

## **BEFORE THE ROSEBURG PLANNING COMMISSION**

### **FINDINGS OF FACT AND ORDER**

#### **I. NATURE OF APPLICATION**

The City has initiated a legislative amendment to adjust its Urban Growth Boundary (UGB). The method being used to make the adjustment is referred to by statute as a “UGB Exchange”, but has been more commonly referred to locally during the process as the “UGB Swap”. The UGB Exchange would move the UGB line in such a way as to create no net increase in the number of possible future dwelling units that would be allowed. Two privately-owned areas would be removed from the UGB: ±91.5 acres on the hillside east of NW Daysha Drive (owned by John and Donna Atkinson) and ±198.5 acres on the hillside north of NE Barager Avenue (owned by Barry Serafin). The area to be added to the UGB is ±220 acres and is located on the west side of the City, generally bounded by the South Umpqua River and NW Troost Street, a portion of the area commonly known as Charter Oaks. The UGB Exchange results in a decrease in acreage within the UGB, but by providing more flat, easily-developed land should provide new opportunities for residential development.

The amendment includes subsequent land use actions including de-annexations, annexations, revised comprehensive plan designations, zone changes and an amendment of the City/County Urban Growth Management Agreement (UGMA). Approval must be obtained by both the Roseburg City Council and the Douglas County Board of Commissioners for specific land use action items over which their jurisdiction has control.

#### **II. PUBLIC HEARING**

A combined public hearing was held on the application before both the Roseburg Planning Commission and the Douglas County Planning Commission on May 6, 2024. At that hearing the Roseburg Planning Commission reviewed Land Use File CPA-23-002 and it was made part of the record. The Planning Commissions heard testimony from the public concerning the application. The Planning Commissions collectively made a motion to close the public hearing at the conclusion of their May 6, 2024 meeting.

#### **III. FINDINGS OF FACT**

##### **A. EXISTING CONDITIONS**

1. The Planning Commission takes official notice of the Roseburg Urban Area Comprehensive Plan adopted by City Council Ordinance No. 2980 on December 9, 1996 and of the Roseburg Land Use and Development Regulations No. 2363, as originally adopted July 1, 1984, and re-adopted in Ordinance No. 3497 on May 1, 2018, as both may have been amended from time-to-time.

2. Notice of the public hearing was given by publication in The News Review, a newspaper of general circulation, at least 10 days prior to the hearing.
3. The objective of the UGB Exchange is to increase residential development capacity in order to meet Roseburg's housing goals for the next 20 years. In 2019, the Roseburg City Council set a goal to develop policies to enhance housing opportunities, which required the City to conduct an updated Housing Needs Analysis (HNA).
4. The HNA (2019, ECONorthwest), made several key findings within its conclusion that help to justify the need for a UGB Exchange:
  - A. The population of the City's UGB is forecasted to grow from 30,256 people in 2019 to 35,771 people in 2039, an increase of 5,515 people. This equates to an average annual growth rate of 0.84 percent.
  - B. The growth of 5,515 people will result in demand for 2,768 new dwelling units over the 20-year planning period, averaging 134 new dwelling units annually.
  - C. Sixty percent of the future housing type needed to meet the demand of 2,768 new dwelling units will need to be traditional single-family detached units.
  - D. Roseburg's low density residential land base in which single-family detached units are most typically constructed has constraints to development.
  - E. An Urban Growth Boundary Exchange can be a key tool in addressing the need for providing more flat and easily developable low-density residential land.

B. PROPOSAL

The proposal consists of the following land use actions:

- A. Amend the UGB by removing the Serafin and Atkinson properties from the boundary and adding Charter Oaks property to the UGB;
- B. De-annexation of the Serafin and Atkinson properties that lie in city limits;
- C. Annexation of Troost St. right-of-way to the edge of the new UGB;
- D. City Comprehensive Plan Amendment for the Charter Oaks property to include applying the city's Low Density Residential (LDR) designation to the majority of the Charter Oaks property and applying the Public/Semi-Public (PSP) plan designation to the 17.5-acre property owned by the Roseburg Public School District; and,
- E. Amend the Urban Growth Management Agreement (UGMA) to reflect the UGB swap and to include Charter Oaks in Subarea 2 of the agreement.

C. PUBLIC COMMENTS

Prior to the initial public hearing on May 6, 2024, a suite of comment letters were provided to the Planning Commissioners and the public through staff reports and hearing packets published and posted prior to the hearing. Twenty-four letters were written in support of the application and one letter of concern was submitted prior to the City Planning Commission packet being sent to the City Planning Commissioners on April 29, 2024. Two additional letters of support were submitted to staff after the packet was sent and prior to the hearing on May 6, 2024. A hard copy of these letters

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

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

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

- **Inadequate transportation facilities in Charter Oaks.** Current residents in and near Charter Oaks have described dangerous conditions on streets and at intersections in the area, suggesting that adding additional traffic to the area will cause transportation safety and roadway capacity concerns. Residents have expressed concern about there being only one way in and out of the area on Troost Street, and that the exact details of future roadway and access points to serve the area have not already been determined and funded. People suggested that the UGB Swap should not be allowed until the details and designs of future transportation facilities have been determined.

*Kelly Sandow, Sandow Engineering performed a Traffic Impact Study involving the UGB swap (appendices) and spoke on behalf of the City addressing residents' concerns about dangerous conditions on streets and intersections in the Charter Oaks area. Ms. Sandow indicated that even at full build out the streets and intersections within Charter Oaks will perform in accordance with the Transportation Planning Rule (TPR). Although these areas will satisfy TPR requirements, she provided possible safety improvement recommendations at the intersection of Troost St./Felt St., Troost St./Charter Oaks Dr. and Troost St./Loma Vista Dr. She also provided reference to cross section street requirements that can be anticipated for Troost St. in the future and a recommendation to lower the speed to 25mph through the UGB expansion area.*

- **Emergency access for first responders in Charter Oaks.** Limited access to the area raised in the context of transportation facilities was also an issue raised in the context of emergency access for fire, police and other first responders given the single point of access to the area from Troost Street. People specifically raised the issue of a recent fire at Felts Field Airstrip in Charter Oaks, and the length of time it took for emergency responders to arrive at the fire.

*Chief Tyler Christopherson, Roseburg Fire Department (RFD) spoke on behalf of the City and addressed concerns around fire response times and the recent fire at Felts Field Airstrip. Chief Christopherson, indicated that RFD did not*

*respond to the Felts Field fire, as it is currently located outside of the city limits and is within Douglas County Fire District 2 jurisdiction. Water supply was a significant issue and lack of water required it to be trucked into the area slowing response. If annexed, the City would have three different stations ready to respond, with 12 firefighters, and three engines within six minutes. Water supply will increase based on development and the construction of additional fire hydrants. The RFD has an ISO classification of 2, while the Douglas County Fire District 2 has an ISO rating of 3. If annexed, fire insurance rates could possibly be adjusted to improve insurance costs as RFD has a higher ISO rating.*

- **Lack of detailed, final infrastructure plans and funding for sewer and water services.** Similar to concerns raised about the plan for future roadways, residents in the area have concerns that specific future plans for the location and timing of water and sewer improvements have not already been developed. Dry wells and lack of water at the school district site was mentioned.

*Jim Baird, General Manager of the Roseburg Urban Sanitary Authority (RUSA) spoke in favor of the application addressing plans for future expansion of the sewer system with the Charter Oaks area. Mr. Baird indicated that the Charter Oaks area has had a long history of being evaluated for a future sewer system by referencing studies performed in 1967, 1975, 1977, and 1995. Most recently, Mr. Baird described a preliminary layout of the expansion of the existing sewer system into the area completed in 2018. This preliminary layout involves the upsizing of an existing pump station, which would be completed by RUSA and the extension of the sewer main, which would typically be driven by a future developer. Favorable time frames for how quickly sewer improvements could occur within the area were estimated to be approximately 3-5 years.*

- **Old and/or inaccurate data.** Data supporting planning effort was gathered pre-Covid and is therefore out of date and should be revised and updated based on current conditions. Density calculations showing 673 units both entering and leaving the UGB are based on flawed assumptions regarding buildability, and do not align precisely with data used in the City's Buildable Lands Inventory (BLI) and other planning documents.
- **Environmental and farmland impacts.** Wildlife habitat information in the application based on a study conducted prior to 1980 is too old to be trustworthy and should be updated. The precise extent of wetlands in the area is still unknown. Other options such as Dixonville or Wilbur would have less farmland impacts.
- Community engagement was insufficient, and the project favors development over community concerns.

*Stuart Cowie, Community Development Director spoke on behalf of the City concerning the UGB Swap application and public process. Mr. Cowie indicated that the City had been working on the UGB Swap application for the last six years and referenced opportunities for community engagement during this time. Community open houses were held in 2018, 2019 and 2024. Multiple updates concerning the UGB Swap were provided to the City Planning Commission and City Council during public meetings over the six-year period. Opportunity for public comment was provided during the goal setting sessions in 2020, in which City Council identified the pursuit of a UGB Swap as an item to help enhance housing opportunities. The City created a webpage devoted to the UGB Swap at the beginning of 2024, in an effort to provide citizens with information, upcoming events, and an invitation to reach out to City staff with comments or questions.*

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

Issues raised in *support of* the proposal before and during the initial public hearing on May 6, 2024 can be generally described as follows:

- **Housing shortage and impacts to residents, businesses, community vitality and economic growth.** Recruitment and retention for local firms is harmed by the lack of available housing in the area. Roseburg is losing jobs and people to other communities with more buildable land and available housing units, especially newer single-family homes. Impacts are also being felt in the provision of medical services, schools, and industrial firms who miss out on employees due to the limited availability of housing. Expanding housing production on the flat land in Charter Oaks would mitigate against this ongoing shortage.
- **Constrained lands.** Much of Roseburg's residential land supply is on steep slopes, above the area where water services are available without expensive new water tanks and other infrastructure development, and where roads and utilities are difficult to construct. The flat, serviceable land in Charter Oaks does not have the same topographical constraints and would be more likely to develop.
- **City Budget.** Adding additional housing and tax base to the city will increase the city's budget and help with rising cost increases. The current rise in cost was said to be up 8% while revenue is up 4%. At this rate, it is not sustainable.
- **Economic Growth.** With accounts from local businesses - seeing work done in other communities and very little work being done in our own community shows lack of development and growth. Other cities have surpassed Roseburg in economic growth due to lack of available housing and buildable land.

- **Future land use approvals will adequately address oppositions concerns.** Concerns raised about the future construction of public infrastructure, including roadway design, sewer main extensions, and fire access will be reviewed and evaluated to ensure they are built to current land use and development requirements within the Roseburg Municipal Code. This will be a requirement of any future land division once annexed into the City limits.

E. PROCEDURAL

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

F. REVIEW CRITERIA

Pursuant to RMC 12.10.020(F)(2) the proposed legislative amendment must be analyzed for consistency with any substantive criteria deemed to apply, including policies within the Roseburg Urban Area Comprehensive Plan, Oregon Statewide Planning Goals, and other provisions of the Roseburg Municipal Code.

As required by RMC 12.10.020(F)(2) the legislative request for the UGB Exchange and subsequent land use actions was reviewed by the City based on the applicable criteria as follows:

- ORS 222 – “Boundary Changes, Annexations, Withdrawals”
- OAR 660-024 – “Urban Growth Boundaries”
- Oregon Statewide Planning Goals
- Roseburg Urban Area Comprehensive Plan Policies

Analysis and subsequent findings demonstrating consistency with the above listed criteria is provided in the Urban Growth Boundary Exchange Proposal: Staff Report and Findings document dated April 15, 2024, attached as Exhibit A. Findings located within this document, as well as testimony provided during the course of the public hearing by City staff, witnesses called to speak on behalf of the application, and testimony provided in support of the proposal, sufficiently address the applicable criteria listed above and demonstrate that the proposal is consistent with these requirements and satisfies all necessary standards.

#### **IV. CONCLUSION**

Based on the findings provided within the April 15, 2024 Urban Growth Boundary Exchange Proposal: Staff Report and Findings document, the Planning Commission concludes that the legislative amendment meets the criteria for approval in RMC Section 12.10.020.

#### **V. ORDER**

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

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

- A. Amend the UGB by removing the Serafin and Atkinson properties from the boundary and adding Charter Oaks property to the UGB;
- B. De-annexation of the Serafin and Atkinson properties that lie in city limits;
- C. Annexation of Troost St. right-of-way to the edge of the new UGB;
- D. City Comprehensive Plan Amendment for the Charter Oaks property to include applying the city's Low Density Residential (LDR) designation to the majority of the Charter Oaks property and applying the Public/Semi-Public (PSP) plan designation to the 17.5-acre property owned by the Roseburg Public School District; and,
- E. Amend the Urban Growth Management Agreement (UGMA) to reflect the UGB swap and to include Charter Oaks in Subarea 2 of the agreement.

  
Jaime Yraguen, Planning Commission Chair

5-20-2024  
Date

  
Stuart Cowie, Community Development Director

5/20/2024  
Date

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

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