Agreement.

8.2. Nothing in this Section shall restrict the right of the City or the County to enter into separate special purpose intergovernmental agreements with each other or with any other entity as provided for by state law. Such other agreements shall not be inconsistent with this UGMA and the Urban Service Agreement.

## **9. Standards For Urban Growth Boundary Streets**

### **9.1. Standards for Construction of New Streets**

9.1.1. All new streets within jurisdictional subarea No. 1, which are part of a new land division or planned development, shall be constructed to City standards.

9.1.2. Within jurisdictional subarea No.1, the City and County will maintain coordinated urban street construction standards for new streets that are not part of a land division or planned development.

9.1.3. All new streets within the UGB that are not part of a land division or planned development shall be constructed to coordinated urban street construction standards. The coordinated standards would apply County construction standards which would be coordinated to allow for other amenities or improvements the City may require in the future.

9.1.4. All new streets within jurisdictional subarea No. 2 shall be constructed to coordinated urban street construction standards.

### **9.2. Existing Streets Within the UGB**

9.2.1. The County shall maintain all streets that are currently included within the County road maintenance system until annexed by the City.

9.2.2. Upon annexation, the City agrees to accept, within the annexed area, jurisdiction of all streets and maintenance responsibility of the following streets in the County road maintenance system except major collectors and arterials:

AMANDA STREET # 217-D	MP 0.00 to MP 0.11
ASTER STREET # 335-K	MP 0.00 to MP 0.13
ASTER STREET # 901-B	MP 0.13 to MP 0.19
CAMELIA STREET # 335-J	MP 0.00 to MP 0.11
CHINKAPIN STREET # 311-C	MP 0.00 to MP 0.04
CHINKAPIN COURT # 311-D	MP 0.00 to MP 0.06
CHRISTIE COURT # 384-A	MP 0.00 to MP 0.02
CLUB AVENUE # 270	MP 0.00 to MP 0.25
CURRIER AVENUE # 227	MP 0.00 to MP 0.26
DOUGLAS AVENUE # 4-A	MP 0.00 to MP 1.28
EAST BRADLEY COURT # 335-C	MP 0.00 to MP 0.06
EXCHANGE AVENUE # 171	MP 0.00 to MP 0.78
FAIRHILL DRIVE # 353	MP 0.00 to MP 0.55
FOLLETT STREET # 252-G	MP 0.00 to MP 0.29
FREAR STREET # 56	MP 0.00 to MP 0.47
GENERAL AVENUE # 225-A	MP 0.00 to MP 0.43
GRAY SQUIRREL COURT # 335-G	MP 0.00 to MP 0.09
HOOKE ROAD # 171-A	MP 0.18 to MP 0.99
HOUSLEY AVENUE # 232	MP 0.00 to MP 0.22
HUGHES LOOP # 252-E	MP 0.00 to MP 0.26
HUGHES STREET # 252-F	MP 0.00 to MP 0.37
ISABELL STREET # 364	MP 0.00 to MP 0.10
JOHNSON STREET # 252-A	MP 0.00 to MP 0.19
KENDALL AVENUE # 260	MP 0.00 to MP 0.32
KESTER ROAD # 86	MP 0.04 to MP 0.52
KIMBERLY COURT # 384-B	MP 0.00 to MP 0.02
KNOLL AVENUE # 252-B	MP 0.00 to MP 0.30
LA QUINTA COURT # 901-D	MP 0.00 to MP 0.07
LAUREL SPRINGS DRIVE # 314-A	MP 0.00 to MP 0.08
LIVE OAK COURT # 311-B	MP 0.00 To MP 0.06
MAKAR COURT # 351-C	MP 0.00 to MP 0.03
MARTHA DRIVE # 901-C	MP 0.00 to MP 0.35
MERCY HILLS DRIVE # 384	MP 0.00 to MP 0.11
MILITARY AVENUE # 113	MP 0.00 to MP 0.82
MONTEREY DRIVE # 314-C	MP 0.00 to MP 0.14
NAVAJO AVENUE # 351-A	MP 0.00 to MP 0.10
NEWPORT DRIVE # 314-D	MP 0.00 to MP 0.06
NORTH RIVER DRIVE # 311-A	MP 0.00 to MP 0.73
PAGE ROAD # 115	MP 0.00 to MP 1.35

PAWNEE COURT # 351-B	MP 0.00 to MP 0.03
PEBBLE BEACH COURT # 901-E	MP 0.00 to MP 0.08
PIONEER WAY # 115-B	MP 0.00 to MP 0.52
PLATEAU DRIVE # 327	MP 0.00 to MP 0.36
PLEASANT AVENUE # 242	MP 0.00 to MP 0.30
PORTER STREET # 252-D	MP 0.00 to MP 0.11
RAMP ROAD # 159	MP 0.27 to MP 0.35
RIDGE A VENUE # 314-B	MP 0.00 to MP 0.04
SHAKEMILL ROAD # 166-A	MP 0.00 to MP 0.61
SIDNEY DRIVE # 335-B	MP 0.00 to MP 0.07
SLOPE STREET # 280	MP 0.00 to MP 0.10
SONGBIRD COURT # 284-A	MP 0.00 to MP 0.07
STRAUSS AVENUE # 901-A	MP 0.00 to MP 0.64
STERLING DRIVE # 222	MP 0.00 to MP 0.16
SWEETBRIAR A VENUE # 225-C	MP 0.00 to MP 0.13
TAFT DRIVE # 335-A	MP 0.00 to MP 0.25
TEMPLE BROWN ROAD # 137	MP 0.00 to MP 0.27
THORA CIRCLE DRIVE # 336-E	MP 0.00 to MP 0.62
TIMBO DRIVE # 335-H	MP 0.00 to MP 0.05
TRUST AVENUE # 362	MP 0.00 to MP 0.12
UMPQUA COLLEGE ROAD # 284	MP 0.00 to MP 1.19
VINE STREET # 252-C	MP 0.00 to MP 0.11
WEST BRADLEY COURT # 335-D	MP 0.00 to MP 0.09
WEYERHAEUSER DRIVE # 902	MP 0.00 to MP 0.24
WILD FERN DRIVE # 335-F	MP 0.00 to MP 0.50

9.2.3. The County shall continue to be responsible for the maintenance of all major collectors and arterials that are currently included within the County road maintenance system unless otherwise agreed to by the City and County.

## **10. Area of Mutual Interest**

10.1. The City and County agree to establish Charter Oaks as an Area of Mutual Interest - for the purpose of establishing a process for the provision of urban services and future urbanization. The Charter Oaks Area is delineated in Exhibit C and is attached to this agreement.

10.2. The County shall give the City 14 days advance notice to review and comment on the following activities which apply to the Area of Mutual Interest located outside the UGB:

- a. Comprehensive Plan Amendments
- b. Zoning Map Amendments
- c. Planned Unit Developments

- d. Subdivisions
- e. Formation of, or changes of boundary or function of, urban service providers
- f. Major public works projects

10.2.1. The City's failure to timely respond to the notice shall mean no comment regarding the proposal.

10.2.2. In making its decision, the County shall consider, and is obligated to respond to, as appropriate, all comments made by the City with regard to the notice. The County shall notify the City in writing of all land use decisions, as listed in Subsection 10.2., whether or not the City has commented. If a timely response is received by the County from the City, the City shall have standing to appeal decisions consistent with the appeals process specified in the County Land Use and Development Ordinance.

10.3. The City shall give the County 14 days advance notice to review and comment on the following activities which apply to the Areas of Mutual Interest inside the City Limits:

- a. Comprehensive Plan Amendments
- b. Major public works projects
- c. Zoning Map Amendments
- d. Planned Unit Developments
- e. Subdivisions
- f. Road Dedications and vacations

10.3.1. The County's failure to timely respond to the notice shall mean no comment regarding the proposal.

10.3.2. In making its decision, the City shall consider, and is obligated to respond to, as appropriate, all comments made by the County with regard to the notice. The City shall notify the County in writing of all land use decisions, as listed in Subsection 11.3. , whether or not the County has commented. If a timely response is received by the City from the County, the County shall have standing to appeal decisions consistent with the appeals process specified in the City land use ordinances or codes.

10.4. The City shall annex into the City any land within the UGA in the Charter Oaks Area of Mutual Interest prior to provision of urban services, including water and sanitary sewer, and the issuance of development or other permits.

## **11. Enforcement**

11.1. Within jurisdictional subarea No. 1, the City shall be responsible for enforcement of City Land Use and Development Ordinance and optional codes not administered by Douglas County, and shall have the exclusive right to decide whether to proceed with any enforcement actions. City enforcement actions shall be taken in accordance with the enforcement provisions of the City ordinances.

11.2. Within jurisdictional subarea No. 2, the County shall be responsible for enforcement of County land use ordinances, and shall have the exclusive right to decide whether to proceed with any enforcement actions. All County enforcement actions shall be taken in accordance with the enforcement provisions of the County Land Use and Development Ordinance.

11.3. The County shall have the authority, within the UGA, for enforcement of State building codes as specified in Section 5.2. of this agreement.

## **12. Amendment and Termination**

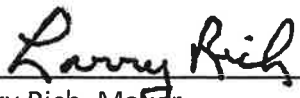
12.1. This agreement may be amended at any time by mutual consent of the parties, after public hearings and adoption by both the City Council and County Board of Commissioners.

12.2. This agreement may be terminated by either party under the following procedure:

- a. A public hearing shall be called by the party considering termination. The party shall give the other party notice of hearing at least 60 days prior to the scheduled hearing date. The 60 day period shall be used by both parties to seek resolution of differences.
- b. Final action on termination. shall not be taken until .at least 90 days after the final public hearing.

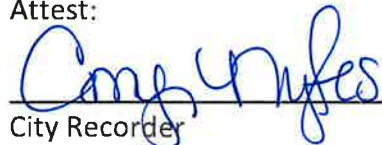
This Urban Growth Management Agreement is signed and executed by:

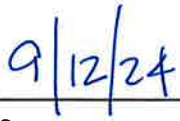
CITY OF ROSEBURG, OREGON

  
Larry Rich, Mayor

  
Nikki Messenger, City Manager

Attest:

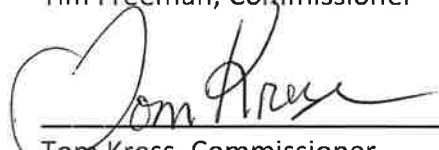
  
City Recorder

  
Date

BOARD OF COUNTY COMMISSIONERS  
OF DOUGLAS COUNTY, OREGON

  
Chris Boice, Chairman

  
Tim Freeman, Commissioner

  
Tom Kress, Commissioner

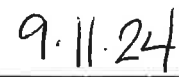
  
Date



Exhibit A:  
Land Use Jurisdiction Within Urban Growth Area

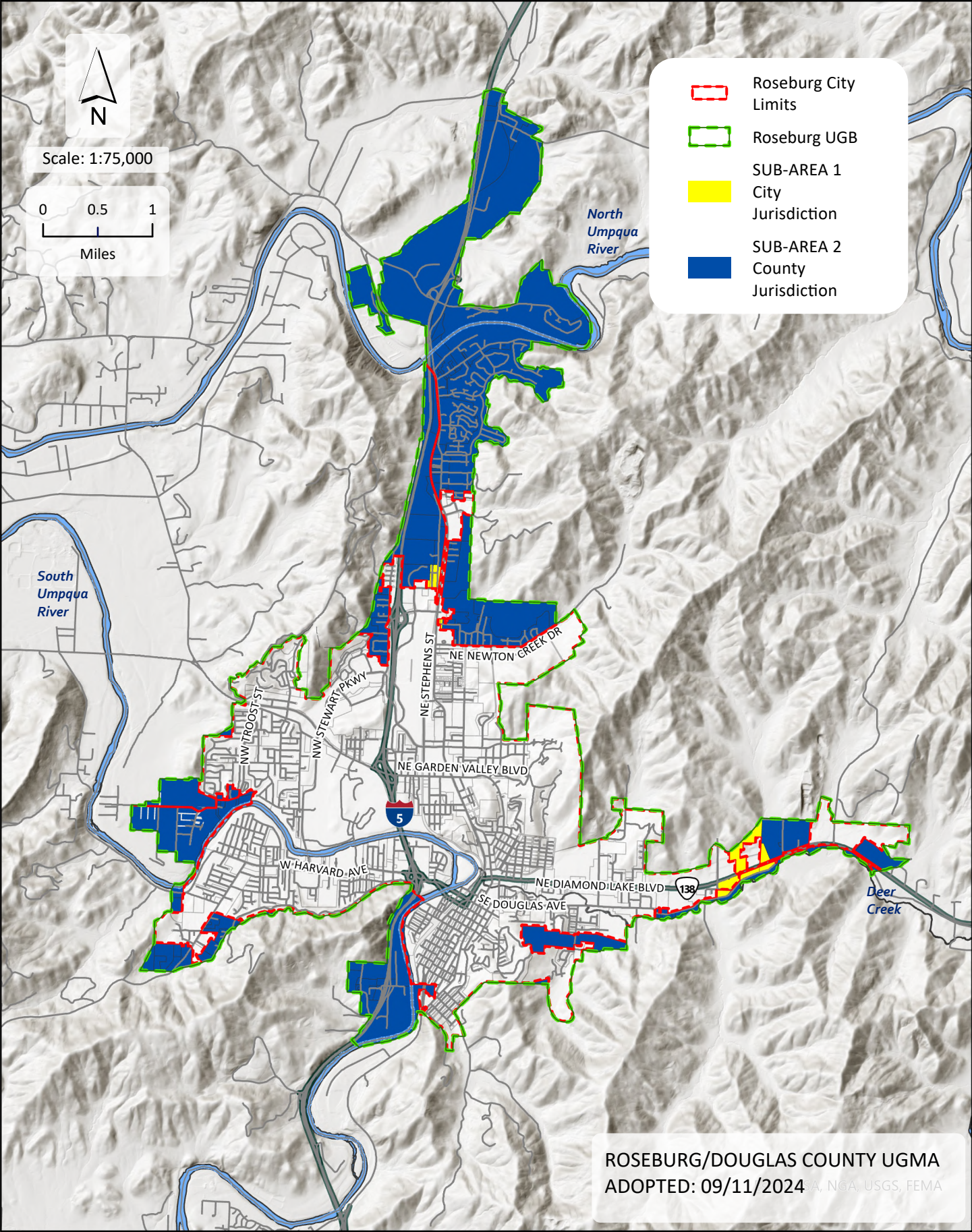
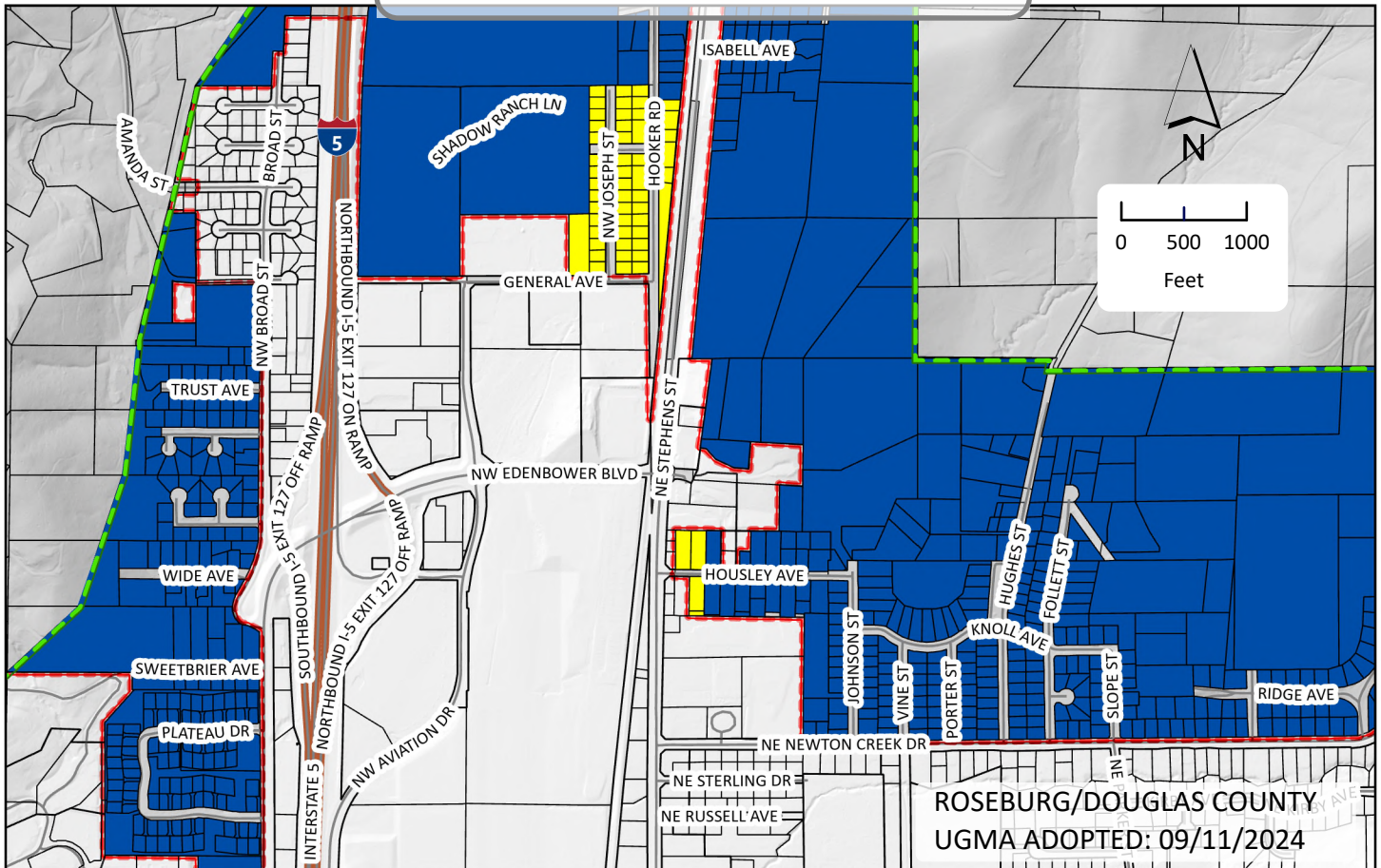
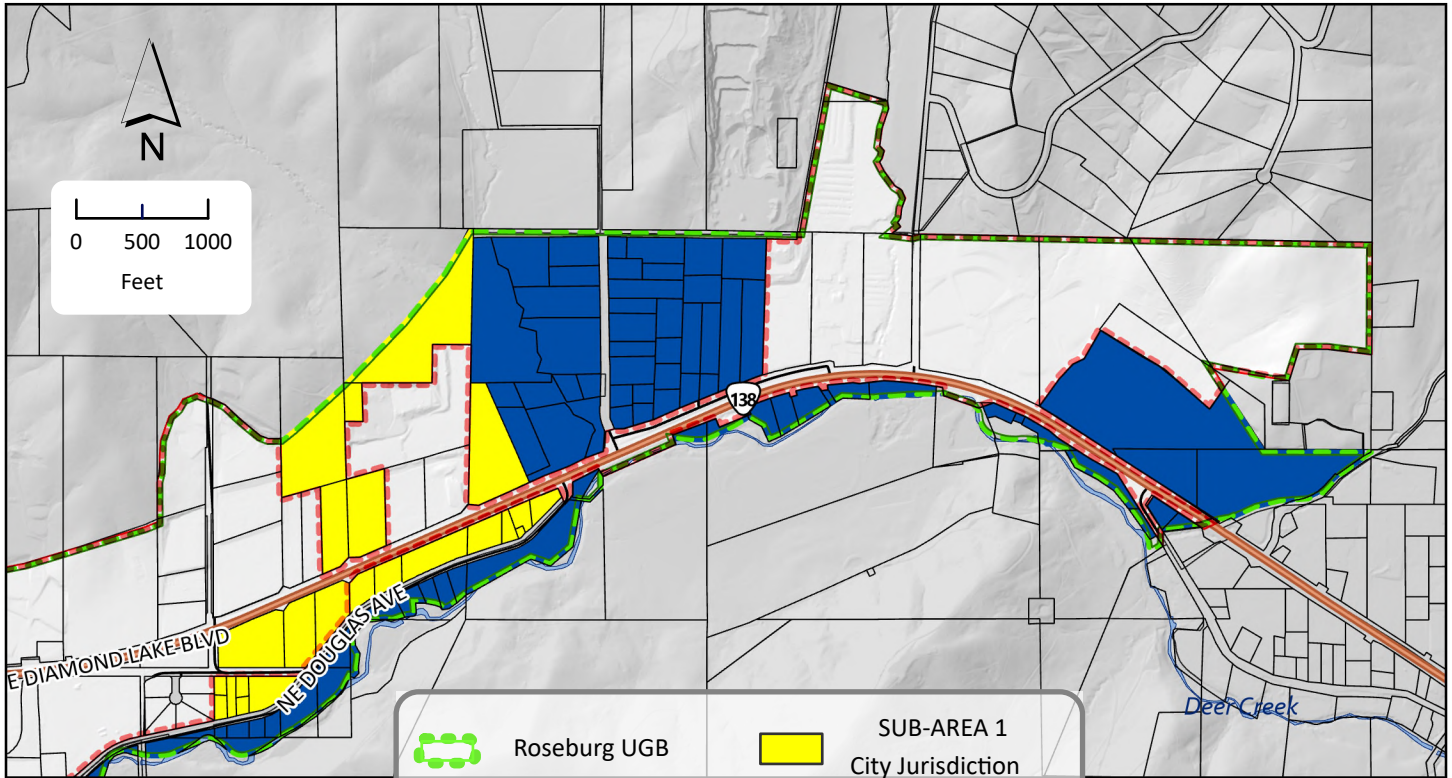




EXHIBIT A-1

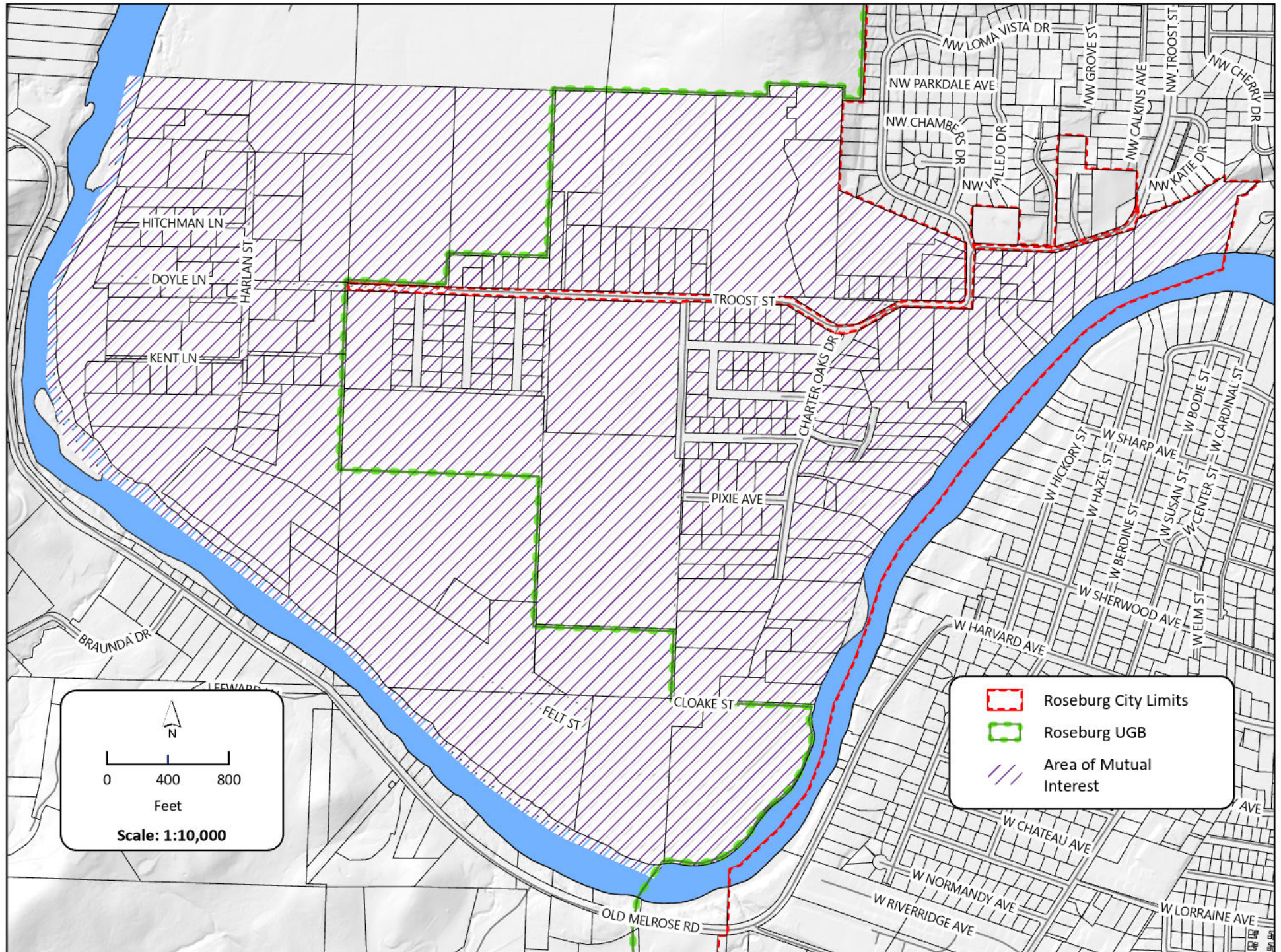
Douglas County/Roseburg Urban Growth Management Area Jurisdictional Boundary Line

Delineations





# Exhibit C Charter Oaks Area of Mutual Interest





**EXHIBIT "B"**

**ROSEBURG URBAN GROWTH AREA**

**STANDARDS SUPPLEMENT**

A Supplement to the Douglas County Land Use and Development Ordinance  
to be Applied Within the Roseburg Urban Growth Area

The following standards are intended to be applied, in addition to all provisions of the County Land Use and Development Ordinance, within Jurisdictional Sub-Area No. 2 of the Roseburg Urban Growth Boundary.

**I. PLACEMENT OF MANUFACTURED HOMES ON INDIVIDUAL LOTS**

Applicable Zoning Districts: All Residential Districts except High Density Zones

- A. The placement of manufactured homes on individual lots within these districts shall be allowed as provided for in the Land Use and Development Ordinance and subject to the standards itemized below.

**1. Dwelling Type Permitted**

All manufactured homes placed on individual lots, including lots within a designated manufactured home subdivision, shall be used as permanent residences, shall conform to the standards established in this Section, and shall bear a Department of Housing and Urban Development (HUD) label certifying that the structure is constructed in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974 as amended on August 22, 1981.

**2. Dwelling Standards**

All manufactured homes placed on individual lots, including lots within a designated manufactured home subdivision, shall meet the following minimum standards:

- a. The manufactured home shall be multi-sectional. For the purpose of this section, the term multi-sectional does not include tip-out units or additions which were not manufactured as an integral part of the original design.

- b. The manufactured home shall be placed on a foundation in conformance with the UBC.
- c. The manufactured home shall have exterior siding and roofing which, in color, material and appearance, is similar to the exterior siding and roofing material commonly used on residential dwellings within the community.
- d. The manufactured home shall have a minimum roof pitch of at least 3 inch rise for each 12 inches of run.
- e. If the manufactured home has a garage or carport, the garage or carport shall be similar in color and appearance to the exterior of the manufactured home.

## **II. OPEN SPACE IN MULTIPLE FAMILY RESIDENTIAL DEVELOPMENT**

Applicable Zoning Districts: R-2 and R-3

All new multiple family residential development shall provide at least one-hundred (100) square feet of improved outdoor living or recreation area for every unit in the project. The combined improved outdoor living or recreation area shall contain no less than 800 square feet for the entire site.

## **III. SCREENING IN COMMERCIAL AND INDUSTRIAL ZONES**

Applicable Zoning Districts: C-1, CT, C-2, C-3, M-1, M-2 & M-3

Screening of exposed storage areas, utility buildings, machinery, garbage and refuse storage areas, service and truck loading areas, and other accessory uses and structures shall be as specified below. Screening materials may consist of fences, walls, berms and landscaping, or any combination thereof which accomplishes the intended screening.

- a. In all commercial districts such areas, uses and structures shall be screened from adjacent properties and rights of way.
- b. In all industrial districts such areas, uses and structures shall be screened from adjacent residentially designated properties.

**IV. OFF STREET PARKING FOR MULTIPLE FAMILY  
RESIDENTIAL AND COMMERCIAL DEVELOPMENT**

Applicable Zoning Districts: R-2, R-3, C-1, CT, C-2 & C-3

Improvement standards for commercial and multiple family residential parking lots shall be as follows:

- a. All parking areas, vehicle maneuvering areas and access driveways provided in conjunction with commercial and multiple family residential development shall be paved. Such areas shall be graded so as not to drain storm water over the public sidewalk or onto any abutting public or private property.
- b. All parking spaces shall be marked with painted stripes or other permanent markings.

**V. PUBLIC SIDEWALKS**

Applicable Zoning Districts: All Residential and Commercial Districts and Public Reserve.

The installation of public sidewalks as part of new subdivisions and partitions shall occur in accordance with the provisions of Section VII of this Supplement. The installation of public sidewalks as a condition of issuance of a building or mobile home placement permit shall be as follows:

1. It shall be a condition of the issuance of a building or mobile home placement permit for all properties, regardless of size, being newly developed along all streets or street segments shown on Exhibit 1 that sidewalks conforming to the standards and guidelines established by the County Engineer, shall be installed along the entire street frontage of the property at the sole cost of the applicant prior to the occupancy of the building.
2. In instances where engineering or street construction factors prevent or make impracticable final sidewalk construction prior to occupancy of the building or mobile home, the applicant shall agree in a signed agreement to install permanent sidewalk improvements at his sole cost (or in accordance with other agreed financing alternatives,) at such time as the street is improved and conditions permit said construction.
3. As an alternative to No. 2, above, the Approving Authority may grant relief from the application of the sidewalk provisions of this Section upon

recommendation of County Engineer and concurrence of City if the sidewalk requirements would result in unworkable or unsafe conditions, including adverse effects on use or access to the premises.

## **VI. SEWER AND/OR WATER SERVICE CONNECTION**

Applicable Zoning Districts: All

### **1. Building and Mobile Home Placement Permits**

a. It shall be a condition of the issuance of a building or mobile home placement permit for all vacant parcels proposed for development which are within 150 feet of existing sewer and/or water mains that the proposed development connect to those mains unless one or both of the following conditions exists:

1. The City or Sanitary Authority will not allow connection to the mains.
2. In the case of sewer service, the development will not require sanitary waste disposal of any kind.

b. In instances where vacant parcel proposed for development is not within 150 feet of existing sewer and/or water mains, the applicant for the permit shall agree in a signed agreement to connect to either or both of these facilities at such time as they are extended within 150 feet of the subject parcel.

### **2. Divisions**

As a condition of approval of any division in which would result in creation of a parcel(s) which would be 150 feet or further from existing sewer and/or water mains, the applicant shall agree to participate in any local improvement district which may be formed under ORS 371.605 to 371.660 or the Douglas County Local Assessment Ordinance to extend either of these facilities to or past any parcels included within the division. The applicant shall execute any documents required by the Approving Authority, including a waiver of remonstrance, to insure such participation.

**VII. SUBDIVISION, PARTITIONING AND PLANNED UNIT DEVELOPMENT REQUIREMENTS**

Applicable Zoning Districts: varies

1. In residential districts where the average lot size proposed is less than ten thousand (10,000) square feet, the applicant shall enter into an agreement with the electric utility for the installation of street lights at such locations as determined by the County Engineer.
2. Subject to the limitations and exceptions set forth in Section V of this Supplement, the construction of sidewalks conforming to standards and guidelines of the County Engineer shall be installed by the applicant as a condition of approval of any of the following:
  - a. Final plats or subdivision in any Commercial, Multiple Family Residential or the Public Reserve District.
  - b. Final plats or subdivisions in any Residential district, except Multiple Family Residential, where the average lot size created is less than ten thousand (10,000) square feet, or final plans for planned unit developments.
3. In all zoning districts, water lines with valves and fire hydrants which serve subdivisions or partitions and which connect subdivisions or partitions to existing mains shall be designed and installed according to:
  - a. The requirements of the water utility serving the area; and
  - b. Acceptable standards for urban fire protection as determined by the fire protection agency serving the area.
3. To ensure that development of subdivisions, partitions and Planned Unit Developments are safe from geologic hazards associated with hillside development, the following shall apply.
  - a. Any subdivision, partition or Planned Unit Development (PUD) proposed for development on slopes of 12% or greater shall be reviewed to ensure site geological suitability. Such review shall be presented in a written report by an Engineering Geologist or a Geotechnical Engineer. The written report of the Engineering Geologist or Geotechnical Engineer shall certify that the development proposed may be completed without threat to public safety or welfare and shall be used in reviewing the development proposal. The report shall be submitted with the preliminary subdivision or land partitioning plan or PUD preliminary development plan and shall address all areas of soils and geologic instability, areas of grading and other

land disturbances, and all proposed excavation and fill areas required for, but not limited to, construction of roads, driveways, house pads, utilities, septic tank drainfields, wells and water tanks.

- b. The Approving Authority may grant relief from the application of the provisions of this Section for areas between 12 and 25 percent slopes upon recommendation of the County Engineer. Such a recommendation shall be based on information submitted by the applicant, his Geotechnical Engineer or Engineering Geologist which substantiates that such detailed geologic studies are unnecessary.

#### **VIII. RIPARIAN VEGETATION CORRIDOR OVERLAY**

Applicable Zoning Districts: varies

Section 3.32.200 of the County Land Use and Development Ordinance which deals with the protection of riparian vegetation shall apply to the North and South Umpqua Rivers, Deer Creek and Newton Creek within the City Urban Growth Boundary.

#### **XI. REDEVELOPMENT PLANS**

Applicable Zoning Districts: All

The provisions of §4.100, Subsection 4.a. of the Land Use and Development Ordinance are to be mandatory.

#### **X. AIRPORT IMPACT OVERLAY (AIO)**

Applicable Zoning Districts: All to which overlay is applied

With the modification which follow, the provisions of Section 3.35.800 of the Land Use and Development Ordinance which establishes regulations in areas affected by airport operations shall apply within the Roseburg Urban Growth Boundary.

- a. Subsection I.a. shall read as follows:

AIRPORT APPROACH AREA: A wedge-shaped area described by boundaries where the inner edge of the Airport Approach Area coincides with each end of the runway and is 250 feet wide at each terminus. The Airport Approach Area expands outward uniformly to a width of 750 feet at a horizontal distance of 2,500 feet

from the terminus, with its centerline being the continuation of the centerline of the runway.

- b. Subsection 3.c. shall read as follows:

No structure or object, including chimneys, towers, antennae, utility poles, trees, etc., shall exceed 35 feet in height in the Airport Approach Area.

- c. Subsection 3. f. shall read as follows:

No use shall be allowed in the Airport Impact Overlay District if such use is likely to attract an unusual quantity of birds.

## **XI. DRAINAGE REQUIREMENTS**

- a. Purpose

To establish a procedure for implementation of the City of Roseburg/Douglas County Drainage Management Plan within the Roseburg Urban Growth Area.

- b. Applicability

During the review and processing of land use actions within the Roseburg Urban Growth Area and, more specifically, in areas shaded on the attached Exhibit 2 ("Applicable Areas for Roseburg Storm Drainage Standards"), the County shall take into consideration the policies and design standards of the adopted City of Roseburg/Douglas County Drainage Management Plan, as modified by this Standards Supplement. The County will address the establishment of permanent drainage facilities in conjunction with review of the following types of development:

1. Partitions, subdivision, and planned unit developments.
2. Commercial, industrial, and multi-family developments or phased developments creating new impervious surfaces greater than 3,000 square feet. An administrative variance may be authorized, up to a maximum of 30 percent, for the expansion of pre-existing impervious surfaces that are less than 3,000 square feet upon finding that:
  - a. Approval of the variance will not significantly affect storm drainage on adjacent or abutting properties.



- b. An affirmative recommendation is received from the County Engineer.
- 3. Construction or reconstruction of public roadways.
- 4. Construction in the 100 foot (50' on each side) Riparian Vegetation Corridor of any existing stream or surface watercourse subject to the Riparian Vegetation Overlay.
- 5. Construction in any area of special flood hazard in accordance with Douglas County's Land Use and Development Ordinance (Chapter 3, Article 30, Floodplain Overlay).
- c. Review Procedure and Engineering Requirements (Drainage Certification)

During the initial processing of land use actions and development permits within the Roseburg Urban Growth Area, the Planning Department will identify applications that may be subject to review for permanent drainage facilities in accordance with XI. b., applicability of this agreement. Once it has been determined that the permanent drainage facilities may be necessary, it shall be the applicant's responsibility, in the form of a drainage certification, to either have plans engineered in accordance with the design standards of the Drainage Management Plan for the use or activity proposed, or certify that the proposed action has no drainage impact. All applications must include plans stamped by a licensed engineer certifying that the proposed use is in substantial compliance with the design criteria of the plan. Once received, the drainage certification will be forwarded to the County Engineer for review.

The County Engineer will review each proposal and the drainage certification for consistency with the design standards of the Drainage Management Plan. The County Engineer may require additional information to ensure full compliance with design requirements. Upon receiving an acceptable certification the County Engineer will notify the Douglas County Planning Department. The Planning Department will utilize the drainage certification of the consulting engineer in making its tentative or final approval. The County Planning Department will notify the City of Roseburg upon completion of land use actions subject to this certification requirement.

**EXHIBIT 1**

to the Roseburg Urban Growth Area  
STANDARDS SUPPLEMENT

Streets Requiring Sidewalk Installation

1. **Stephens Street (State Highway 99):** from the City Limits to the northerly Urban Growth Boundary line.
2. **Old Melrose Road (#13):** from the City Limits to the Urban Growth Boundary.
3. **Lookingglass Road (#5):** from the City Limits to the Urban Growth Boundary.
4. **Portland Avenue (#56A):** from Interstate 5 Interchange #123 to the South Umpqua River.
5. **State Highway 99:** from the City Limits to the southerly Urban Growth Boundary line.
6. **Ramp Road (#159):** from the City Limits to the City Limits.

Exhibit 2:

Standards Supplement for the Roseburg Urban Growth Area

