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02/24/20

CITY OF ROSEBURG  
PLANNING COMMISSION  
*Monday, March 2, 2020*  
*City Hall Council Chambers – 7:00 pm*

S.C.  
2/21/20

*NOTE: It is up to each of you as Commissioners and Staff to let staff know before the day of the meeting if you will not be able to attend. Thank you.*

**AGENDA**

- I. CALL TO ORDER
- II. ROLL CALL:           Chair Ron Hughes     Daniel Onchuck     Victoria Hawks  
                                  Kerry Atherton       Ron Sperry         Shelby Osborn  
                                  John Kennedy
- III. APPROVAL OF MINUTES  
    A. January 6, 2020 – Planning Commission Meeting
- IV. AUDIENCE PARTICIPATION: See Reverse for Information
- VI. PUBLIC HEARING  
    A. CUP-20-001 – Wishcamper Development Partners, LLC [Quasi-judicial]  
    B. CPA-20-002 – Airport Master Plan Amendment [Legislative Amendment]  
    C. LUDR-20-001 – Land Use Regulation Text Amendments [Legislative Amendment]
- VII. BUSINESS FROM STAFF  
    A. Director’s Report
- VIII. BUSINESS FROM THE COMMISSION
- IX. NEXT MEETING – April 6, 2020
- X. ADJOURNMENT

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

Please contact the office of the City Recorder, Roseburg City Hall, 900 SE Douglas Avenue, OR 97470-3397 (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.

The agenda packet is available on-line at:  
<http://www.cityofroseburg.org/your-government/commissions/planning-commission/>

## **AUDIENCE PARTICIPATION INFORMATION**

The Roseburg Planning Commission welcomes and encourages participation by citizens at all meetings. To allow the Commission to deal with business already scheduled, it is asked that anyone wishing to address the Commission follow these simple guidelines.

### **Non-Agenda Items**

If you wish to address the Planning Commission on a matter not on the agenda, at the appropriate time please raise your hand and wait to be recognized by the Chair. Persons addressing the Commission must state their full name and address for the record. All remarks are to be directed to the Planning Commission. For items not on the agenda the presentation should be brief and be 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 Planning 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.

### **Agenda Items**

For items on the agenda you will be given an opportunity to address the Commission once the item is called. 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 he wishes to call as a witness on his 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 the 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 the City Council and will be forwarded to them for final consideration.

For further details or information please contact the Community Development Department Monday through Friday, 8:00 a.m. to 5:00 p.m., at Roseburg City Hall, 900 SE Douglas Avenue, Third Floor, Roseburg OR 97470, phone number 541-492-6750, or e-mail [cmatthews@cityofroseburg.org](mailto:cmatthews@cityofroseburg.org)

**CITY OF ROSEBURG  
PLANNING COMMISSION MINUTES  
January 6, 2020**

**CALL TO ORDER**

Chair Hughes called the regular meeting of the Roseburg Planning Commission to order at 7:00 p.m. on Monday, January 6, 2020, in the Roseburg City Hall Council Chambers, 900 SE Douglas Avenue, Roseburg, Oregon.

**ROLL CALL**

Present: Chair Ron Hughes, Commissioners Kerry Atherton, John Kennedy, Dan Onchuck, and Ron Sperry

Absent-excused: Commissioner Victoria Hawks and Shelby Osborn

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

**APPROVAL OF MINUTES**

*Commissioner Kennedy moved to approve the December 16, 2019 minutes as presented. The motion was seconded by Commissioner Onchuck and approved with the following votes: Chair Hughes, Commissioners Atherton, Kennedy, Onchuck and Sperry voted yes. No one voted no.*

**AUDIENCE PARTICIPATION – None**

Mr. Cowie introduced Caleb Stevens who was hired recently to fill the Associate Planner position after Teresa Clemons retired. Mr. Stevens previously worked for Douglas County Planning as an associate planner. Eric Johnson was hired recently for the newly created position as the City's Communication Specialist. Mr. Johnson previously worked for Lincoln City in a similar role as well as for the Visitor Convention Center.

**PUBLIC HEARING File No. CPA-20-001 - Transportation System Plan Amendment [Legislative Amendment]**

Chair Hughes read the procedures for the Legislative Amendment hearing and opened the public hearing.

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

Mr. Cowie, introduced Angela Rogge with David Evans & Associates and thanked her for traveling from Portland to attend the meeting. The Transportation System Plan began in 2016. Mr. Cowie recognized John Lazur who helped run the project in its entirety, Ms. Rogge, and ODOT for funding this project. Without the collaboration this project would not be possible.

Ms. Rogge shared she has been with the TSP from the start in 2016. She stated that a Transportation System Plan (TSP) is a blueprint for all modes of travel and documents deficiencies within the larger system as a whole and attempts to address those deficiencies through targeting projects or policies moving forward. The TSP is consistent with other transportation plans and other planning documents in the region, as well as the Oregon Transportation Plan. TSPs are required by the Transportation Planning Rule. She hopes it's adopted as the transportation element of Roseburg's Comprehensive Plan.

The purpose of a TSP is to attract and secure future funding through programs and grants. It plots a course for the community through goals, planned land uses, right-of-way needs and projects and services. A TSP works toward goals and must document the needs, functions, modes, and general location of planned improvements.

A power point presentation was provided and discussed the following:

- Project Timeline – Kick-off conference call 12/22/2016, PAC meetings occurred 3/14/2017, 1/28/2019 & 8/22/2019, and PAC meeting and Open House occurred 12/6/2017 & 10/8/2019.
- TSP Goals – 1. Mobility and accessibility, 2. Vibrant community, 3. Transportation options, 4. Economic vitality, 5. Implementation
- TSP Planning Area – City limits, Urban Growth Boundary, & 76 study intersections, mostly arterials/collectors.
- Ongoing Planning Process
- Project Development and Evaluation
- Funding Forecast through 2040 - \$6.6 million for capital projects marked for urban renewal generated funds.
- The Project lists/ Tier 1 and Tier 2 projects
- Bicycle/Pedestrian Plan Tier 1 and Tier 2
- Transit Plan Tier 1 projects – Douglas County Transit District will be the primary funding source for the transit projects identified in the TSP, with City support.
- Roadway Plan Tier 1 projects and Tier 2 projects
- Typical Roadway Cross-Section guidelines
- Other Travel Modes – Air Transportation, Rail Transportation, Pipeline Transportation and Water Transportation

Commissioner Atherton asked if the railroad crossing at SE Mosher Street is the responsibility of the railroad. Ms. Rogge stated the City is responsible for the paving up to the crossing. This would be a coordinated effort between the railroad, ODOT, and the City.

Chair Hughes commented that the TSP's focus is on multimodal transit and some of the projects from the original TSP have been removed.

Mr. Cowie shared that some of the original projects were ambitious and funding wasn't obtainable. Funding continues to be a challenge for projects.

Discussion ensued regarding Tier 1 projects, Stewart Parkway Bridge and its deficiencies, multimodal transportation, vehicle traffic not identified, and the lack of funding for projects.

Mr. Lazur stated some of the intersections at the highway interchange that handle the most amount of vehicular traffic were not included in the TSP. Originally these intersections were being studied as part of the I-5 Interchange Area Management Plan (IAMP). The 124/125 IAMP identified interchange and mainline issues. As a result, the IAMP for Exits 124/125 was paused with plans to revisit the Plan after the completion of the TSP and I-5 Bottleneck study.

Ms. Rogge stated the Interchange Management Plan for Exits 124/125 study area extended to the west to the Stewart Parkway and Garden Valley intersection, as well as Stewart Parkway and Harvard Avenue and to the east all the way to Stephens Street. Much of those intersections are governed by ODOT, which limits Roseburg's ability to plan for change within the IAMP areas not knowing what improvements ODOT identifies as needed. This is identified as a gap in the TSP. When the IAMPs are completed they will be adopted by reference in the TSP.

Mr. Cowie stated ODOT was working on these plans regarding the TSP in 2016 when ODOT paused and started studying the I-5 bottle neck issue. The City determined to continue with the TSP since it was a funded project. Once ODOT completes their projects, the updates can be incorporated in the TSP.

Commissioner Kennedy expressed appreciation for all the work everyone has done on the TSP. He recognizes the TSP is a guide and suggested the City look at the more immediate issues and economic aspect.

Commissioner Atherton asked how a proposed college will impact the TSP. Mr. Cowie stated the TSP is a 20 year plan and provides a roadmap for how to handle future concerns.

Mr. Lazur stated a college would need to complete a traffic impact study. The TSP document can be amended, as needed.

Hearing no further discussion, Chair Hughes closed the public portion of the hearing.

*Commissioner Kennedy moved to adopt the Findings of Fact and Order as presented, and recommend the City Council approve File No. CPA-20-001, adopting the proposed Legislative Amendment of the Roseburg Transportation System Plan which serves as the Transportation Element of the Comprehensive Plan. The motion was seconded by Commissioner Onchuck and approved with the following votes: Chair Hughes, Commissioners Atherton, Kennedy, Onchuck and Sperry voted yes. No one voted no.*

**AUDIENCE PARTICIPATION:** None

#### **BUSINESS FROM STAFF - Director's Report**

Mr. Cowie provided the following report.

- Multifamily housing projects reviewed and approved include Oak Springs 90 unit apartment complex on NE Pomona Street, and a 14 unit townhouse subdivision on W Lookingglass Road. Deer Creek Village, 68 unit affordable housing apartment complex on NE Douglas Avenue is under construction.

- Five Guys restaurant submitted a Site Review application on NW Mulholland Dr. and anticipate finalizing the review soon.
- Mr. Stevens, Associate Planner is involved in a Value Mapping project which looks at the properties in the urban growth boundary and maps out the acreage and taxes it can produce to determine the areas to promote growth.

**BUSINESS FROM COMMISSION** – none

**ADJOURNMENT** - The meeting adjourned at 7:56 p.m. The next meeting is scheduled for Monday, February 3, 2020.

*Chrissy Matthews*  
*Department Technician*

**CITY OF ROSEBURG  
PLANNING COMMISSION  
STAFF REPORT**



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**File No. CUP-20-001**

**Meeting Date: March 2, 2020**

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**To:** Planning Commission  
**From:** Stuart Cowie, Community Development Director  
**Subject:** Conditional Use Permit No. CUP-20-001

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**PROJECT SUMMARY & PROCEDURES:**

Wishcamper Development Partners, LLC, authorized agent of the property at 152 Sunshine Road submitted application for a conditional use permit for the development of a 144 unit multi-family development, consisting of six (6) separate apartment buildings, a community building and other various community facilities. The site is a 9.08 acre property zoned Mixed Use (MU) that is located to the northwest corner of the intersection of Sunshine Road and Hwy 138. The property is described as Township 27 South, Range 05 West, Willamette Meridian, Section 15C, Tax Lot 0200; R34300; 152 Sunshine Road.

The conditional use permit is an administrative action, as listed within Section 12.10.010(L) of the Roseburg Municipal Code (RMC). However, pursuant to Section 12.10.010(N)(3) of the RMC, the Director has referred the conditional use permit application to the Planning Commission for a public hearing. 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:**

Last year, the Planning Commission heard an appeal of a land partition requested by the property owner Dustin Jinks. That land partition was never finalized and the applicant, Wishcamper Development Partners, LLC, of the conditional use permit, currently being requested, has made contact with the appellant (Janice Marvin) of the previously requested land partition in order to determine what opportunities may exist to resolve the access issues that were the main focus and reason behind the 2019 appeal. Mrs. Marvin has not provided any written or verbal comments to City staff, as of the date of this staff report.

**APPLICABLE CRITERIA:**

The applicant's request for a conditional use permit application was reviewed by the City based on the applicable criteria as follows from the Roseburg Municipal Code:

- RMC Section 12.04.070 – "Industrial Districts"
- RMC Section 12.10.080(F) – "Conditional Use Permits – Approval Criteria"

- a) In addition to the applicable criteria contained within Section 12.10.080(F), the applicant's request has also been reviewed to determine consistency with the applicable sections of the Diamond Lake Blvd/Hwy138 Access Management Plan and other applicable sections of the Comprehensive Plan.
- b) A pre-application conference with the applicant was conducted on November 6<sup>th</sup>, 2019. During that meeting, City staff, ODOT staff, Douglas County Building Department staff and Roseburg Urban Sanitary Authority Staff provided feedback regarding the development standards triggered by the applicant's proposal. The applicant has demonstrated that they intend to comply with the City's and other agency's requirements including any potential conditions of approval for the conditional use permit, site plan review and building code requirements.
- c) The City, in addition to the agencies listed above, has coordinated with Utrans and Glide School District to ensure that appropriate steps are being taking to plan for capacity to serve the proposed multifamily complex. The applicant has provided letters of support from both UTrans and Glide School District.

**STAFF RECOMMENDATION:**

Staff determines that the conditional use permit request as reviewed within the findings of fact attached as Exhibit A, satisfies the criteria for approval subject to conditions 1-6 included at the end of the findings of fact. Therefore, it is recommended the Planning Commission approve file CUP-20-001, based on the findings of fact attached as Exhibit A.

**OPTIONS:**

- Adopt Findings of Fact approving the conditional use permit request.
- Continue consideration of the request.
- Adopt Findings of Fact denying the requested conditional use permit request.

**SUGGESTED MOTION:**

I MOVE TO ADOPT THE FINDINGS OF FACT AS PRESENTED, AND **APPROVE** THE REQUESTED CONDITIONAL USE PERMIT, REFERENCED AS FILE NO. CUP-20-001.

**EXHIBITS:**

- A – Findings of Fact
- B – Site Plan
- C – Elevation Plans
- D – Floor Plans
- E – Wetlands Map
- F – Traffic Assessment Letter
- G – Kester Road Alignment Assessment
- H – Glide School District Letter
- I – Utrans Letter of Support
- J – Drainage Assessment Letter

# EXHIBIT A

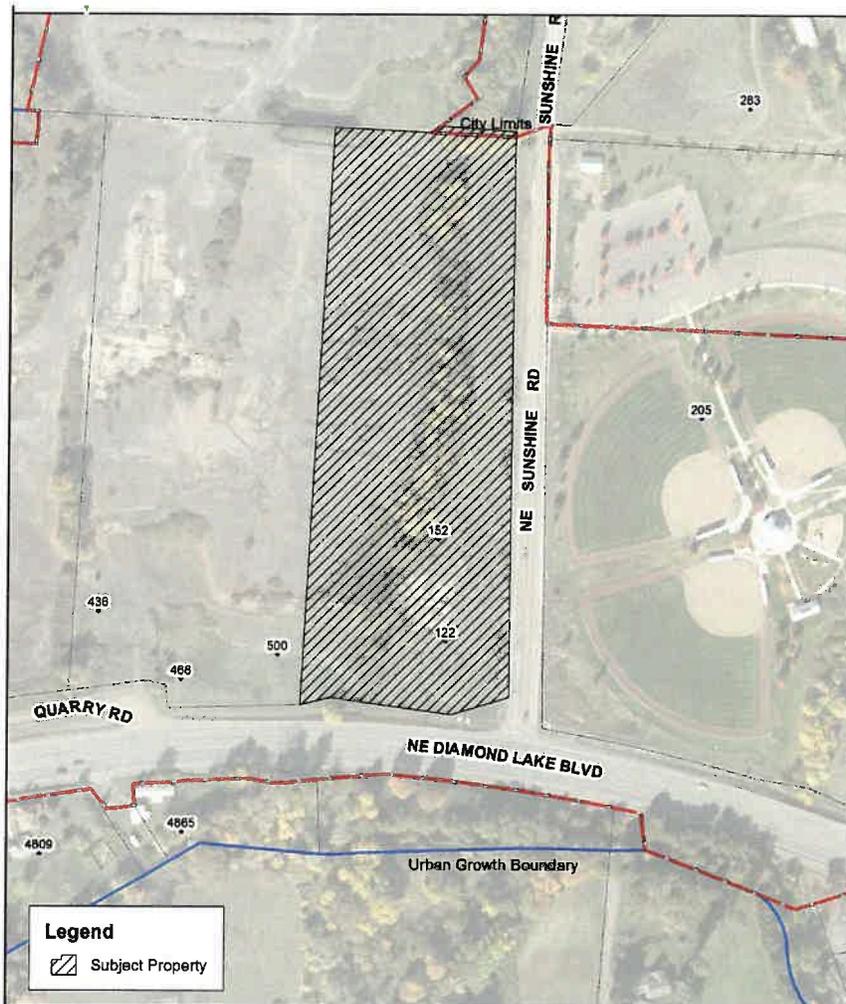
In the matter of the Conditional Use ) CUP-20-001  
Permit request by Wishcamper )  
Development Partners, LLC )

## BEFORE THE ROSEBURG PLANNING COMMISSION

### FINDINGS OF FACT AND ORDER

#### I. NATURE OF APPLICATION

The applicant's request is a conditional use permit for the development of a 144 unit multi-family development, consisting of six (6) separate apartment buildings, a community building and other various community facilities.



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.

## 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 property is described as Township 27 South, Range 05 West, Willamette Meridian, Section 15C, Tax Lot 00200; R34300 and is addressed as 152 Sunshine Road.
4. The subject property is 9.08+/- acres, is designated by the Comprehensive Plan as Industrial and is zoned Mixed Use. The property is currently vacant of any development.
5. Wishcamper Development Partners, LLC, authorized agent of the property at 152 Sunshine Road applied for a conditional use permit to authorize the development of a 144 unit multifamily residential facility consisting of six three-story apartment buildings, one community building and other various common use facilities.

### B. AGENCY COMMENTS

Comments regarding the conditional use permit request were solicited from the Fire Department, Public Works Department, Douglas County Building Department, County Public Works Department, ODOT, and Roseburg Urban Sanitary Authority. All comments received 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 subject properties per ORS 197.610 and RMC 12.10.030. No comments have been received by City staff.

### D. PUBLIC HEARING

A public hearing was held on March 2, 2020 regarding the matter of the conditional use permit request. Chair Hughes read through the public hearing procedures and opened the public hearing.

### E. APPLICABLE CRITERIA

The applicable approval criteria for the subject conditional use permit is reviewed in the following order: a) Section 12.04.070 – “Industrial Districts”; b) Section

12.10.080(F) – “Conditional Use Permits – Approval Criteria”.

a) Section 12.04.070 – “Industrial Districts”

1. Zoning conformance (Section 12.04.070) – The Mixed Use (MU) zone conditionally permits multifamily dwellings subject to the standards of the MR18 zone. The MR18 zone’s parcel and building standards are contained within Section 12.04.030(B) and are as follows:

Lot area per dwelling = 2,350 square feet

**Finding:** Based on the subject parcel size (9.08 AC), the property could permit up to a maximum 166 units, therefore the applicant’s requested 144 unit proposal is within the maximum dwelling density requirements of the MR18 zone.

Lot Coverage = 80% Maximum

**Finding:** The applicant will need to provide a final calculation of total lot coverage before approval of a site plan review; however, the applicant’s preliminary site plan appears to be within the allowable range.

Minimum Property Line Setbacks

- Front – 15 feet
- Exterior Side – 10 feet
- Rear & Interior Side – 4 feet (One Story Structure)/5 feet (Two Story Structure)/10 feet (Three Story Structure)

**Finding:** The applicant’s plans denote compliance with the setback requirements of the MR18 setback requirements.

Maximum Building Height = 45 feet

**Finding:** The applicant has provided elevation drawings (See Exhibit C & D) of the proposed three story apartment buildings, which do not exceed the maximum height requirement of 45 feet.

2. If granted approval of the conditional use permit, the applicant, at the time of application for the site plan review shall demonstrate compliance with the multifamily development standards of Section 12.04.030(F), the site plan review standards of Section 12.06, applicable Fire Department regulations, Public Works Department standards and any other applicable standards of the Roseburg Municipal Code.
3. In addition to the site plan review approval process through the City of Roseburg, the applicant shall be responsible to obtain the necessary permits/review through the Douglas County Building Department, Roseburg

Urban Sanitary Authority for sanitary sewer services, Oregon Department of Transportation for any work in the Hwy 138 right-of-way, and Oregon Department of Environmental Quality for storm water permitting.

b) Section 12.10.080(F) – “Conditional Use Permits – Approval Criteria” – “A *Conditional Use Permit shall be granted only if the Approving Authority finds that the proposal conforms to all five of the following criteria.*”

1. *“The proposed development is compatible with the existing or anticipated uses in terms of scale, bulk, coverage, density, architectural, and aesthetic design.”*

**Findings:** The MU zone anticipates integration of a mix of residential, commercial and less intense industrial uses. The MU zone generally acts as a fringe zone between commercially oriented industrial uses and a mix of other strictly commercial uses and some residential uses. The closest current established land use are Sunshine Park directly to the east of the subject property, a construction company approximately 750 feet to the west of the subject property and Knife River’s aggregate quarry approximately 750 feet to the northwest of the subject property. However, the areas immediately north and west of the subject property are vacant of structural development. Consequently, there is no existing land use pattern in this MU enclave of which Applicant’s property is a part. The proposed complex is the first structural development in this area and will therefore establish the general development pattern tone for future development. The lands 1000 feet west and beyond are inside the UGB, but under County jurisdiction. The area is developed with scattered industrial uses that were established years ago. The simple distance and topography provide separation between the site and the industrial uses to the west. These factors are significant because they will help reduce visual and auditory impacts based on that distance and topography alone. It is also important to note that the layout and design of the proposed multifamily complex locates parking and building faces toward the outside of the facility and orient the usable spaces like patios and commons areas toward the interior of the parcel, which will help buffer the residential uses from any nearby industrial uses. Also, further development is likely to occur on the vacant land between the proposed parcel and the industrial uses to the west, which will lend themselves to creation of a transition between the proposed multifamily complex and the industrial uses to the west. Land to the east of Sunshine Road is developed with the Sunshine Park complex. The area south of the North Umpqua Highway, inside the UGB and immediately to the south is residential land with industrial uses located further to the east and outside the UGB.

The overall size and footprint of the proposed apartment complex is consistent and compatible to the scale and size of desired/anticipated future mixed-use development of the area. The building sizes and the overall resulting lot coverage will be very similar to that which would be associated

with a mixed commercial and industrial development. By way of example, the land along the west side of Mulholland Drive and Aviation Drive next to Interstate 5 is zoned MU and has a wide range of building footprints and scales of development similar in nature to the proposed development. The proposal appears to fit right in the middle of this scale in both building footprints and overall coverage. The proposed apartment buildings have a total footprint/lot coverage of approximately 73,400 sq. ft. and the layout follows density requirements of MR-18 standards per §12.04.030(F).

Upon selecting the current location for the Applicant's proposed development, it was determined that the location was the most appropriate, as very few properties of the same size and zone are available within Roseburg. Additionally, there are significant development constraints related to other properties that might otherwise provide an alternative site for such a development. The subject property is inside the UGB for the city and is designated industrial. The City's code anticipates that multifamily development of the type proposed may be a permissible use if found compatible through the conditional use permit process. A full range of public services is available including sewer, water, power to accommodate development. In addition, the Applicant has coordinated with UTrans to ensure that public transportation will serve the facility and a bus stop has been incorporated into the Applicant's overall site plan design (See Exhibit I).

Wetlands are also a consideration for a project of this size. Existing wetlands on this property are limited to the seasonal drainage which bisects the property and a small area in the southwest quadrant of the property. The proposed development will utilize these areas as part of the open space in order to avoid impacting the existing wetlands. All development will be coordinated with the City of Roseburg and other affected agencies. (See Exhibit E – City Wetlands Map). The Applicant shall be advised that the City has submitted a "Wetlands Land Use Notification" WLUN to the Department of State Lands (DSL) regarding the Applicant's proposal. It will be the responsibility of the Applicant to coordinate with DSL and determine any necessary actions through their agency.

Applicant has considered building architecture and aesthetics as part of this proposal. Although the existing area does not have an established standard for building architecture or building façade, the proposed apartments contain typical vernacular architecture that will be consistent with other existing apartment complexes within the Diamond Lake Blvd/Douglas Street corridors. Existing apartments, similar in scope and size located in the city, demonstrate that apartment complexes of this size can be compatible with different type of land uses on nearby of adjacent property, included commercial and industrial uses. One such facility, Oak Grove Apartments provides example of cohesion and compatibility of mixed uses in a particular area. This apartment development is located on Evergreen Drive immediately

east of and behind the Walmart Superstore. The loading docks for the store are immediately adjacent to the apartments. These uses have coexisted for over twenty years without conflict or reported problems. There is also a new residential complex under construction approximately one mile west of this property on Pomona Street, which is similar in nature to Applicant's proposed facility. The City, in their April 3<sup>rd</sup>, 2019, administrative decision found the development to be compatible with the surrounding non-residential uses.

Applicant's proposed apartment complex will support the goals of the City of Roseburg for additional mixed-use housing in this area and will stimulate further desired development along this section of State Highway 138 and within the recently formed Diamond Lake Urban Renewal District.

2. *"The development is consistent with the purpose of the base zone and enhances the operation characteristics of the particular neighborhood."*

**Findings:** §12.04.070(A-1) of the RMC provides the following guidance for Mixed Use zoning: *"The Mixed Use classification is intended to provide areas within which a variety of activity occurs. These areas serve community-wide and regional needs. Because of the potential for high-density uses, care is needed to ensure that uses are compatible with and do not adversely affect adjacent uses or the carrying capacity of public facilities. The proximity of other uses shall not be a reason for permitted uses to deviate from the standards established in other zones."* Additionally, the standards for Multifamily Residential applied to this site state: *"Roseburg's residential Zoning Districts are primarily intended to create, maintain and promote a variety of housing opportunities for individual households and to maintain and promote the desired physical character of existing and developing neighborhoods."*

The applicant's proposal provides an approach consistent with the purposes of MU zone stated above utilizing a conditionally permitted use in the zone to develop housing which meets a recognized need within Roseburg. The proposed apartment complex maintains and promotes a mixed-use neighborhood by establishing a use that is and will be compatible with future development on adjacent properties.

Currently, the subject property is undeveloped and within the Diamond Lake Corridor and is in an area recently identified by the City of Roseburg as an Urban Renewal District. Development of the proposed apartment complex will result in revitalization of the subject property, ongoing maintenance of the site and will begin the mixed-use development pattern anticipated in this part of the Roseburg urban area and promoted in the Diamond Lake Urban Renewal Plan. Development of the parcel will functionally serve as a catalyst for additional services to be provided, tax base, and other utilities and infrastructure to be developed within the Diamond Lake Corridor, which is the fundamental goal of the urban renewal district.

Enhancement is a fundamental goal for this criterion. It should also be noted that the introduction of multifamily housing on this site will also promote a healthy added usage of the Sunshine Park Facility which currently is relatively underutilized outside of seasonal league softball and baseball activities. There are improvements on the site outside of the ball fields which provide some capacity for expanded park use which should be seen as a positive result.

3. *“The site for the proposed development is served by streets and highways which are adequate in width, construction, and placement to safely carry the quantity and kind of traffic generated by the proposed use.”*

**Findings:** Vehicular Traffic: The subject property is located at the corner of Sunshine County Road No. 58 and State Highway 138 (North Umpqua Highway). Access to the subject property is directly from Sunshine Road via existing access points, and no access is proposed from the State highway. The functional classifications of transportation facilities within Douglas County, including Sunshine Road and State Highway 138, are identified in Table 13-1 of the Transportation Element of the Comprehensive Plan.

Sunshine Road is classified a “Minor Collector” by the Plan. The Douglas County Transportation System Plan states that *“Minor collectors are intended to distribute local traffic onto other minor collector, major collector or arterial streets. Property access onto minor collectors is often allowed. In urban areas, minor collectors should border neighborhoods thereby helping to establish neighborhood identity. In rural areas, minor collectors also connect rural residential areas. Traffic volumes generally can range up to 5,000 vehicles per day.”* As previously noted, the subject property is situated on the west side of the County Road and north of Highway 138. At the present time, the public roads in the area are and have been adequate to accommodate existing traffic volumes generated by the subject property and other properties in the area.

State Highway 138 is classified a Principle Highway along the frontage of the subject property. The Douglas County Transportation System Plan states that, Principle Highways fall under state jurisdiction and the management of these facilities is outlined in the Oregon Highway Plan. As previously noted, the subject property is situated on the south side of State Highway 138 with a direct access onto the highway. Applicant has fully coordinated with Oregon Department of Transportation (ODOT) and proposes no access connection to the state highway.

Douglas County Public Works provides traffic counts on Sunshine Road at its intersection with the state highway in proximity to the subject property. The most recent count of daily vehicle trips on the highway was conducted in 2015. That count shows an average of 614 ADT at the subject property. The Oregon Department of Transportation provides traffic counts on State Highway 138 at 0.02 miles east of the subject property. The most recent

count of daily vehicle trips on the highway was conducted by ODOT in 2018. That count shows an average of 6700 ADT at the traffic count station. The subject property is located in immediate proximity to the count locations and based on the indicated traffic levels, State Highway 138 handles a traffic level well below the capacity of a principle highway along this entire section of the road.

Estimates of the average number of daily vehicle trips generated by a specific land use can be obtained from a number of reliable sources; however, the most commonly referenced source for such data is Trip Generation, published by the Institute of Transportation Engineers (ITE). Average daily trip generation rates published in the ITE's 7th Edition of Trip Generation (2003) are based primarily on field data obtained from direct observation of actual land use activities. Trip generation rates are reported as an average of the often wide-ranging vehicle counts taken at numerous sites having the same classification of land use. Trip generation rates are often broken down into 24-hour time frames and reported as "Average Daily Trips (ADT)". For most land use activities, including Mid-rise apartments, ITE defines an "average daily trip" as a one-way vehicular movement between a single origin and a single destination. i.e. Engineering prepared a Traffic Impact Statement and reported that, *"This specific Class Code generates 0.44 weekday PM Peak Hours trips per dwelling unit...the proposed PM Peak Hour trip generation of this development will be approximately 64 total PM Peak Hour Trips...the Diamond Lake Boulevard Access Management Plan, Stephens Street to Sunshine Park, dated 2003, the existing total Peak Hour Volume at the intersection of Diamond Lake Boulevard/Sunshine Road is 2,129 as shown in Figure 5. The proposed 64 Peak Hour trips created by the proposed development would represent roughly 3% of the total volume of traffic at this intersection...."* Based on their analysis, the proposed development will not generate traffic at a level greater than other uses allowed within the MU zone. (See Exhibit F – i.e. Engineering Traffic Assessment Letter)

State Highway 138 will not be used for access to the subject property. Sunshine Road, which serves as sole access to the subject property, is designated a Minor Collector and the current traffic volumes are well below the functional capacity of the facility. The TSP provides a standard width of 60'-75' for collector streets. The current ROW width of Sunshine Road is 65' with approximately 24-36-feet of surfaced drive lanes, 5-foot bike lanes on both sides of the road, and a 6-foot sidewalk on the east side of the road.

The development proposal also includes a controlled access design (right in/right out) for the southernmost proposed access to eliminate any left turn congestion in proximity to the Highway 138/Sunshine Road intersection. In addition, existing improvements at the Highway 138/Sunshine Road intersection include dedicated right and left turn lanes on Sunshine and a dedicated center turn lane for traffic turning onto Sunshine from Highway 138. There are also existing transportation improvements at the Highway

138/Sunshine Road intersection which promote traffic movement and efficiency. Other improvements include dedicated right and left turn lanes on Sunshine and a dedicated center turn lane for traffic turning onto Sunshine from Highway 138. Due to the very low volume of additional traffic associated with the requested amendment, no special traffic controls or other mitigation measures will be required at this intersection as per coordination with both ODOT and Douglas County PublicWorks.

There is currently an improved frontage road (Quarry Road) along the north side of the Highway 138 from Kester Road to a point just west of the west line of the subject property. The original intent was to extend Quarry Road to and then through the subject property to intersect with Sunshine Road at a point north of the intersection of Sunshine Road and State Highway 138. After further consideration and coordination with ODOT, it has been determined that this bypass road should be relocated to the north away for the highway for traffic safety and functionality. The Highway 138 Access Management Plan Page 44, Figure 11, shows the proposed local road connections. The new route is proposed to run along the north boundary of Applicant's property continuing west to its intersection with Kester Road. i.e. Engineering has completed a feasibility analysis and has determined that the proposed route will meet City design requirements for the new road. (See Exhibit G – Kester Road Alignment Assessment)

On the basis of the foregoing, the proposed development, when taking into consideration the densities or design standards prescribed for uses permitted in the MU zone, is consistent with the function, capacity and performance standards established by the Douglas County and Roseburg TSP for Sunshine Road and State Highway 138. Furthermore, both TSPs have received acknowledgement of compliance with the Statewide Transportation Goal and the Transportation Planning Rule (OAR Chapter 660, Division 12) by the Land Conservation and Development Commission. Therefore, the facts set out above demonstrate that this proposal is consistent with both Goal 12 and the Transportation Planning Rule and will not have significant impact on Sunshine Road.

**Public Transportation and Pedestrian Access:** Applicant has fully coordinated the proposed development with public transportation agencies. The subject property is within the Glide School District. The School District is currently providing school bus pickup services to approximately 100 students from the Roseburg area. The existing pickup point is Sunshine Park located immediately east of the proposed development Applicant submitted the development plan along with a request to the School District to expand their bus service to include the apartment complex. The district indicates that they will provide additional support services to the school children from this residential facility. (See Exhibit H – Glide School District Letter)

UTrans is the current provider for public transportation in the greater Roseburg area. UTrans has numerous pick-up points throughout the city and beyond. One of the existing pickup points is at the east intersection of Douglas Avenue and State Highway 138 near the subject property. Applicant has coordinated the proposed development with UTrans and has incorporated a pickup shelter on Sunshine Road as part of the proposed development. (See Exhibit B - Site Plan) The provider indicates that their route will be expanded to facilitate a new transportation opportunity for the occupants of this housing facility. (See Exhibit I – UTrans letter of support)

There will also be an “at- grade” crosswalk between the proposed development and Sunshine Park. This will facilitate safe and convenient access for users of the park facility. The crosswalk will be installed in accordance with the design requirements of the City of Roseburg and Douglas County.

4. *“The proposed development will not have an adverse physical effect on the development or use of abutting or contiguous property.”*

**Findings:** The subject property and adjacent area to the north and west are in a MU enclave and are undeveloped. The land east of Sunshine Road is zoned Public Reserve (PR) and is developed with a City park (Sunshine Park). Land to the south of State Highway 138 is planned and utilized for residential purposes by the City Comprehensive Plan and is zoned Rural Residential – 2 Acre (RR), in part, and Exclusive Farm Use – Grazing (FG), in part, by Douglas County due to shared jurisdictional authority in the area. Development of the proposed apartment complex will help set the general tone of development within this enclave north of the highway, will promote beneficial use of the public park and will also facilitate future development of the adjacent area. Consequently, it will not have a negative impact on adjacent or nearby properties within the MU and PR zones due factors such as lack of development to the north and west, the compatible use associated with the City park and the buffering of properties to the south and west by State Highway 138, distance and topography.

The ownership to the north of the subject property currently has no means of road access to it. Applicant is working with the owner to alleviate this problem and has incorporated a potential future road access at the north end of this site to serve that property. The general location is set out on the site plan attached with this document. Provision of access to the northerly neighbor will enhance and not detract from the orderly development of the subject and surrounding properties. Also, Applicant sent a letter of explanation to all of the neighbors to explain this project and solicit response and input to help improve the development.

Further, the proposed housing facility will have no greater impact on traffic than many uses allowed outright of similar size and scope within the Mixed

Use zone. The proposed development contains ample open green space, which breaks up the site and provides space between buildings and adjacent properties. It is also important to note that stormwater will be detained onsite and all parking areas and drives will be designed per the City of Roseburg's site improvement requirements set out in §12.06.030 of the RMC. (See Exhibit J – i.e. Engineering Drainage Assessment Letter)

5. *"The proposed development will conform to the policies of the Comprehensive Plan and adopted plans and policies of the City Council."*

**Findings:** The setback, lot coverage, minimum lot area (dwelling density), off-street parking standards, driveway width/depth and surfacing requirements set out in the MU zone have all been considered and implemented in the current proposal and detailed on the current proposed design. The MU zone as applied includes the type of development proposed. The facility will comply with all applicable development criteria and will therefore comply with the Plan and policies of the City.

In addition, The Housing Element of the Roseburg Comprehensive Plan provides the following policies and objectives to encourage residential development in this area.

*Objectives:*

*To locate residential development in relation to the availability of employment, commercial services, public utilities and facilities and transportation modes.*

*To provide for higher residential densities in the urban area to encourage a more compact urban growth form.*

*To provide for compatible and functional mixed use development (residential and nonresidential).*

*To encourage and support development of housing units for low and moderate income households.*

*To increase housing opportunities for those with specialized needs.*

*To encourage cooperation between public, private and consumer sectors of the area's housing market.*

The subject development will effectively promote the objectives set out above. The site is in close proximity to the city and has a full range of public facilities and services. The proposed multiple family residential development will establish additional residential opportunities for low to middle income families and is similar in nature to multiple family housing projects including one on Pomona Street west of the subject property. This housing complex was recently approved by the city and is currently under construction.

Applicant is working with the City to facilitate this housing development by taking advantage of the SDC "buy- down" program. This will allow development to take place with a reduced initial investment while also guaranteeing the recapture of

deferred SDC charges in the future. Public utilities are immediately available at this site. Applicant will undertake any necessary utility improvements directed by the City. This will assure timely and beneficial development the needed housing facilities.

This multiple-family residential development as proposed anticipates significant onsite improvements that will beautify the area. These improvements as set out on the attached site development plan include onsite open space, community garden area, walkways, playground and landscaping throughout the project. Again, these improvements support that goals and objectives of the Diamond Lake Urban Renewal Plan.

**Findings:** As mentioned within section (E), subsection (b)(3), page 44 of the Hwy 138 Access Management Plan (AMP) prescribes the following:

*“Quarry Road is proposed to extend eastward and connect with Sunshine Road at a sufficient distance from the Sunshine/North Umpqua Highway intersection to allow for queued vehicles. As part of this extension, the existing eastern entrance to Quarry Road will be closed.”*

This alignment is depicted on Figure 11 within the following pages of the Hwy 138 AMP. This section of the AMP is designed to provide guidance to the City on where future local street connections, which parallel to Hwy 138, are planned for and executed upon future development of the Diamond Lake Blvd/Hwy 138 corridor. However, after previous conversation regarding the viability and appropriateness of the planned “Quarry Road Connection”, ODOT, in coordination with the City, has chosen to amend the Hwy 138 AMP to replace Quarry Road as the “parallel route” to connect into Sunshine Road. The amended plan will now identify the east/west extension of the Kester Road right-of-way, as the planned route to connect directly east into Sunshine Road. The applicant has provided a preliminary assessment of this road alignment to determine it’s feasibility (See Exhibit G). Furthermore, the applicant, in conjunction with the amended Hwy 138 AMP and the new Kester Road alignment, has provided a notation on the preliminary site plan showing the northerly 60 feet of the subject property being the location of the future street right-of-way.

Therefore, the City and the applicant, in preparation for the Planning Commission meeting, have discussed the details regarding a development agreement that will be executed prior to issuance of a site plan review approval. The development agreement will be executed between the City and the property owner to ensure two main items: 1) That at a future time when further development of properties along the proposed Kester Road east/west connection facilitate an extension of the proposed street, the property owner will participate in dedication of the necessary street right-of-way through their property and; 2) The property owner will be responsible to contribute to a portion of street improvements relative to their ownership and frontage along the future street. This agreement is being prepared by the City’s legal counsel and shall be a condition of approval.

#### **IV. CONCLUSION**

Upon review of the application, staff report, and other materials referenced as File CUP-20-001 and after conclusion of the Public Hearing and all testimony provided herein, the Planning Commission concludes that the application by Wishcamper Development Partners, LLC, satisfies the approval criteria, therefore warranting the approval of the conditional use permit as requested.

#### **V. ORDER**

Based on the Findings and Conclusions above, the Planning Commission grants **APPROVAL** of the conditional use permit, as contained within file CUP-20-001 and subject to conditions 1-6, as follows:

1. The approval is for the property shown on map submitted with the application.
2. The applicant shall apply for and obtain approval for a site plan review, at which time they shall demonstrate compliance with the multifamily development standards of Section 12.04.030(F), the site plan review standards of Section 12.06, applicable Fire Department regulation, Public Works Department standards and any other applicable standards of the Roseburg Municipal Code.
3. The applicant shall be responsible to obtain the necessary permitting through the Douglas County Building Department, Roseburg Urban Sanitary Authority for sanitary sewer services, Oregon Department of Transportation for any work in the Hwy 138 right-of-way, and Oregon Department of Environmental Quality for storm water permitting.
4. The applicant, prior to final approval of the site plan review, shall execute a development agreement with the City requiring the property owners participation on future right-of-way dedication and street improvements for east/west connection of Kester Road to Sunshine Road.
5. The Applicant shall be advised that the City has submitted a "Wetlands Land Use Notification" WLUN to the Department of State Lands (DSL) regarding the Applicant's proposal.
6. Written confirmation from UTrans and the Glide School District, shall be provided to the City, that the proposed Bus Turnout & Bus Lane can adequately serve UTrans transit vehicles and Glide School District Buses.

Changes or alterations of conditions shall be processed as a new administrative action. A Conditional Use Permit is site-specific yet transferrable between owners. The Permit is automatically revoked when:

- a. The permit is not exercised within one (1) year of the date of approval.
- b. The use approved by the Conditional Use Permit is discontinued for any reason for more than one (1) year.

\_\_\_\_\_  
Ron Hughes, Planning Commission Chair

\_\_\_\_\_  
Date

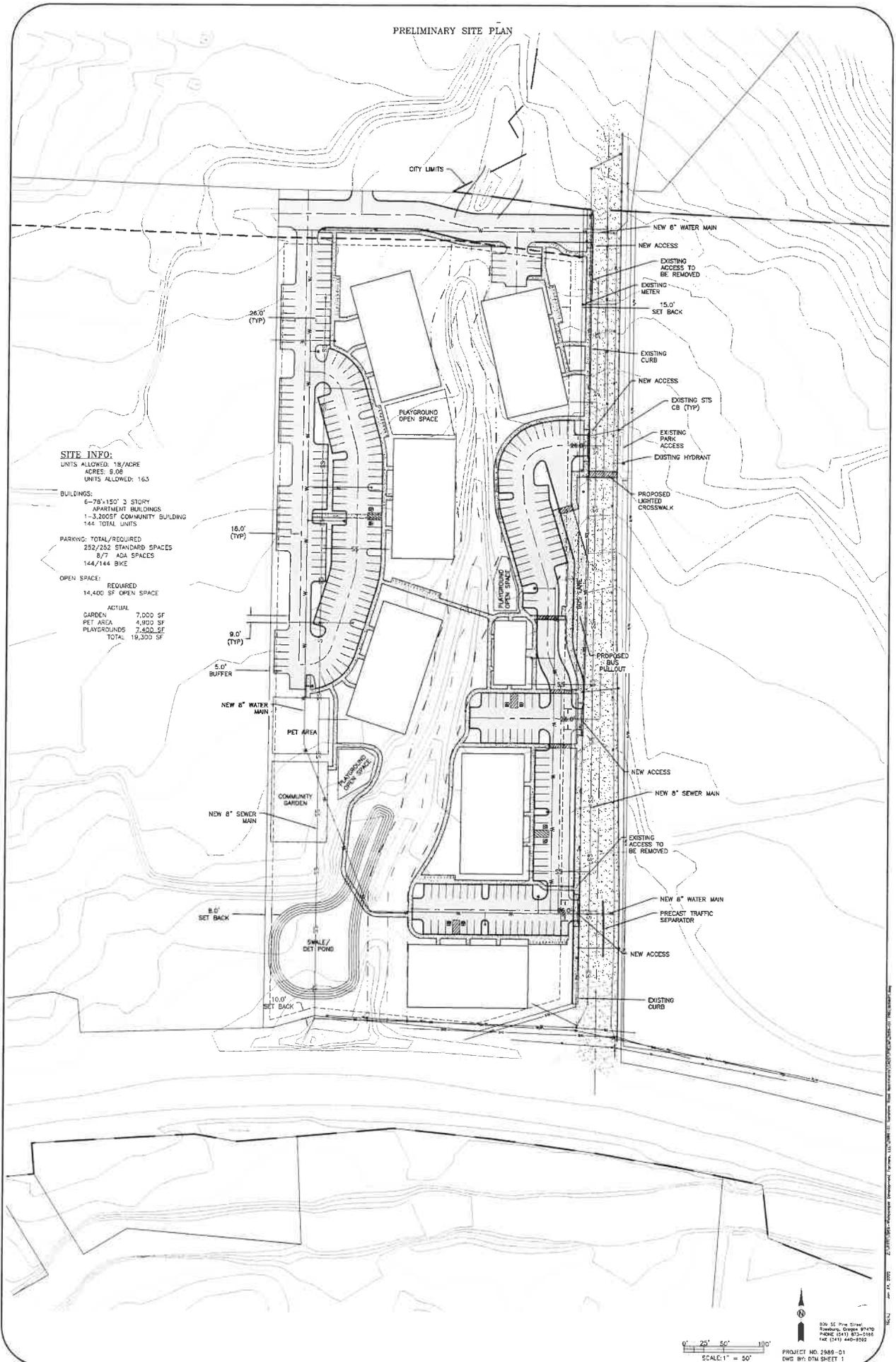
\_\_\_\_\_  
Stuart Cowie, Community Development Director

\_\_\_\_\_  
Date

**Planning Commission Members:**

Ron Hughes, Chair	John Kennedy
Dan Onchuck	Victoria Hawks
Kerry Atherton	Ronald Sperry
Shelby Osborn	

PRELIMINARY SITE PLAN



**SITE INFO:**

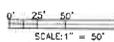
UNITS ALLOWED: 18/ACRE  
ACRES: 9.08  
UNITS ALLOWED: 163

**BUILDINGS:**  
6-75'x150' 3 STORY APARTMENT BUILDINGS  
1-3,200SF COMMUNITY BUILDING  
144 TOTAL UNITS

**PARKING: TOTAL/REQUIRED**  
252/252 STANDARD SPACES  
8/7 ADA SPACES  
144/144 BIKE

**OPEN SPACE: REQUIRED**  
14,400 SF OPEN SPACE

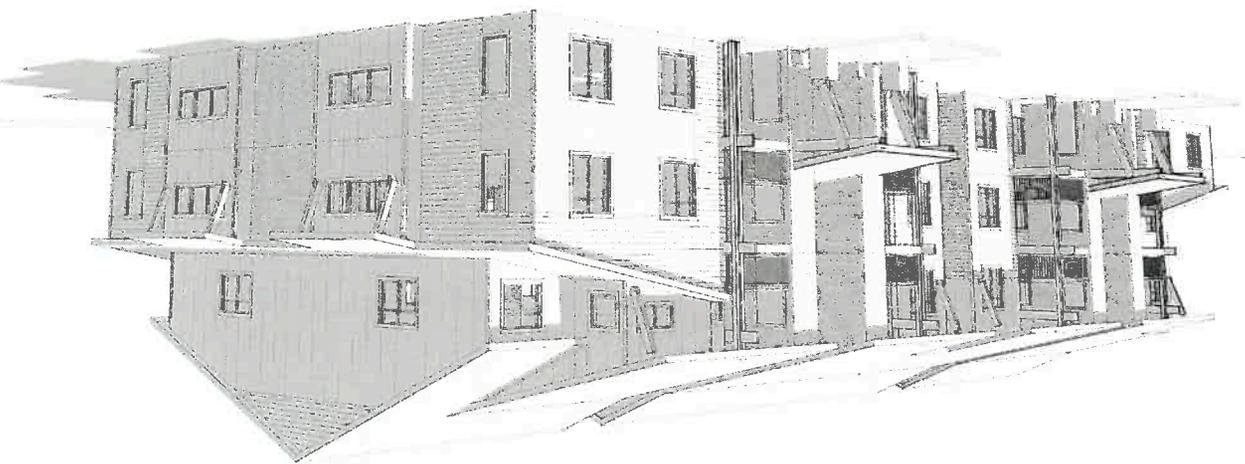
**ACTUAL**  
GARDEN 7,000 SF  
PET AREA 4,900 SF  
PLAYGROUNDS 2,500 SF  
TOTAL 14,400 SF



806 SE Pine Street  
Portland, Oregon 97104  
PHONE (503) 833-0160  
FAX (503) 440-8592

PROJECT NO. 2989-01  
DWG. BPS 07A SHEET 1

2 | 3D View 1  
As Is Scale



1 | 3D PERSPECTIVE  
As Is Scale

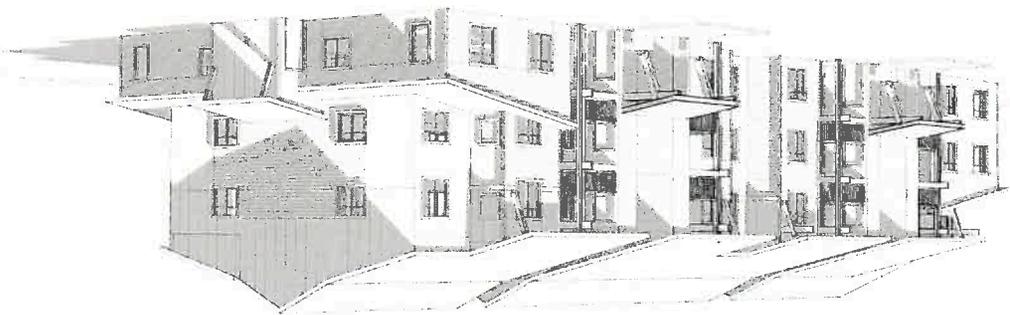


Exhibit C  
ELEVATIONS

**NOT FOR CONSTRUCTION**

A4.0

ED 10/18/19

3D  
PERSPECTIVES

1/2/2020

**ROSEBURG**  
ROSEBURG, OREGON

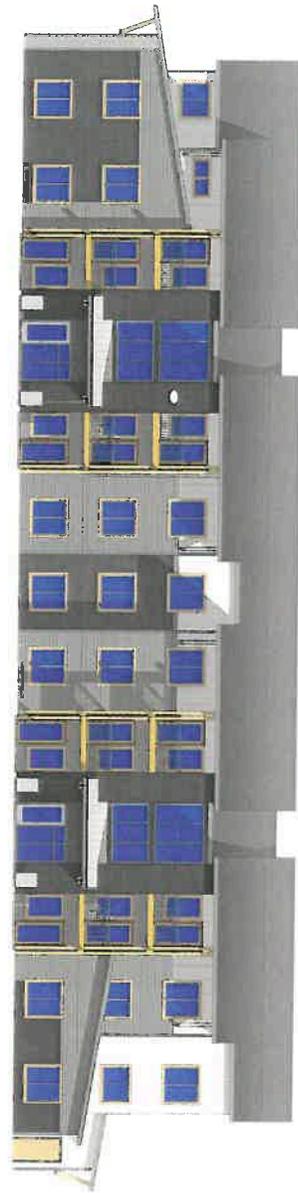
Phone: 503.566.4437

503.566.4438

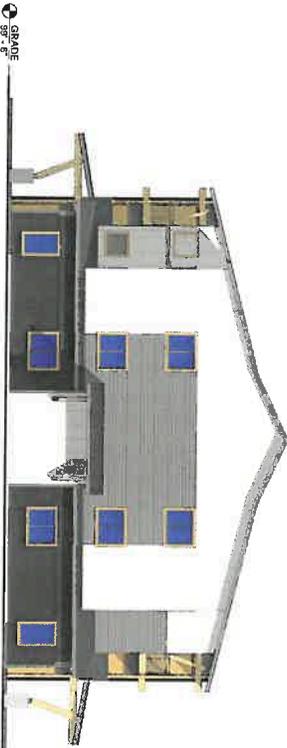
Portland, Oregon

1234 5th Street

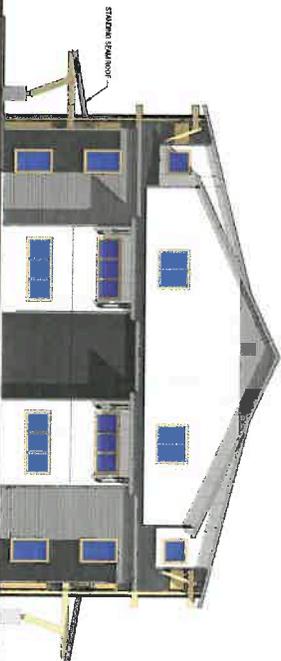
encompass



1 SOUTH ELEVATION  
K&T SCALE: 1/8"=1'-0"



2 EAST ELEVATION  
K&T SCALE: 1/8"=1'-0"



3 WEST ELEVATION  
K&T SCALE: 1/8"=1'-0"

**MATERIAL LEGEND**

	2" BOARD AND BATT (PAINT COLOR TBD)
	2" INSULATED LAP BOARD (PAINT COLOR TBD)
	HORIZONTAL COMPOSITE METAL BOARD

**NOT FOR CONSTRUCTION**

<b>AA.1</b>	EXTERIOR ELEVATIONS 10/2/2018 E01005 P 19.138	<b>ROSEBURG</b> ROSEBURG, OREGON	 encompass 15500 SW 20th Ave Portland, Oregon 97224 Phone: 503.840.4433
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1 | ENTRY PERSPECTIVE  
A4.2 | SCALE:



2 | GROUND FLOOR PERSPECTIVE  
A4.2 | SCALE:



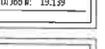
**ROSEBURG**  
ROSEBURG, OREGON



1/16/2020

3D  
PERSPECTIVES

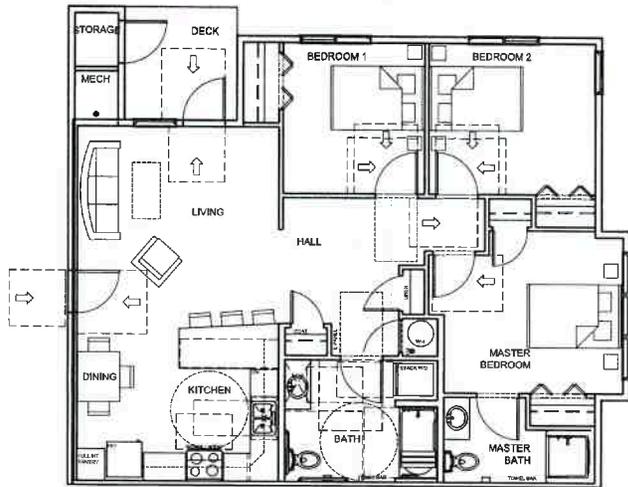
ETD Job #: 131313



**A4.2**

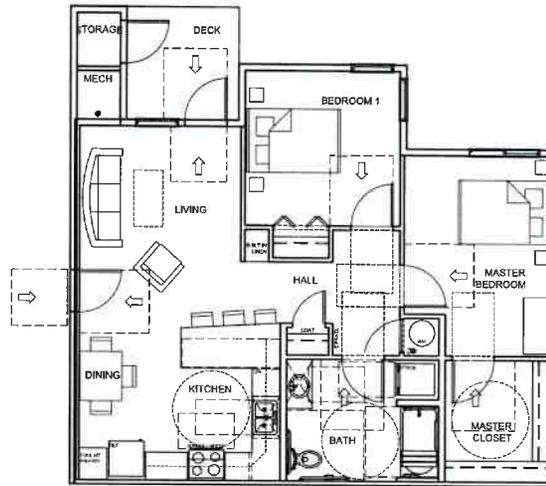
**NOT FOR CONSTRUCTION**

# Exhibit D FLOORPLANS



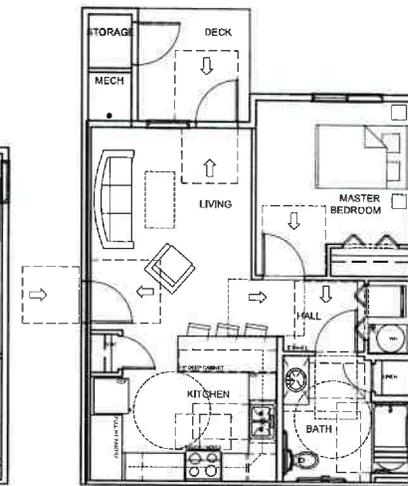
THREE BEDROOM | TWO BATH

1176 SF



TWO BEDROOM | ONE BATH

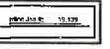
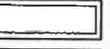
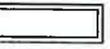
968 SF



ONE BEDROOM | ONE BATH

672 SF

NOT FOR CONSTRUCTION - SITE PLAN & DESIGN REVIEW APP - NOT FOR CONSTRUCTION





January 21, 2020

**Wetlands**

- |   |                                |   |                                   |   |          |
|---|--------------------------------|---|-----------------------------------|---|----------|
|  | Estuarine and Marine Deepwater |  | Freshwater Emergent Wetland       |  | Lake     |
|  | Estuarine and Marine Wetland   |  | Freshwater Forested/Shrub Wetland |  | Other    |
|   |                                |  | Freshwater Pond                   |  | Riverine |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.



civil  
structural  
surveying  
architecture  
planning

## EXHIBIT F TRAFFIC MEMO

i.e. Engineering, Inc.  
809 SE Pine St.  
P.O. Box 1271  
Roseburg, OR 97470  
ieengineering.com  
541.673.0166

---

January 6, 2019

City of Roseburg – Planning Department  
900 SE Douglas Avenue  
Roseburg, OR 97470

RE: Sunshine Apartments Conditional Use Permit  
Traffic Impact Statement

The purpose of this memo is to document to the City of Roseburg the anticipated traffic impact or trip count generation for the proposed Sunshine Apartments proposed on the NW corner of the Diamond Lake Boulevard / Sunshine Road intersection in Roseburg as compared to some other permitted uses in the existing Mixed Use - MU zoning. The proposed development will be located entirely on Tax Lot 27-05W-15-00200, which is currently vacant. The lot is 9.08-acres in size. The proposed apartments, when fully developed, will include up to 144 units and related site amenities. A conditional use permit is required to allow development of these apartment complexes.

Using the Institute of Transportation Engineers (ITE) Trip Generation Manual, 7<sup>th</sup> Edition, the Class Code for this type of use is Land Use 223 – Mid-Rise Apartment. The definition for this Land Use Code is:

*“Mid-rise apartments are apartments (rental dwelling units) in rental buildings that have between three and ten levels (floors).”*

This specific Class Code generates 0.44 weekday PM Peak Hour trips per dwelling unit. Using this class code, the proposed PM Peak Hour trip generation of this development will be approximately **64 total PM Peak Hour trips**.

The existing MU Zoning as listed in the City of Roseburg Cod of Ordinances allows dozens of permitted uses. Many of the permitted uses listed under the existing MU zoning would generate equal or more traffic than the proposed apartment complex. Mid-Rise Apartments are on the average range of the spectrum for traffic generation as compared to the various developments are allowed by the current zoning.

For comparison purposes only, listed below are the anticipated traffic generation numbers for several of the existing MU permitted uses taking into account what the site could easily accommodate.

---

### Comparison Examples

**Mobile Home Park** – Mobile Home Parks are listed as ITE Land Use 240. A mobile home park would generate 4.61 PM Peak Hour Trips per Acre. The 9.08-acre site would generate a total traffic generation of 42 total PM Peak Hour Trips.

**High-Turnover (Sit-Down) Restaurant** – High-Turnover (Sit-Down) Restaurant is listed as ITE Land Use 932. A sit-down restaurant of 5,000 square feet, similar to Red Robin and Applebee's, would generate 18.80 PM Peak hour trips per 1,000 square feet for a total traffic generation of 94 PM Peak Hour trips. Of note, this site could easily accommodate a 10,000 square foot restaurant similar to Elmer's.

**Industrial Park** – Industrial Park is listed as ITE Land Use 130. An Industrial Park would generate 8.67 PM Peak hour trips per acre for a total traffic generation of 79 PM Peak Hour trips.

**New Car Sales** – New Car Sales are listed as ITE Land Use 841. A standard new car sales floor area is 21,000 square feet and would generate 2.72 PM Peak hour trips per 1,000 square feet for a total traffic generation of 30 PM Peak Hour trips.

**Hotel** – Hotels are listed as ITE Land Use 310. A hotel would generate 0.61 PM Peak hour trips per room. A hotel with 84 rooms, similar to the Hampton Inn and Suites, for a total traffic generation of 52 PM Peak Hour trips.

The above examples illustrate the point there are numerous existing permitted uses in the MU zoning that would generate more equal or more traffic than the proposed apartment complexes.

Also, of note, per the Diamond Lake Boulevard Access Management Plan, Stephens Street to Sunshine Park, dated 2003, the existing total Peak Hour Volume at the intersection of Diamond Lake Boulevard / Sunshine Road is 2,129 as shown on Figure 5. The proposed 64 additional Peak Hour trips created by this proposed development would represent roughly 3% of the total volume of traffic at this intersection during this period.

In summary, the proposed development will generate approximately 64 PM Peak Hour trips when developed. This is on the average end of potential trip generation for uses allowed by the current zoning. If you have any comments or questions, please give me a call at 541-673-0166.

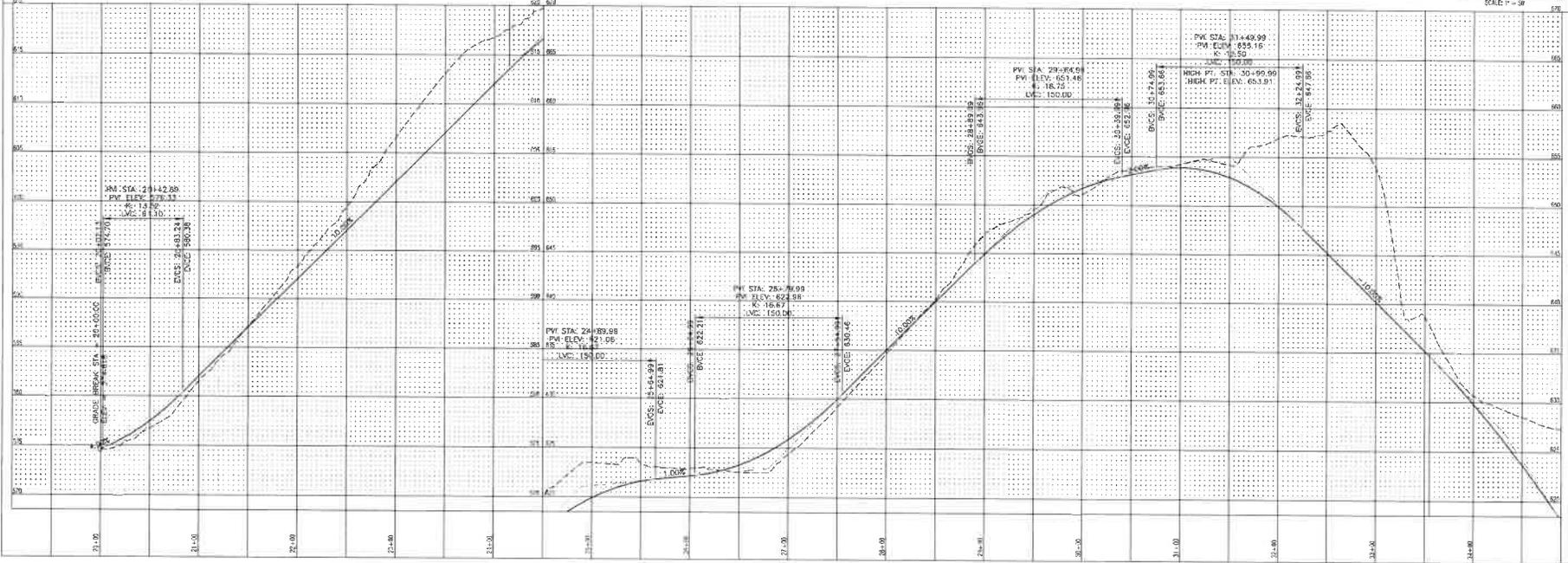
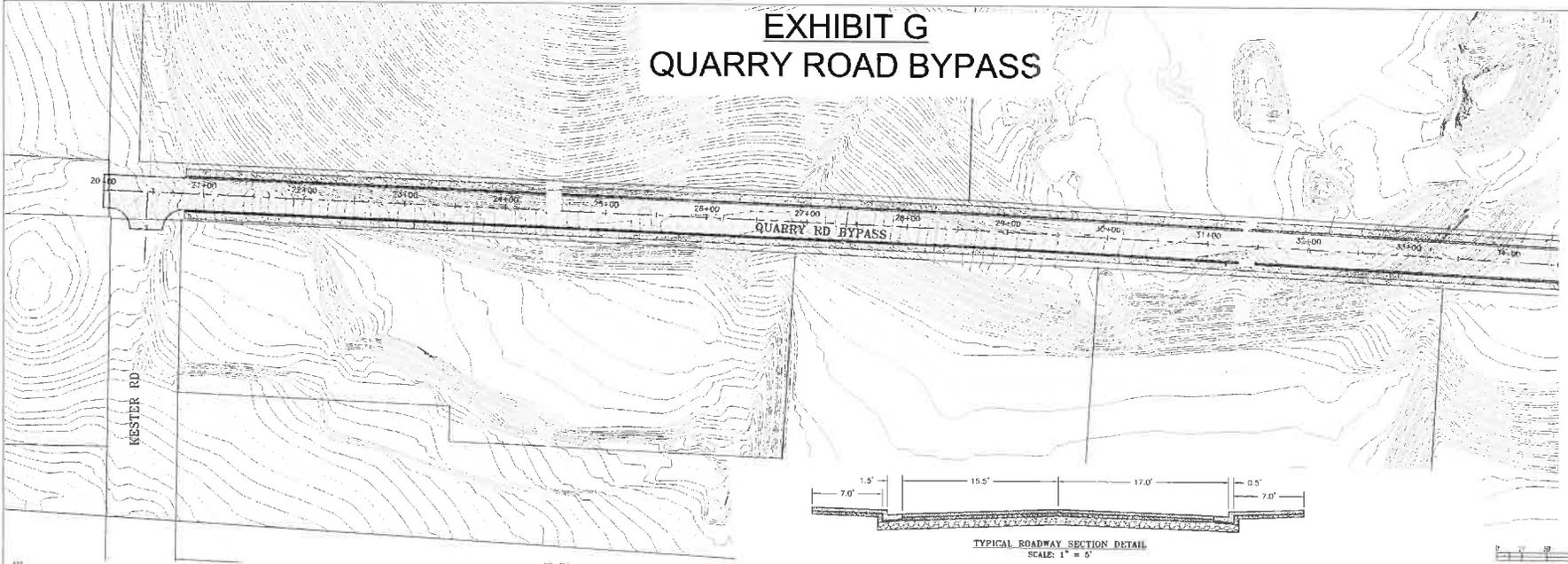
Sincerely,



Digitally signed by Nicholas R. Jones  
DN: C=US,  
E=jones@ieengineering.com, O=i.e.  
Engineering, CN=Nicholas R. Jones  
Date: 2020.01.06 09:28:52-08'00'

Nicholas R. Jones, E.I.T.  
Project Engineer

# EXHIBIT G QUARRY ROAD BYPASS



**ie** civil structural surveying architecture planning

Engineering Inc.  
401 S. River St.  
Tomball, TX 77375  
www.ie-engineering.com

**PRELIMINARY**

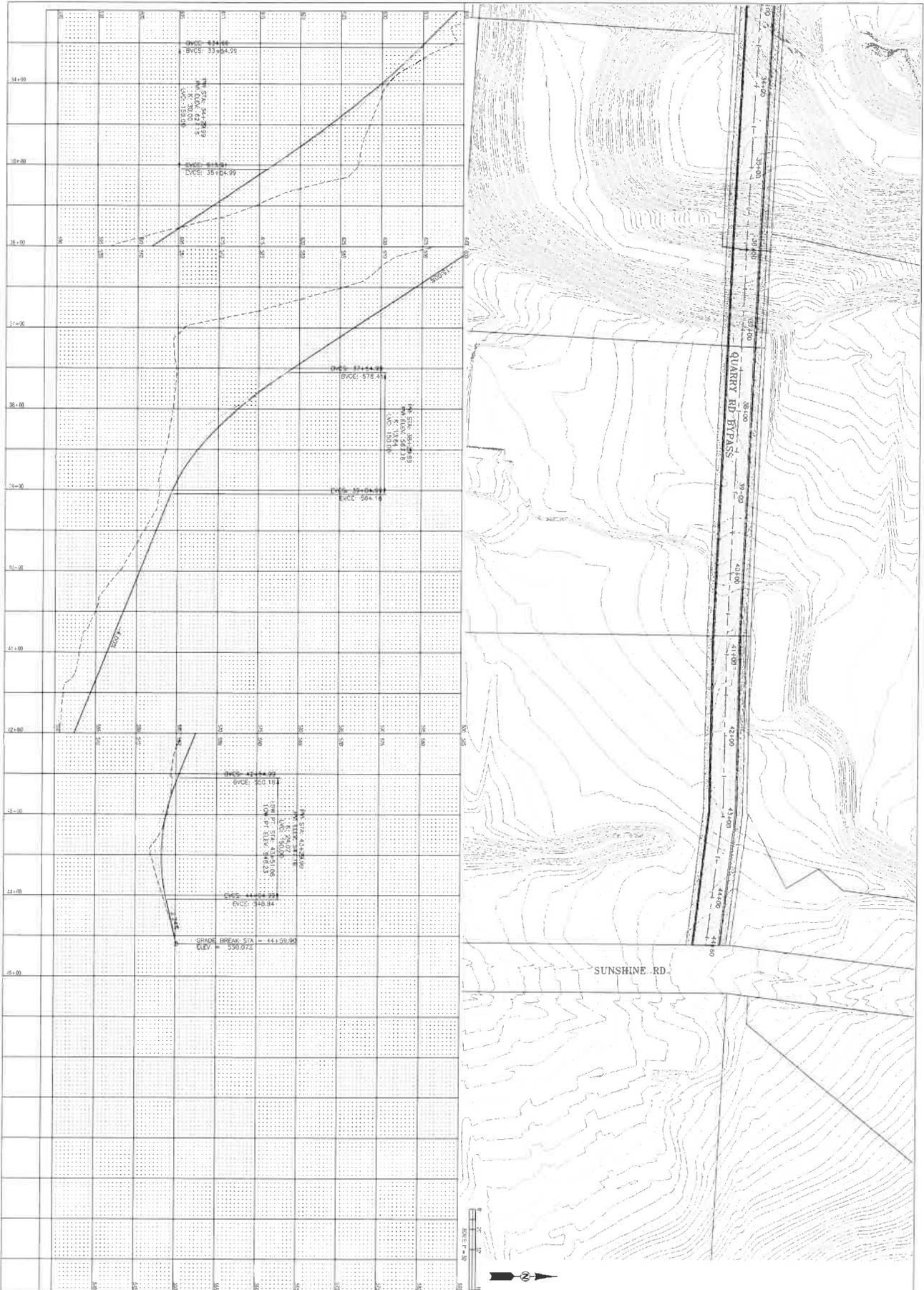
Rev.	Date	Drawn	Description

**PROJECT INFORMATION:**

PROJECT: KESTER RD TO SUNSHINE RD CONNECTION

DATE: 11/11/11

SCALE: 1" = 30'



2 OF 2

**KESTER RD TO SUNSHINE RD CONNECTION**

PLAN & PROFILE  
 HORIZ. 1" = 50' VERT. 1" = 2'

PROJECT NO. 2086-01  
 DRAWING  
 DATE: MAY

Rev.	Date	Dwg	Description

**PRELIMINARY**

10/15/2010  
 10/15/2010  
 10/15/2010

**ie**  
 Engineering  
 Inc.



## **Glide School District No. 12**

301 Glide Loop Dr. Glide, Oregon 97443 • Telephone (541) 496-3521 • Fax (541) 496-4300

---

January 22, 2020

Whishcamper Partners  
131 S. Higgins, Suite P-1  
Missoula, Montana 59802

Bret George:

The Glide School Board of Directors, at its regular meeting, discussed your plans to construct a 144- unit housing development on Sunshine Road. The Board was excited to hear of your plans.

In this discussion, the Board had concerns regarding overcrowding of our buildings, but felt we could handle the extra students this project will bring to our community and our schools.

The Glide area is in need of affordable housing for young families with school-age children and this topic was the center of the discussion.

The Board was in favor and will support your efforts in the permitting process as well as future items that may require Glide School District support on this project.

Please contact my office if you have any further needs, questions or concerns that we may help with in this process.

Sincerely,

Mike Narkiewicz  
Superintendent

EXHIBIT I  
UTRANS LETTER OF SUPPORT



January 24, 2020

Bret George  
Wishcamper Development Partners  
131 South Higgins Avenue, Ste P-1  
Missoula, MT 59802

Subject: Intent to serve Sunshine Road Housing Development

Dear Bret,

This letter is to inform you that Umpqua Public Transportation District will be interested in and will be re-routing our UTrans bus line to serve the proposed Sunshine Road housing development in Roseburg, OR when it is completed. This request to provide services falls within the current plans to expand the current UTrans Roseburg fixed routes. Changes to the service will go through the public notice process and will be posted for the public for two weeks prior to the changes taking effect. These changes will be submitted to be included in the Transit Master Plan that is currently being developed for the Umpqua Public Transportation District.

Please feel free to contact me if you have any questions or concerns. We are looking forward to these new opportunities.

Sincerely,

A handwritten signature in black ink that reads "Cheryl L. Cheas". The signature is written in a cursive, flowing style.

Cheryl L. Cheas  
General Manager  
Umpqua Public Transportation District  
610 SE Rose Street  
Roseburg, OR 97470

EXHIBIT J  
DRAINAGE MEMO



civil  
structural  
surveying  
architecture  
planning

809 SE Pine St  
Roseburg, OR 97470

ieengineering.com  
541.673.0166

# MEMO

---

**To:** City of Roseburg – Planning Department  
**From:** Nick Jones, EIT  
**cc:** Bret George, Mark Garrett, Kelly DuPont, Alex Palm  
**Date:** 2019-01-06  
**Re:** Sunshine Apartments Conditional Use Permit - Drainage

---

This memo is being written to address the conceptual drainage design for the proposed construction of the apartment complexes and associated amenities on the property located to the west of Sunshine Park. The proposed project will be on the 9.08-acre parcel of land located on the northwest corner of the Diamond Lake Boulevard / Sunshine Road intersection. The parcel is located within the Urban Growth Boundary and City Limits for the City of Roseburg. Currently, the property is undeveloped and generally drains towards the seasonal creek running through the center of the property, flowing from the north to the south.

Development of the site will include six (6) 24-unit apartment buildings, one (1) community building, impervious paved parking lot and sidewalks, underground utilities, playgrounds, and open areas and landscaping. All stormwater will remain surface flow and collect in drains. All drains will be piped to swales or detention basins, located within the parcel, to address water quantity and quality and then discharge into the seasonal creek. Stormwater will not discharge to adjacent properties. The storm system will be designed to comply with the City of Roseburg's stormwater manual.

During construction of the site, proper erosion control measures will be installed. Post construction runoff patterns and peak runoff rates will mimic existing conditions. Development of the site will not negatively impact existing drainage patterns or neighboring properties.

Sincerely,

A handwritten signature in black ink, appearing to read 'N. Jones'.

Digitally signed by Nicholas R. Jones  
DN: C=US, E=jones@ieengineering.com,  
O=I.e. Engineering, CN=Nicholas R. Jones  
Date: 2020.01.06 09:29:03 -08'00'

Nick Jones, EIT

# CITY OF ROSEBURG PLANNING COMMISSION STAFF REPORT



---

## Airport Master Plan Amendment Comprehensive Plan Amendment File No. CPA-20-002

---

**Meeting Date:** March 2nd, 2020

**To:** Roseburg Planning Commission

**From:** John K. Lazur, Community Development Department

**Request:** Amendment of the Airport Master Plan.

---

### **BACKGROUND:**

The City began the process of updating the Airport Master Plan and Airport Layout Plan (ALP) in late 2017. The process included working with an advisory committee, made up primarily of airport users. As part of the process, the Federal Aviation Administration approves individual chapters as they are created. The chapters of the master plan include the following:

1. Inventory and Environmental Overview
2. Aviation Activity Forecasts
3. Facility Requirements
4. Improvement Alternatives
5. Financial Feasibility

All of these chapters lead to a preferred alternative that is then captured in the Airport Layout Plan. The ALP shows the future projects and/or uses for certain areas of the airport. If a project is not identified in the ALP, the FAA will not allow the project to proceed until the ALP is updated and the update is approved. These are often referred to as “pen and ink changes” which may occur between major updates.

There were several reasons that it was time to update the Airport Master Plan and ALP. One such reason has to do with the length of the runway. The City extended the runway to just over 5000 feet in length using a Connect Oregon grant. The runway extension was permitted because it was shown on the approved ALP. The City was not able to construct an extension to the parallel taxiway due to limited funding. The FAA would not program grant funding for the taxiway extension until the new runway length was “justified”. As part of the master planning effort, that was accomplished as part of the Aviation Forecast, which was approved by FAA. The forecast identified the critical aircraft type, which in turn dictates the design runway length. Now that the runway length is justified, the City can request a future grant to extend the parallel taxiway. This will most likely occur in federal fiscal year 2023.

**PROJECT OVERVIEW:**

The Roseburg Airport Master Plan and ALP outline future needs of the airport based on identified safety and capacity priorities. Each chapter of the master plan has been reviewed and approved by the FAA as part of the process. Based on information compiled in the chapters, the ALP was updated to reflect future projects anticipated at the airport. The FAA has reviewed and approved the ALP. The Airport Commission has reviewed the master plan and ALP. The Commission recommended adopting the Airport Master Plan and Airport Layout Plan. The Airport Master Plan will complement the TSP as part of the Transportation Element of the Roseburg Comprehensive Plan.

**OPTIONS:**

1. Adopt the proposed Findings of Fact as presented, and recommend the City Council approve the Legislative Amendment.
2. Adopt Findings of Fact recommending the City Council deny the Legislative Amendment.

**RECOMMENDATION:**

Staff finds the proposal meets the applicable criteria for a legislative amendment and therefore recommends the Planning Commission adopt the Findings of Fact as presented.

**SUGGESTED MOTION:**

I MOVE TO ADOPT THE FINDINGS OF FACT AND ORDER AS PRESENTED, AND RECOMMEND THE CITY COUNCIL **APPROVE** FILE NO. CPA-20-002, ADOPTING THE PROPOSED LEGISLATIVE AMENDMENT OF THE ROSEBURG AIRPORT MASTER PLAN TO SERVE AS A SUPPORTING DOCUMENT TO THE COMPREHENSIVE PLAN.

**ATTACHMENTS:**

Findings of Fact and Order  
Airport Master Plan

In the matter of legislative action ) Comprehensive Plan Amendment:  
by the City of Roseburg ) CPA-20-002

## **BEFORE THE ROSEBURG PLANNING COMMISSION**

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

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

The Roseburg Airport Master Plan and ALP outline future needs of the airport based on identified safety and capacity priorities. Each chapter of the master plan has been reviewed and approved by the FAA as part of the process. Based on information compiled in the chapters, the ALP was updated to reflect future projects anticipated at the airport. The Airport Master Plan will complement the TSP as part of the Transportation Element of the Roseburg Comprehensive Plan.

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

A public hearing was held on the application before the Roseburg Planning Commission on March 2, 2020. At that hearing the Planning Commission reviewed Land Use File CPA-20-002 and it was made part of the record.

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

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

1. The Planning Commission takes official notice of the Roseburg Urban Area Comprehensive Plan adopted by City Council Ordinance No. 2980 on December 9, 1996 and of the Roseburg Land Use and Development Ordinance No. 2363, as originally adopted July 1, 1984, and re-adopted in Ordinance No. 3487 on July 24, 2017, 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 proposal consists of amending the Comprehensive Plan Land to adopt, by reference, the Roseburg Airport Master Plan.
4. The purpose of the adoption is to ensure the City of Roseburg will remain eligible for future grant funding for existing and future airport projects.

##### **B. PROPOSAL**

The city proposes a legislative amendment to the Comprehensive Plan to adopt, by reference, the Roseburg Airport Master Plan.

##### **C. AGENCY COMMENTS**

No agency comments were received as of the writing of this staff report.

D. PUBLIC COMMENTS

No written comments have been submitted.

E. ANALYSIS

Comprehensive Plan Amendments are required to satisfy approval criteria contained within Roseburg Municipal Code (RMC) 12.10.020.

F. REVIEW CRITERIA

Pursuant to RMC 12.10.020(F)(2) the following criteria must be demonstrated as being satisfied by the application for approval of the Comprehensive Plan Amendment:

- a) **That the amendment complies with the Statewide Planning Goals adopted by the Land Conservation and Development Commission, pursuant to ORS 197.240, or as revised pursuant to ORS 197.245.**

***Goal No. 1 - Citizen Involvement - To ensure the opportunity for citizen involvement in all phases of the planning process.***

**Finding:** The City of Roseburg has an adopted an acknowledged Comprehensive Plan for the Roseburg Urban Area. In order to implement the Comprehensive Plan, the City has adopted the Roseburg Municipal Code (RMC). Within RMC the City identifies procedural requirements for processing land use actions, including notification and hearing procedures. The notice procedures guide the general public through the land use process within the City, as well as through provisions that meet State of Oregon Revised Statutes (ORS).

Roseburg also has an established Planning Commission that has the responsibility to act as the conduit to the City Council on land use matters. The Planning Commission is selected through an open, well-publicized process and the Commission may include one member who resides outside the city limits.

The City of Roseburg provided notice of this proposal as mandated through ORS requirements and RMC, as well as publishing the notice in the News-Review, a newspaper of general circulation. A public hearing 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.

***Goal No. 2 - Land Use Planning - To establish a land use planning process and policy framework as a basis for all decisions and actions related to the use of land and to assure an adequate factual base for such decisions and actions.***

**Finding:** As noted above the City of Roseburg has adopted a Comprehensive Plan, which is "acknowledged" by the State of Oregon. This Plan was again acknowledged through Periodic Review in 1992 and is coordinated and adopted by Douglas County for the unincorporated area located within the City UGB. (Roseburg Urban Area Comprehensive Plan adopted by the City Council in Ordinance No. 2345, effective on July 1, 1982, and re adopted in Ordinance No. 2980 on December 9, 1996.) Implementation of the Comprehensive Plan is accomplished through the adopted Roseburg Municipal Code's Land Use Development Regulations (RMC). RMC 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 incorporated into Roseburg Municipal Code by Ordinance No. 3497 on May 1, 2018.) Both the Comprehensive Plan and RMC have been amended from time-to-time.

**Goal No. 12 – Transportation – To provide and encourage a safe, convenient and economic transportation system.**

**Finding:**

The Roseburg Airport Master Plan and ALP outline future needs of the airport based on identified safety and capacity priorities. Each chapter of the master plan has been reviewed and approved by the FAA as part of the process. Based on information compiled in the chapters, the ALP was updated to reflect future projects anticipated at the airport. The FAA has reviewed and approved the ALP. The Roseburg Airport Commission has reviewed the master plan and ALP. The Commission recommended adopting the Airport Master Plan and Airport Layout Plan. The Airport Master Plan will complement the TSP as part of the Transportation Element of the Roseburg Comprehensive Plan.

**b) That the amendment complies with applicable policies of the Comprehensive Plan.**

*Transportation Policy No. 12*

*The findings and recommendations contained in the Roseburg Municipal Airport Master Plan shall serve as the basis for guiding improvements to facilities and services at the airport.*

*Transportation Policy No. 14*

*Land use activities surrounding the airport shall be controlled to ensure that development does not interfere with the air space needs of the airport or pose a hazard to public health and safety.*

**Finding:**

The Airport Master Plan and supplemental Airport Layout is a requirement by FAA regulations for all improvements to airport facilities in order to receive funding and serves as the guide for improvements to airport facilities. The Airport Master Plan also supports the regulation of adjacent land uses, including the prohibition of certain land uses that pose a hazard to public health and safety.

These regulations are called out by the Airport Overlay Zone which surrounds the airport and its surrounding air space.

#### 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 Hughes, Planning Commission Chair

\_\_\_\_\_  
Date

\_\_\_\_\_  
Stuart Cowie, Community Development Director

\_\_\_\_\_  
Date

Planning Commission Members:

Ron Hughes, Chair

Dan Onchuck, Vice Chair

Kerry Atherton

Ronald Sperry

Victoria Hawks

Shelby Osborn

John Kennedy



# CITY OF ROSEBURG PLANNING COMMISSION STAFF REPORT

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## Land Use Regulation Text Amendments File No. LUDR-20-001

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**Meeting Date:** March 2, 2020      **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 to update outdated references to state statute and scrivener errors.

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### **ISSUE STATEMENT AND SUMMARY:**

Throughout the last year, the City Recorder conducted an audit of the code and found a few issues with outdated references to Oregon Revised Statute in our Land Use Regulations and some errors that weren't incorporated in Roseburg Municipal Code (RMC) as part of a previous round of amendments. The following amendments are proposed to provide appropriate measures to help with regulation and avoid enforcement issues or creating unnecessary hardship upon the development community.

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 the Findings of Fact as presented.

### **SUGGESTED MOTION:**

I MOVE TO ADOPT THE FINDINGS OF FACT AS PRESENTED, AND RECOMMEND THE PLANNING COMMISSION RECOMMEND CITY COUNCIL **APPROVE** THE PROPOSED TEXT AMENDMENTS FILE NO. LUDR-20-001.

### **ATTACHMENTS:**

Findings of Fact and Order  
Text Amendments

**BEFORE THE ROSEBURG PLANNING COMMISSION  
FINDINGS OF FACT AND ORDER**

**I. NATURE OF AMENDMENTS**

The Community Development Department proposes changes to the Land Use Regulations of the Roseburg Municipal Code (RMC) to update changes to ORS for Condominiums, Marijuana uses, Partitions/Subdivisions and correct a scrivener's error for professional offices in the Central Business District (CBD) zone.

**II. PUBLIC HEARING**

A public hearing was held on the proposed amendments before the Roseburg Planning Commission on March 2, 2020. At the hearing, the Planning Commission reviewed Land Use File LUDR-20-001 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, 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.

- C. AGENCY COMMENTS  
No agency 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.

The Roseburg Comprehensive Plan, as mandated by ORS Chapter 197, must conform to the Oregon Statewide Planning Goals and maintain an implementing ordinance, through which the Roseburg Municipal Code carries out the goals and policies of the Comprehensive Plan. The intent of these ordinance amendments are to maintain consistency with ORS as the State makes changes from time to time and to comply with the intent of the Comprehensive Plan.

### **Comprehensive Plan**

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

#### **Commercial Development Policy No. 1**

*The Central Business District has been and continues to be an important part of the regional retail and service center of Douglas County. The City shall continue to encourage and promote this central core area as a civic and business center.*

#### **Finding:**

Allowance of professional offices as an outright permitted use at the street level of Jackson Street will strengthen the Central Business District and provide a balance of retail and non-retail uses along the downtowns main thoroughfare and encourage its development as a civic and business center.

#### **Commercial Development Policy No. 6**

*Commercial uses shall have convenient access to collector and arterial streets.*

#### **Finding:**

All lands proposed for the siting of new uses such as professional offices on Jackson Street will have convenient access to collector and arterial streets.

### **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. All meetings were advertised to local media. The proposed amendments were the result of input from Planning Commission work sessions.

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) Both the Comprehensive Plan and LUDR have been amended from time-to-time.

**IV. CONCLUSION**

Based on the above findings, the Planning Commissions 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 Hughes, Chair

\_\_\_\_\_  
Date

\_\_\_\_\_  
Stuart Cowie, Community Development Director

\_\_\_\_\_  
Date

Planning Commission Members:

Ron Hughes, Chair

Dan Onchuck, Vice Chair

Kerry Atherton

Ronald Sperry

Victoria Hawks

Shelby Osborn

John Kennedy

## 2020 LUDR Text Amendments

### 12.02.090 Definitions

"Condominium" means property, any part of which is submitted and approved in accordance with the provisions of ~~ORS Chapter 100.ORS 91.500 to 91.671.~~

"Medical marijuana dispensary" means any facility or operation designed, intended or used for purposes of delivering, dispensing, or transferring marijuana to Oregon Medical Marijuana Registry Identification Card holders pursuant to ~~ORS 475B.785-475B.949~~ORS 475.300—475.346.

"Marijuana processor—medical" means a person who processes marijuana in accordance with ~~ORS 475B.010-475B.545 Oregon Laws 2015, Chapter 614~~ for medicinal purposes pursuant to ~~ORS 475B.785-475B.949. ORS 475-300—475.346.~~

"Marijuana processor—recreational" means a person who processes marijuana in accordance with ~~ORS 475B.010-475B.545 Oregon Laws 2015, Chapter 614~~ for recreational purposes.

"Marijuana producer" means a person who produces marijuana in accordance with ~~ORS 475B.010-475B.545. Oregon Laws 2015, Chapter 614.~~

"Marijuana retailer" means a person who sells marijuana items to a consumer in accordance with ~~ORS 475B.010-475B.545. Oregon Laws 2015, Chapter 614.~~

"Marijuana wholesaler" means a person who purchases marijuana items for resale to a person other than a consumer in accordance with ~~ORS 475B.010-475B.545. Oregon Laws 2015, Chapter 614.~~

### 12.04.040 Commercial Districts

#### Table 2-7 Commercial – Allowed Uses

[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.858-314~~ and comply with all OHA rules. In addition, any and all Marijuana Retailers must be licensed by OLCC and comply with all OLCC rules.

### 12.04.070 – Industrial Districts

#### Table 2-13 Industrial Districts – Allowed Uses

[2] 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.858-314~~ and comply with all OHA rules. In addition, any and all Marijuana Retailers must be licensed by OLCC and comply with all OLCC rules.

12.10.080 – Conditional Use Permits.

E. Plan requirements. The applicant for a Conditional Use Permit shall submit to the Community Development Director plans consisting of maps, drawings, written descriptions, or other materials necessary and appropriate for the Director to determine that the proposed development will conform to the general requirements of this Section and the specific requirements of this Code. The Director may require an applicant proposing to site a residential facility within the City to supply the City with a copy of the entire application and supporting documentation for state licensing of the facility, except for information which is exempt from public disclosure under ORS 192.~~345496~~ to 192.~~355530~~. However, the Community Development Director shall not require independent proof of the same conditions that have been required by the state Department of Human Resources for licensing of a residential facility.

12.12.010(S)(3) Partitions and Subdivisions

u. ~~Except for a plat subject to ORS 92.110, a~~A statement of water rights and a copy of the acknowledgment from the State Water Resources Department if this statement indicates a water right is appurtenant.

12.12.010(S)(10)

~~e. Following approval of the final plat, the City Recorder shall certify such to the State Real Estate Commission, as required by that office.~~

12.12.010(T)(2)(i)

xix. Tie to geodetic control monument as required by ORS 92.050 ~~and ORS 209.250~~;

12.04.050(B)

Table 2-9: CBD-ALLOWED USES is hereby corrected to include an earlier amendment made by Ordinance No. 3448 (2015):

**TABLE 2-9: CBD—ALLOWED USES**

USE CATEGORY	CBD	STANDARDS
Specific Use		

COMMERCIAL			
5)	Accessory uses customarily incidental to any permitted uses are permitted when located on the same lot, except that no more than three (3) game machines shall be considered as an accessory use in each hotel, eating establishment, or restaurant. <sup>[2]</sup>	P	-
6)	Any use over 10,000 square feet of gross floor area	C	-
7)	Athletic/Health clubs (including racquet sports and spas) (indoors only)	C	-
8)	Banks, Savings/Loan Associations and Credit Unions	P	-
9)	Bed and Breakfast Facility	P	<a href="#">12.08.040(K)</a>
10)	Brewery, Micro- <sup>[2]</sup>	P	-
11)	<del>Business and</del> Professional Offices <sup>[3]</sup>	<del>P, C</del>	<del><a href="#">12.04.050(D)</a></del>
12)	Businesses existing prior to the adoption of this regulation <sup>[3]</sup>	P	-
13)	Business services or offices (establishments primarily engaged in rendering services to business establishments such as printing, photocopying, advertising, and mailing; employment services; management and consulting services; protective services; equipment rental and leasing; photo finishing; and personal supply services)	P	-
14)	Day Care Facility (above the ground floor only)	C	-
15)	Drive-In facilities for Financial Institutions	C	-

USE CATEGORY	CBD	STANDARDS
Specific Use		

<sup>[1]</sup> Dwellings in this zone shall be exempt from off-street parking standards of Subsection 12.060.20(A).

<sup>[2]</sup> Limited to 10,000 square feet of gross floor area.

~~<sup>[2]</sup> Conditionally permitted to be located on the ground floor of buildings fronting on Jackson Street (see [Section 12.04.050\(D\)](#)), outright permitted elsewhere. Professional Offices located on the ground floor of buildings fronting on Jackson Street that existed prior to the adoption of this Code are considered to be a permitted use; however, if the professional office ceases to be used as such for a period of one year, the status as permitted use shall be revoked.~~