



City of Mill City

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Mill City, Oregon 97360
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MILL CITY PLANNING COMMISSION AGENDA

Regular Meeting

Tuesday, January 15, 2019 6:30 p.m.

*City Hall – 444 S. First Avenue
MILL CITY, OREGON 97360*

Prior to the meeting, available members of the Planning Commission will conduct a site visit on SE Fairview Street (just east of City Hall) from 4:30 p.m. to 5:00 p.m. to familiarize them with the partition site to be considered during the public hearing.

1. Call to Order and Flag Salute – 6:30 p.m. Chair Ann Carey

2. Approval of Minutes: December 18, 2018

3. Public Comment:

We welcome you to today's special meeting of the Mill City Planning Commission. This is an open meeting of the Commission and you are invited to observe the meeting.

If you wish to speak to the Planning Commission regarding an issue which is not on the agenda, the Commission provides time at the beginning of each meeting to listen to public comments. The chairperson will ask for public comment. When you are recognized, please state your name, address and briefly explain the issue you wish to discuss. Depending on the nature of the issue, the Planning Commission may address the issue during this meeting, table the issue to a future meeting or may request that you speak with the City Recorder or Planning Consultant outside the meeting.

4. Public Hearings:

File No. 2018-12 & 2018-13
Applicant: Scott Baughman
Proposal: Minor Partition (SE Fairview) & Land Use Action on the N. Santiam River
Location: 100-200 Block SE Fairview Street (east of City Hall)

5. Presentations: None scheduled

6. Old Business

- a. File 2017-02 Baughman-Lucas Annexation - Ordinance w/ legals & map to DOR
- b. Nuisance Ordinance Amendments - City Council Action scheduled January 22, 2019
- c. Landlord/Tenant Code Amendments & Enforcement Discussion
- d. Other

7. New Business

- a. 2018 Annual Report – Review DRAFT
- b. 2019 Work Program -- Discussion
- c. Other

8. Informational Items

- a. City Recorder Report
- b. Planning Consultant Time Report
- c. TIGER Grant Agreement Status – on hold due to federal government shutdown.
- d. Skate Park Design Plans – 90% drawings submitted to City for skate park area.
Designers must complete site plan for north portion of site and ROW areas on SW 2nd & SW Cedar Street before presenting to the PC and City Council.
- e. Current Applications:
 - i. File 2017-02 - Baughman-Lucas Annexation (to Oregon DOR w/ legals and map)
 - ii. File 2017-09 – Trio Tavern ZC to Commercial. Council approved January 8, 2019.
- f. Prospective Application:
 - i. Sportsman Center – Site Plan Review (future gas station)
- g. Future Workshop Agenda items

9. Other Business

10. Adjournment

Upcoming Planning Commission Meetings (All meetings at City Hall)

Tuesday, January 15, 2019 6:30 PM Regular Meeting

**MILL CITY PLANNING COMMISSION
Meeting of December 18, 2018**

Planning Commission members present: Chair Ann Carey, Dennis Chamberlin, Marge Henning, Woody Koenig, David Leach, Grant Peterson and Frances Villwock.

Staff in attendance: Planning Advisor David Kinney and City Recorder Stacie Cook.

City Council Representatives: None.

Agency Representatives: None.

Citizens: None.

The meeting was called to order at 6:30 p.m. Chair Ann Carey led the pledge of allegiance.

Ann Carey asked when the requirement to move the house was made for one of the last LUANSR applications, who checks to make sure this is done? Mr. Kinney said that he will look at it. Mrs. Cook said that she puts the required setbacks on the inspection card for verification and sign off as well.

APPROVAL OF MINUTES: *Woody Koenig moved, seconded by Marge Henning to approve the minutes of November 20, 2018. The motion carried unanimously (6:0).*

PUBLIC COMMENT: None.

PUBLIC HEARINGS: None.

PRESENTATIONS: None.

OLD BUSINESS:

Skatepark Preliminary Design: Mr. Kinney said that he reviewed the preliminary plans and there are a number of items that still need to be included on them before they can be considered 90% complete. Some of these issues are: the entire north side of the property needs to show the development proposal, the sidewalk needs to be moved to match the layout in the Safe Routes to School plan and the fence along the east edge needs to be moved back from the top of the bowl.

Mr. Kinney said that there is an option for the fencing to put it along the property line and leave the grassy area outside of it or to put the fencing outside of the landscape area. Consensus to have the landscape area inside of the fence.

Nuisance Ordinance Amendments – DRAFT #4: Mr. Kinney said that the subcommittee discussed the need for modification to the noise ordinance. The League of Oregon Cities has a model noise ordinance that may work for Mill City. We will look at that at a later time.

Based on the comments and modifications made by the subcommittee, the nuisance code is ready to be presented to the Council for review and adoption. The noise ordinance can then be taken to the Council as a secondary code update in a new chapter.

Chronic nuisances were also discussed at the subcommittee meeting. There was a sample ordinance handed out for the subcommittee to review. This is another area which can be reviewed by the committee and presented as a new chapter to the Council for adoption at a later date.

The dangerous and derelict buildings and landlord/tenant issues would be the final piece to the code updates for adoption.

Frances Villwock asked if animals need to be addressed as there is nothing under this section of the code. Mr. Kinney said he would be inclined to remove the reference to animals from the nuisance code and use the existing animal code that the City has.

Mr. Kinney said that the noxious vegetation code, effective from May to September, is now followed by a hazardous vegetation code, which applies all year long.

Mrs. Villwock said that she feels that trash cans should be included under section 8.04.100B and not allowed to be left on a street.

David Leach mentioned that basketball hoops can be more of a hazard if left within the right-of-way, especially at night.

Mrs. Carey said that vehicles parked on City-owned parcels without permission need to be addressed.

Mr. Kinney said that the abatement procedure was revised to allow the City Recorder to issue a citation into court without having to involve the City Attorney.

Mr. Leach said that the code should address the process and fees. Mr. Kinney said that the judge will have to impose a bail schedule that can be used for violations rather than the person cited appearing in court.

Landlord/Tenant Code Amendments & Enforcement Discussion: Table to later meeting.

Mr. Koenig said that the website Oregoncat.org provides information about free legal aide to tenants.

NEW BUSINESS: None.

INFORMATIONAL ITEMS:

City Recorder Report: City Recorder Stacie Cook provided a report on the following:

1. Public Works Building
2. Baughman LUANSR (2 Houses)
3. Mill City Municipal Judge
4. Foreclosed Property – Opportunity to Obtain
5. S 1st Avenue/SW Cedar Street Property
6. Riparian Work – SE Fairview St.

Current Applications:

Minor Partition & LUANSR – Baughman - SE Fairview Street

Prospective Applications: None.

BUSINESS FROM THE PLANNING COMMISSION: None.

OTHER BUSINESS: None.

The meeting was adjourned at 8:09 p.m.

Prepared by:

Stacie Cook, MMC City Recorder

Minutes approved by the Planning Commission on the 20th day of November, 2018.

File 2017-02

Baughman – Lucas Annexation

Enclosures:

1. Linn County Notice of Adoption
2. Linn Count Board Order
3. Mill City Ordinance 395
4. Final Annexation Map & Legal Description
5. Annexation Ordinance (to be drafted)

**LINN COUNTY PLANNING AND BUILDING DEPARTMENT**

Robert Wheeldon, Director

Room 114, Linn County Courthouse
PO Box 100, Albany, Oregon 97321
Phone 541-967-3816 Fax 541-926-2060
www.co.linn.or.us

NOTICE OF ADOPTION

RESOLUTION AND ORDER NO.	2018-268
ORDINANCE NO.	2018-269
FILE NO.	BC18-0002
APPLICANT	Rex Lucas Et Al.

PROPOSAL:

Concurrent applications by Rex Lucas Et Al. for Comprehensive Plan map amendments and Zoning map amendments. The amendments are in conjunction with an urban growth boundary (UGB) amendment approved by the city of Mill City to remove and add properties within the Mill City UGB. The total area of land to be added to the UGB is 18.16 acres. The total area to be removed from the UGB is 18.18 acres. The amendments change the Plan designation and Zoning map designation on the seven properties. The properties are identified as T09S, R03E, Section 29, Tax Lots 100, 103, and 200; T09S, R03E, Section 31, Tax Lot 1204; T09S, R03E, Section 32, Tax Lots 100, 1804, and 2402). The applicable criteria are contained in Linn County Code (LCC) Sections 921.822 and 921.874, and the Oregon Statewide Planning Goals.

BOARD ACTION: Resolution and Order 2018-268

On October 16, 2018, the Linn County Board of Commissioners (Board) voted 2-0 to adopt Resolution and Order No. 2018-268 to:

- (1) Adopt the Findings and Conclusions supporting the Board decision;
- (2) Resolve that the Linn County Comprehensive Plan Map be amended to remove the subject 2.85 acres of the property identified in the Linn County Assessor maps as T09S, R03E, Section 29, Tax Lot 100; to remove the property identified in Linn County Assessor maps as T09S, R3E, Section 29, Tax Lot 103; and to remove the subject 8.67 acres of the property identified in the Linn County Assessor maps as T09S, R03E, Section 29, Tax Lot 200; totaling 18.16 acres;
- (3) Resolve that the Linn County Zoning Map be amended to apply the Urban Growth Area-Rural Residential – Two and a Half Acre (UGA-RR-2.5) zoning designation to the property identified in Linn County Assessor maps as T09S, R03E, Section 29, Tax Lot 103; to the subject 2.85-acre portion of the property identified as T09S, R03E, Section 29, Tax Lot 100; and to the subject 8.67-acre portion of the property identified as T09S, R03E, Section 29, Tax Lot 200;
- (4) Resolve that the Linn County Comprehensive Plan Map be amended to include the subject 7.81-acre portion of the property identified in the Linn County Assessor maps as T09S, R03E, Section 32, Tax Lot 100, and apply a Plan designation of Farm/Forest to that property;
- (5) Resolve that the Linn County Zoning Map be amended to apply the Farm/Forest (F/F) zoning designation to the subject 7.81-acre portion of the property identified in Linn County Assessor maps as T09S, R03E, Section 32, Tax Lot 100;

(6) Resolve that the Linn County Comprehensive Plan Map be amended to include the subject 6.05-acre portion of the property identified in Linn County Assessor maps as T09S, R03E, Section 31, Tax Lot 1204; include the subject 1.87-acre portion of the property identified in Linn County Assessor maps as T09S, R03E, Section 32, Tax Lot 1804; and include the subject 2.45-acre portion of the property identified in Linn County Assessor maps as T09S, R03E, Section 32, Tax Lot 2402; and apply a Linn County Comprehensive Plan designation of Rural Residential to those properties;

(7) Resolve that the Linn County Zoning Map be amended to apply the Rural Residential - Five Acre Minimum (RR-5) zoning designation to the subject 6.05-acre portion of the property identified in Linn County Assessor maps as T09S, R03E, Section 31, Tax Lot 1204; to the subject 1.87-acre portion of the property identified in Linn County Assessor maps as T09S, R03E, Section 32, Tax Lot 1804; and to the subject 2.45-acre portion of the property identified in Linn County Assessor maps as T09S, R03E, Section 32, Tax Lot 2402 ; and


(8) Order that the Linn County Comprehensive Plan map and the Linn County Zoning map be prepared by county staff for amendment to designate the subject properties as set forth above.

BOARD ACTION: Ordinance 2018-269

On October 16, 2018, the Board voted 2-0 to adopt Ordinance 2018-269, amending the Linn County Comprehensive Plan Map and the Linn County Zoning Map as set forth in Resolution and Order 2018-268.

If you wish to appeal this decision, an appeal must be filed with the Land Use Board of Appeals (LUBA) within 21 days from the date this notice is mailed. Appeals to LUBA must be filed in accordance with ORS 197.830. If you have any questions about this process, contact LUBA in Salem at (503) 373-1265.

Resolution and Order No. 2018-268 and **Ordinance No. 2018-269** may be reviewed at the office of the Linn County Clerk, Room 205, Linn County Courthouse. That office is open from 8:30 a.m. to 5:00 p.m., Monday through Friday, except legal holidays. A copy of the ordinance is available in the office of the Linn County Clerk. A fee to cover copying costs will be charged.


Robert Wheeldon
Director

10/19/18
Date

c: Department of Land Conservation and Development
Rex Lucas
Lee and Ladonna Stafford
Terry and Delores Drake
Scott and Shelly Baughman
Jeff Tross – Tross Consulting
Dave Kinney
Darrin Tuers

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR LINN COUNTY

IN THE MATTER OF AN ORDINANCE) AMENDING THE LINN COUNTY) COMPREHENSIVE PLAN MAP) <u>AND ZONING MAP</u>)	ORDINANCE NO. 2018-269 (Amending the Plan Map and Zoning Map) (Planning and Building Department) (BC18-0002)
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WHEREAS, Rex Lucas, et al. submitted applications to amend the Linn County Comprehensive Plan (Plan) map and Zoning map affecting seven properties, identified in Linn County Assessor records as T09S, R03E, Section 29, Tax Lots 100, 103, and 200; T09S, R03E, Section 31, Tax Lot 1204; and T09S, R03E, Section 32, Tax Lots 100, 1804, and 2402;

WHEREAS, The Plan and Zoning map amendments are necessary to cause 18.18 acres of land to be removed from the Mill City Urban Growth Boundary (UGB) and 18.16 acres of land to be added to the Mill City UGB;

WHEREAS, The proposed Mill City UGB amendments require concurrent action and joint approval by both the City and the County;

WHEREAS, The City Council for the City of Mill City conducted public hearings and adopted Mill City Ordinance No. 395 on June 27, 2017, adopting the proposed UGB amendments;

WHEREAS, The Board of County Commissioners for Linn County (Board) conducted a duly advertised public hearing on September 25, 2018, to receive testimony and consider the proposed Plan and zoning map amendments;

WHEREAS, The proposed Plan map and Zoning map amendments had been previously considered by the Linn County Planning Commission at a duly advertised meeting on September 11, 2018, and who voted 6-0 to recommend approval to the Board;

WHEREAS, The Board having read the proposed ordinance and having received and considered the oral and written public testimony presented prior to and at the hearing; and

WHEREAS, The findings in support of the decision to approve the proposed Plan map amendments and Zoning map amendments are attached as Exhibit 1 (BC18-0002 Decision Criteria, Findings and Conclusions) to Resolution and Order No. 2018-268; and

WHEREAS, The maps identifying the proposed Plan map amendments and Zoning map amendments are attached as Exhibit 2 (BC18-0002 Map Amendments) to Resolution and Order No. 2018-268; and now, therefore, be it

Ordained by the Linn County Board of Commissioners, That:

Section 1. Plan Map Amendment. The Linn County Comprehensive Plan Map, as identified in LCC 900.900, be amended to remove the subject 2.85 acres of the property identified in Linn County Assessor maps as T09S, R03E, Section 29, Tax Lot 100; to remove the property identified in Linn County Assessor maps as T09S, R3E, Section 29, Tax Lot 103; and to remove the subject 8.67 acres of the property identified in Linn County Assessor maps as T09S, R03E, Section 29, Tax Lot 200; totaling 18.16 acres.

Section 2. Zoning Map Amendment. Appendix 1, Zoning map, following LCC Chapter 920 [see LCC 920.010(B)] be amended to apply the Urban Growth Area-Rural Residential – Two and a Half Acre (UGA-RR-2.5) zoning designation to the property identified in Linn County Assessor maps as T09S, R03E, Section 29, Tax Lot 103; to the subject 2.85-acre portion of the property identified as T09S, R03E, Section 29, Tax Lot 100; and to the subject 8.67-acre portion of the property identified as T09S, R03E, Section 29, Tax Lot 200.

Section 3. Plan Map Amendment. The Linn County Comprehensive Plan Map, as identified in LCC 900.900, be amended to include the subject 7.81-acre portion of the property identified in the Linn County Assessor maps as T09S, R03E, Section 32, Tax Lot 100, and apply a Plan designation of Farm/Forest to that property.

Section 4. Zoning Map Amendment. Appendix 1, Zoning map, following LCC Chapter 920 [see LCC 920.010(B)] be amended to apply the Farm/Forest (F/F) zoning designation to the subject 7.81-acre portion of the property identified in Linn County Assessor maps as T09S, R03E, Section 32, Tax Lot 100.

Section 5. Plan Map Amendment. The Linn County Comprehensive Plan Map, as identified in LCC 900.900, be amended to include the subject 6.05-acre portion of the property identified in Linn County Assessor maps as T09S, R03E, Section 31, Tax Lot 1204; to include the subject 1.87-acre portion of the property identified in Linn County Assessor maps as T09S, R03E, Section 32, Tax Lot 1804; and to include the subject 2.45-acre portion of the property identified in Linn County Assessor maps as T09S, R03E, Section 32, Tax Lot 2402; and apply a Plan designation of Rural Residential to those properties.

Section 6. Zoning Map Amendment. Appendix 1, Zoning map, following LCC Chapter 920 [see LCC 920.010(B)] be amended to apply the Rural Residential - Five Acre Minimum (RR-5) zoning designation to the subject 6.05-acre portion of the property identified in Linn County Assessor maps as T09S, R03E, Section 31, Tax Lot 1204; to the subject 1.87-acre portion of the property identified in Linn County Assessor maps as T09S, R03E, Section 32, Tax Lot 1804; and to the subject 2.45-acre portion of the property identified in Linn County Assessor maps as T09S, R03E, Section 32, Tax Lot 2402.

Section 7. Savings Clause. Repeal of a code section or ordinance shall not revive a code section or ordinance in force before or at the time the repealed code section or ordinance took effect. The repeal shall not affect a punishment or penalty incurred before the repeal took effect, nor a suit, prosecution, or proceeding pending at the time of the repeal for an offense committed under the repealed code section or ordinance.

Section 8. Severability. Invalidity of a section or part of a section of this ordinance shall not affect the validity of the remaining sections or parts of sections.

Section 9. Effective Date. To protect the health, safety, and welfare of the citizens of Linn County, this ordinance shall take effect following adoption.

Section 10. Codification. Following adoption, this ordinance shall be codified pursuant to LCC Chapter 120.

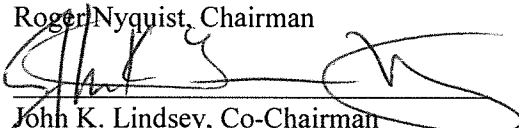
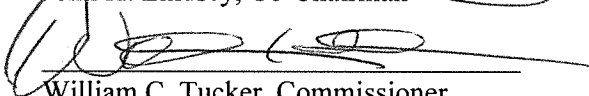
Public reading held October 16th, 2018.

Adopted and passed October 16th, 2018.

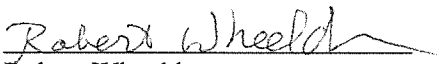
The effective date of this Ordinance shall be October 16th, 2018.

BOARD OF COUNTY COMMISSIONERS FOR LINN COUNTY

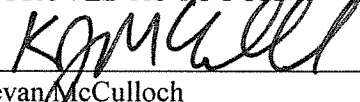
Signed October 16th, 2018.

		Voting	
		For	Against
	ABSENT		
Steve Druckenmiller, Linn County Clerk Recording Secretary	Roger Nyquist, Chairman		
		X	
By _____	John K. Lindsey, Co-Chairman		
		X	
	William C. Tucker, Commissioner		

APPROVED AS TO CONTENT:


Robert Wheeldon
Linn County Planning and Building Director

APPROVED AS TO FORM:


Kevan McCulloch
Deputy County Attorney for Linn County

ORDINANCE NO. 395

AN ORDINANCE ADJUSTING THE MILL CITY URBAN GROWTH BOUNDARY AND AMENDING THE MILL CITY COMPREHENSIVE PLAN MAP

WHEREAS, the City of Mill City has received the following land use applications from Rex A. Lucas and Scott and Shelly Baughman requesting the City of Mill City:

- (1) Lucas – UGB Adjustment (Add 18.16 acres): Adjust the Mill City UGB to add 18.16 acres to the Mill City UGB and concurrently change the comprehensive plan designation to Residential.
- (2) Lucas - UGB Adjustment (Remove 7.81 Acres): Adjust the Mill City UGB to remove 7.81 acres. If approved by the City, the applicant requests Linn County approve concurrent comprehensive plan map and zone changes to Linn County Farm/Forestry (F/F).
- (3) Baughman - UGB Adjustment (Remove 6.05 Acres): Adjust the Mill City UGB to remove 6.05 acres. If approved by the City, the applicant requests Linn County approve concurrent comprehensive plan map and zone changes to Linn County Farm/Forestry (F/F).
- (4) Annexation and Zone Change: Annex 18.16 acres to the City of Mill City for a future residential subdivision and concurrently rezone the properties to Single Family Residential (R-1).

WHEREAS, the land use applications filed with the City of Mill City are consolidated in Mill City land use file 2017-02; and

WHEREAS, the applicant requests the City of Mill City work with Linn County to finalize the removal of 4.32 acres from the Mill City UGB that include the Drake and Stafford properties on SE 4th Avenue in Mill City. The removal of the 4.32 acres of Residential land from the UGB was approved by City Ordinance No. 364 in 2012, but never acted upon by Linn County.

WHEREAS, the applicants submitted letters to the City of Mill City from Lee and Ladonna Stafford and from Terry and Delores Drake concurring with the proposal; and

WHEREAS, the applicants have stipulated to the City that the applicants will pay all of the costs associated with the submittal and processing of land use applications with Linn County; and

WHEREAS, if the applicant's proposal and properties included in the prior Ordinance 364 are both approved, the combined proposal will result in an equivalent amount of property being added to and removed from the Mill City UGB. The applicant's proposal is to remove 18.18 acres from the Mill City UGB and add 18.16 acres of land to the Mill City UGB; and

WHEREAS, the City has considered the applicant's land use applications and actions related to Mill City Ordinance 364 in one consolidated land use proceeding; and

WHEREAS, Table 1 summarizes the proposals considered in the consolidated land use proceeding.

Table 1
Baughman – Lucas Mill City UGB Amendment Proposal

#	Name of Parcel	Assessor's Map	Tax Lot	Acres Removed from UGB	Acres Added to UGB	Existing Linn County Comp Plan	Existing Linn County Zoning	Proposed Comprehensive Plan and Zoning Map Revisions
Properties Proposed to be Added to the Mill City UGB								Proposed Mill City Plan & Zoning
1	Parcel A-1	09S 03E 29	200 (part)		8.67	Farm/Forestry	F/F	SFR Residential R-1
2	Parcel A-2	09S 03E 29	100 (part) 103 200 (part)		9.49	Rural Residential & Farm / Forestry	RR-2.5 RR-2.5 F/F	SFR Residential R-1
Properties Proposed for Removal from the Mill City UGB						Existing Mill City Comp Plan	Existing Linn County Zoning	Proposed Linn County Plan & Zoning
3	Parcel R-2 Lucas (Fairview)	09S 03E 32	100	7.81		SFR Residential	UGA-RR 2.5	Farm/Forestry F/F
4	Stafford (SE 4 th)	09S 03E 32	2402 (part)	2.45		SFR Residential	UGA-RR 2.5	Rural Residential RR-5
5	Drake (SE 4 th)	09S 03E 32	1804 (part)	1.87		SFR Residential	UGA-RR 2.5	Rural Residential RR-5
6	Parcel R-1 Baughman	09S 03E 31	1204 (part)	6.05		SFR Residential	UGA-RR 2.5	Farm/Forestry F/F
Totals				18.18	18.16			

WHEREAS, the Mill City Planning Commission held public hearings on March 21, 2017 and April 18, 2017 to consider the application. After the public hearing was closed, the Planning Commission deliberated on the proposal and unanimously recommended the city council approve the application as proposed; and

WHEREAS, the City Council held a public hearing on May 9, 2017 and at the close of the hearing the City Council concurred with the Planning Commission recommendations and adopted findings of fact and conclusions for the proposal which are included in the City's land use file 2017-02; and

WHEREAS, on May 11, 2017 the City issued a Notice of Decision approving the application and informing the applicant of the required City ordinances and the Linn County applications and decisions that are required; and

WHEREAS, the City Council will defer a decision to annex property or amend the City's zoning ordinance until after Linn County approves the Mill City UGB Adjustment;

NOW, THEREFORE, the City Council of the City of Mill City hereby ordains as follows:

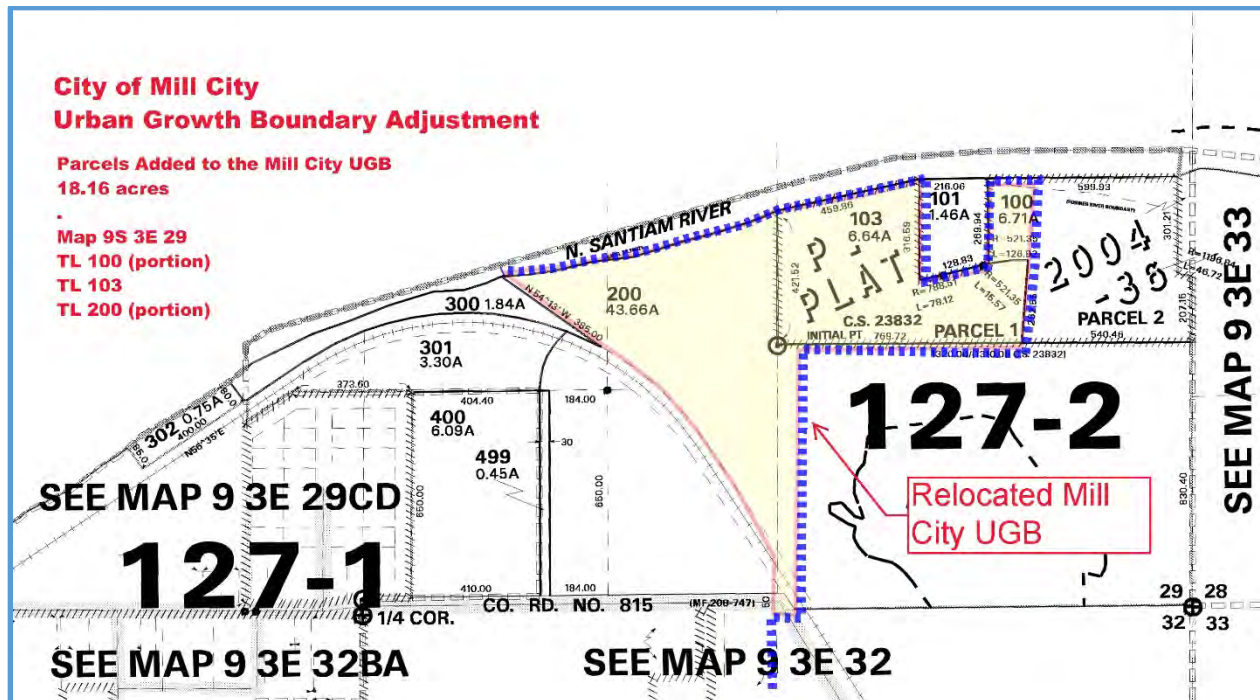
SECTION 1. MILL CITY URBAN GROWTH BOUNDARY ADJUSTMENT (ADDITION)

The Mill City Comprehensive Plan Map will be amended to reflect the additions of land to the Mill City Urban Growth Boundary as listed in Table 2 and shown on Map 1 below.

Table 2
Area Added to the Mill City UGB

Parcel	Owner(s)	Linn County Assessor Map	Tax Lot	Acres Added to the Mill City UGB	Map Reference Below
A-1	Rex A. Lucas	09 3E 29	200 (part)	8.67	Map 1
A-2	Rex A. Lucas	09 3E 29	100 (part) 103	9.49	Map 1
Total Acreage added to Mill City UGB				18.16	

Map 1
Area Added to the Mill City UGB
Linn County Assessor's Map 9S 3E 29



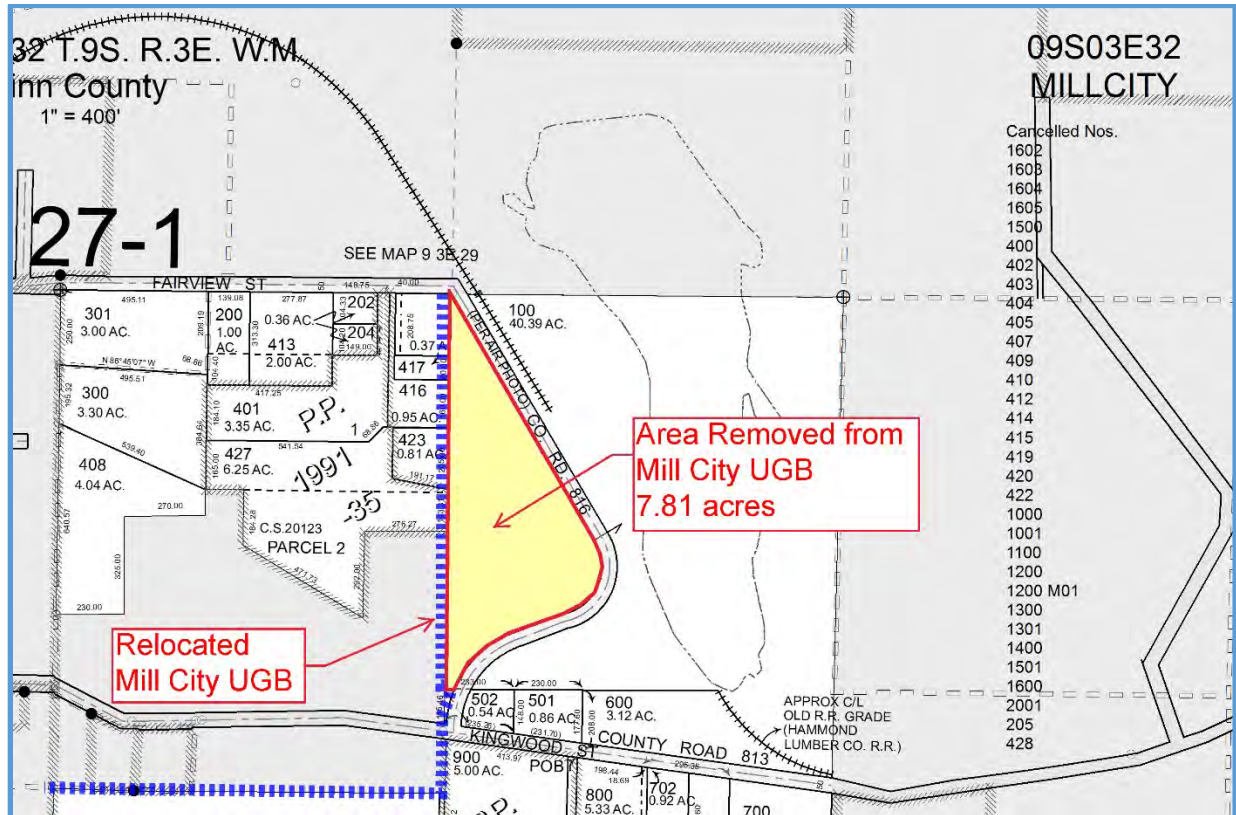
SECTION 2. MILL CITY URBAN GROWTH BOUNDARY ADJUSTMENT (REMOVAL)

The Mill City Comprehensive Plan Map will be amended to reflect the removal of land area from the Mill City Urban Growth Boundary as listed in Table 3 and shown on Map 2, Map 3 and Map 4 below.

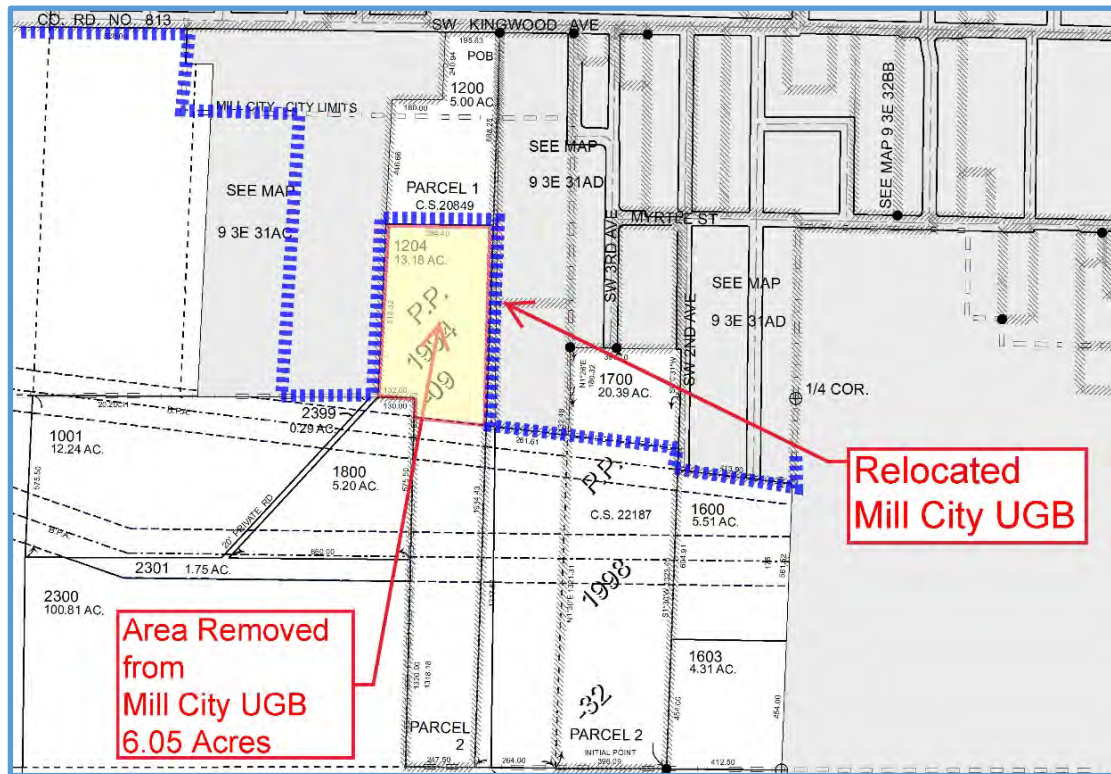
Table 3
Area Added to the Mill City UGB

Parcel	Owner(s)	Linn County Assessor Map	Tax Lot	Acres Removed From Mill City UGB	Map Reference Below
R-1	Rex A. Lucas	09 3E 32	100 (part)	7.81	Map 2
R-2	Scott and Shelly Baughman	09 3E 31	1204	6.05	Map 3
R-3	Lee and Ladonna Stafford	09 3E 32	2402 (part)	2.45	Map 4
R-4	Terry and Delores Drake	09 3E 32	1804 (part)	1.87	Map 4
Total Acreage Removed from Mill City UGB				18.18	

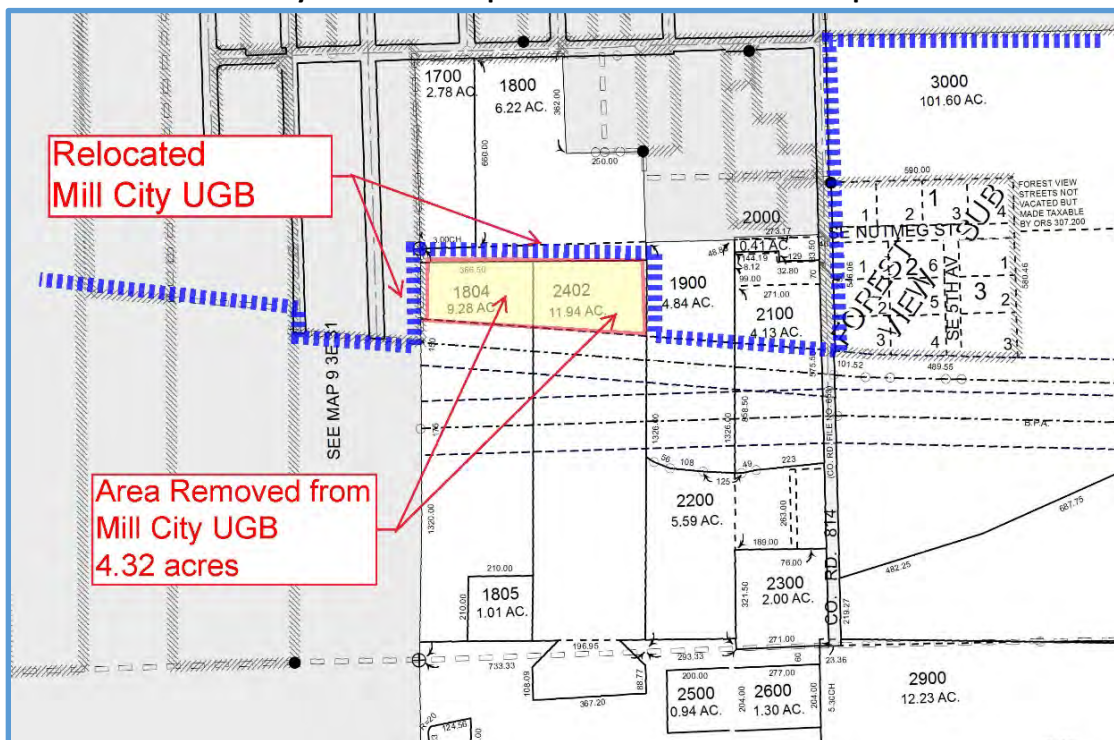
Map 2
Area Removed from the Mill City UGB
Linn County Assessor's Map 9S 3E 32



Map 3
Area Removed from the Mill City UGB
Linn County Assessor's Map 9S 3E 31



Map 4
Area Removed from the Mill City UGB
Linn County Assessor's Map 9S 3E 32 – SE 4th Avenue Properties



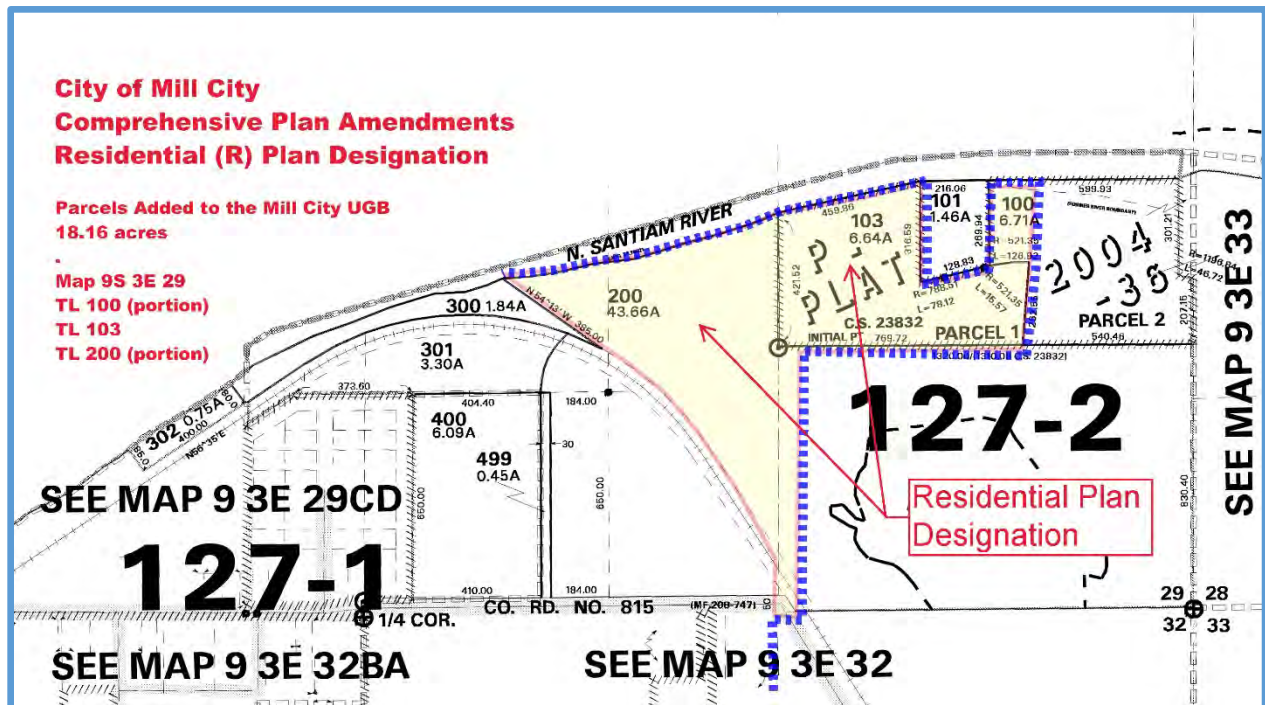
SECTION 3. MILL CITY COMPREHENSIVE PLAN MAP AMENDMENTS

The 18.16 acres added to the Mill City Urban Growth Boundary as listed in Table 4 and shown on Map 5 below is hereby designated as Residential on the Mill City Comprehensive Plan Map.

Table 4
Mill City Comprehensive Plan Designations
For the Area Added to the Mill City UGB

Parcel	Owner(s)	Linn County Assessor Map	Tax Lot	Acres Added to the Mill City UGB	Mill City Comprehensive Plan Map Designation
A-1	Rex A. Lucas	09 3E 29	200 (part)	8.67	Residential
A-2	Rex A. Lucas	09 3E 29	100 (part) 103	9.49	Residential
Total Acreage added to Mill City UGB				18.16	

Map 5
Area Added to the Mill City UGB
Linn County Assessor's Map 9S 3E 29



SECTION 3: EFFECTIVE DATE

This ordinance will take effect upon Linn County's adoption of an ordinance concurring with the City's amendment of the Mill City Urban Growth Boundary. In the event Linn County does not adopt an ordinance amending the Mill City Urban Growth Boundary by December 31, 2018, this ordinance will be null and void.

SECTION 4: RECORD.

1. The City Recorder shall provide a copy of this ordinance to the Linn County Planning Department.
2. Upon Linn County's adoption of an ordinance concurring with the City's amendment of the Mill City Urban Growth Boundary, the City will notify the Department of Land Conservation and Development of the adoption of the Mill City UGB amendments by both the City and Linn County.
3. Upon receipt of a Notice of Adoption and Acknowledgment from the Department of Land Conservation and Development, the City will provide copies of the acknowledged City and County ordinances to the Linn County GIS Department and request the Linn County GIS Department prepare an updated Mill City Comprehensive Map for the City of Mill City.

This Ordinance read by title only for the first time on the 13th day of June 2017.

This Ordinance read by title only for the second time on this 27th day of June 2017.

This Ordinance passed on the 27th day of June 2017 by the City Council and executed by the Mayor this

29th day of June, 2017.

Date: 6-29-17

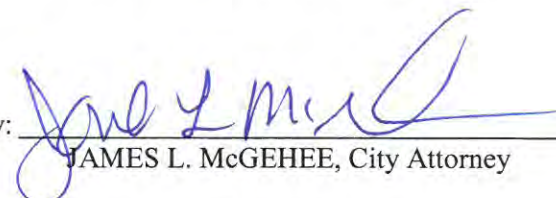
By: 
TIM KIRSCH, Mayor

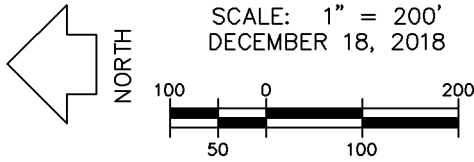
Date: 6-29-17

Attest: 
STACIE COOK, MMC, City Recorder

APPROVED AS TO FORM

Date: June 28, 2017

By: 
JAMES L. McGEHEE, City Attorney



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Corbey Boatwright

OREGON
JANUARY 13, 2004
CORBEY BOATWRIGHT
41562

RENEWAL DATE: DEC. 31, 2019

ANNEXATION
MAP

SE 1/4 SECTION 29
T9S, R3E, WM
MILL CITY
LINN COUNTY, OREGON

AREA TO BE ANNEXED INTO MILL CITY

Rex A. Lucas
A fraction of Instrument 2006-30509
(A fraction of Parcel 2, Partition Plat 2004-36)
T9S, R3E, Section 29 TL 100

Rex A. Lucas
A fraction of Instrument 2006-30509
(A fraction of Parcel 1, Partition Plat 2004-36)
T9S, R3E, Section 29 TL 103

Rex A. Lucas & Scott J. Baughman & Shelly J. Baughman
A fraction of Instrument 2018-17154
T9S, R3E, Section 29, TL 200

18.16 ACRES

N89°55'30"W
30.74'

N31°40'17"W
58.80'

Point of Beginning

S00°17'15"W 836.73'

SW COR
Partition Plat
2004-36

Chord:
N43°15'53"W
322.78'
Arc: 324.99'
Rad: 803.07'
Δ: 23°11'14"

N31°40'17"W 605.80'
Old Mill City Manufacturing Railroad
(formerly Hammond Lumber Company Railroad)

N00°04'30"E
9.50'

SE Fairview Street

SE Remine Street

North Santiam River

THE PURPOSE OF THIS MAP IS
TO SHOW THE AREA TO BE
ANNEXED INTO THE CITY OF MILL
CITY, THE AREA TO BE ANNEXED
IS A PORTION OF PROPERTY
DESCRIBED IN INSTRUMENT
#2006-30509 (LUCAS) AND
INSTRUMENT #2018-17154 (LUCAS &
BAUGHMANS). THE BOUNDARY IS
BASED ON PARTITION PLAT 2004-36,
CS 13234, & CS 26505

Exhibit A

Beginning at a point on the south line of Partition Plat 2004-36, as the same is platted and recorded in the Linn County Record of Partition Plats (Linn County Survey Record 23832), which bears South 89° 37' 39" East 82.14 feet from the southwest corner thereof and running thence South 00° 17' 15" West, parallel with the east line of 30-foot wide SE Remine Street as the same was conveyed to the City of Mill City by deeds recorded in Volume 633, Page 594 and Volume 675, Page 404 of the Linn County Deed Records, 836.73 feet to the south line of Section 29 in Township 9 South, Range 3 West of the Willamette Meridian; thence North 89° 55' 30" West, along said Section line, 30.74 feet to the east right-of-way line of 50-foot wide County Road 816; thence North 31° 40' 17" West, along said right-of-way line, 58.80 feet to the north right-of-way line of SE Fairview Avenue; thence North 00° 04' 30" East, 9.50 feet to a point on the east line of the old, 60-foot wide, Mill City Manufacturing Railroad (formerly the Hammond Lumber Company Railroad); thence North 31° 40' 17" West, along said former right-of-way line, 605.80 feet to a point of curve; thence continuing along said right-of-way line on the arc of an 803.07 foot radius curve to the left, through a delta of 23° 11' 14", the chord of which bears North 43° 15' 53" West 322.78 feet, a distance of 324.99 feet to a point of tangency; thence North 54° 08' 10" West, leaving said old right-of-way line, 385.00 feet to a point on the left (south) bank of the North Santiam River; thence meandering easterly, upstream, and along said left bank, to a point which bears North 75° 07' 10" East 868.32 feet from the last measured call, said point being the northwest corner of Parcel 1 in the beforesaid Partition Plat 2004-36; thence North 78° 12' 52" East, along the north line of said Parcel 1, 459.86 feet to the northeast corner thereof; thence South 00° 46' 08" West, along the east line of said Parcel 1 and the southerly extension thereof, 320.58 feet to a point; thence South 89° 37' 39" East, parallel with the south line of said Partition Plat, 215.99 feet, to the southerly extension of the most westerly west line of Parcel 2 of said Partition Plat; thence North 00° 36' 00" East, along said extension and said west line, 322.93 feet to the northwest corner of said Parcel 2; thence South 89° 38' 22" East, along the north line of said Parcel 2, 112.55 feet to a point; thence South 00° 36' 00" West, parallel with the beforesaid west line of Parcel 2, 520.76 feet to a point on the south line thereof; thence North 89° 37' 39" West, along said south line, 694.43 feet to the point of beginning and containing 18.16 acres of land, more or less, all being situated within the southeast quarter of Section 29 in Township 9 South, Range 3 East of the Willamette Meridian in Linn County, Oregon.



Renewal Date: December 31, 2019

Mill City Planning Commission 2018 Annual Report

MILL CITY PLANNING COMMISSION 2018 Annual Report

The Planning Commission and Planning staff completed or worked on the following items during 2018.

1. Land Use Fees

The Planning Commission recommended and the City Council approved Resolution No. 827 updating the land use fees effective September 1, 2018.

2. Code Amendments

The Planning Commission worked on the following code amendment proposals in 2018.

A. Public Improvement Code Amendments. No work was done on this work item in 2018.

In September 2017 the Planning Commission began a review of the public improvement requirements in the Mill City Zoning Code. Planning Consultant David Kinney recommended the City adopt the public improvement standards in DLCDD's Model Development Code for Small Cities.

Revisions are recommended to:

1. Comply with recent state and federal legal decisions.
2. Ensure required improvements are roughly proportional to the impact of a new development.
3. Provide clarity for staff, Planning Commission and City Council on when certain water, sewer, street, storm drainage and underground utility improvements are required with a new project.
4. Clarify requirements for in-fill and small lot developments.
5. Address both "turnpike style" and "curb & gutter" street improvements.
6. Provide clear standards the City staff can share with property owners/applicants.
7. Update standards for water, sewer, storm drainage and underground utilities.
8. Add requirements for financial guarantees and warranty bond requirements.
9. Provide a standard review form and process to enable the city's public works and city hall staff to set public improvement requirements prior to the issuance of a building permit.

The DRAFT is ready for a final review by the Planning Commission, a review by DLCDD staff and public hearings. The Planning Commission will include this project in its 2019 work program.

B. Nuisance Ordinance Amendments. The City Council requested the Planning Commission review the City's nuisance ordinance and recommend amendments. The PC appointed a subcommittee to review nuisance ordinances from other Oregon cities. On December 18th, the full Planning Commission submitted its recommendation to the City Council and City Attorney. The City Attorney has reviewed the proposal, suggested a few revisions and will discuss it with the City Council at the Council's January 2019 regular meeting.

3. Lucas/Baughman UGB Amendments

The City's application review and decision occurred in 2017 when the City Council adopted Ordinances 393, 394 and 395. With the completion of the City's review, the property owners filed an application with the Linn County Planning Department to obtain Linn County approval of the proposal. In September 2018, Linn County held public hearings and approved a UGB land swap to remove 18.18 acres from the

existing UGB and add 18.16 acres to the UGB for a new residential development at the east end of SE Fairview Street.

The City Council must adopt a final ordinance to annex the property. Boatwright Engineering has submitted a final annexation map and legal description for inclusion in the ordinance. The City has forwarded the draft ordinance, legal and maps to the Oregon Department of Revenue for review and approval.

4. Other Issues

- FEMA/NOAA Fisheries Willamette Basin Biological Opinion. No action on this item in 2018. The BiOp recommends changes to the Flood Insurance program to protect habitat for two endangered fish species: Upper Willamette Chinook Salmon and Upper Willamette Winter Steelhead. Both spawn in the N. Santiam River basin. Program changes to the National Flood Insurance Program are on hold until 2019 or later.
- TMDL 5-Year Report and Work Program. The Planning Commission reviewed the City's action plan for the years 2018-2022. The plan identifies steps the City will take to reduce degradation of water quality in the N. Santiam River and its tributaries from the effects of high water temperatures, BOD/TSS discharges and mercury contamination. Recommended actions include street sweeping, catch basin and storm sewer cleaning, interceptor tank pumping, and riparian area improvements.
- Safe Routes to School Grant Application. The Santiam Canyon School District staff, Volunteer Anita Leach, Planning Consultant and City Engineer worked with the Stacie Cook and the Planning Commission to develop a Safe Routes to School Plan grant application to construct new sidewalks, pedestrian crossings and safety improvements in the 10-blocks surrounding local schools. The application was submitted in October 2018. A grant award decision will be made by ODOT by April 30, 2019.

4. Land Use Applications: The Planning Commission handled ten (10) land use applications in 2018.

Open Land Use Files

- | | | | | |
|----|---------|---|---|---|
| 1. | 2014-07 | Cady | Boneyard Bakery Site Review – 721 NE Santiam Blvd
ODOT Access Permit approved and improvements installed. | In process. |
| 2. | 2016-03 | Subway | Subway Site Review – 509 NE Santiam Blvd

Store opened July 2016, but final street and sidewalk improvements along Hwy 22 were subject to ODOT review and approval The ODOT construction permit was approved but bonds/certificate of insurance were not provided to ODOT until January 4, 2019. Work will be completed by June 2019. | Approved |
| 3. | 2017-02 | Baughman/Lucas UGB Amendment, Comp Plan & Zone Change 18.16 acre site | City Council adopted Ordinances 393, 394 and 395
Linn County Board of Commission approved in Sept 2018.
Waiting for DOR approval of annexation ordinance, legal description & annex map | Approved |
| 4. | 2017-06 | Baughman – Pool/Patio | Building Permits not obtained. | Referred to City Attorney for Enforcement |

Applications Reviewed in 2018

- | | | | |
|----|---------|---|---|
| 1. | 2012-09 | Village at Santiam Pointe – Modified CC&R's | Approved and Recorded by Prop Owner |
| 2. | 2018-01 | Alley Vacation | Vacate Alley north of SE Juniper (3 rd to 4 th)
Approved by Council |
| 3. | 2018-02 | Gunderson | Minor Partition @ NE 9 th & NW Alder
Approved & Plat Recorded |

4.	2018-03	MC Volunteer Firefighters	Property Line Adjustment – Boy Scout Cabin	Approved & Survey Recorded
5.	2018-04	SKATE Site Plan Review	Skate Park @ 2 nd & SW Cedar	Approved concept plan
6.	2018-05	Heller-Tuers	Property Line Adjustment – SW Ash	Approved & Survey Recorded
7.	2018-06	Santiam School District	Site Review – Modular Classroom	Approved & Permits Issued
8.	2018-07	Carmona	Minor Partition – SE 4 th	Approved & Survey Prepared
9.	2018-08	Ward	Minor Partition – SE Kingwood Ave	Approved & Survey Prepared

Applications Reviewed in 2018 (continued)

10.	2018-09	Kelley	Comp Plan Map and Zone Change to Commercial	CC Approved 1-08-2019
11.	2018-10	IOOF-KYCX Radio	Height Variance for Antenna	Approved
12.	2018-11	Baughman	Land Use Action – N. Santiam River – 2 homes	Approved
13.	2018-12 & 13	Baughman	Minor Partition & Land Use Action NS River	Pending Jan 2019 hearing

Approved by the Mill City Planning Commission on February __, 2019.

Ann Carey, Chairperson

on behalf of Vice-Chair Frances Villwock and Planning Commissioners Dennis Chamberlin, Marge Henning, David Leach, Grant Peterson and Woody Koenig.

David W. Kinney
 Community Development Consultant
 791 E. Hollister St.
 Stayton, OR 97383-1334
 Phone: 503-769-2020 * Cell: 503-551-0899
 E-mail: dwkinney@wvi.com

INVOICE

Client: **City of Mill City**
 P.O. Box 256
 Mill City, OR 97360

Project: Planning & Administrative Services

Job #: 1025

Billing Date: January 2, 2019

Professional Services rendered to the City of Mill City for the planning and administrative services during the period from December 1 to 31, 2018.

Planning and Administrative Services:

General

13.75	hours	Administrative Support: Nuisance Ordinance Review and Updates; PC Subcommittee and Regular Meeting to review amendments. Prepare Memo to City Council; Review Budget & Expenditure Reports for Staffing Workshop with Vicki Emery.
1.25	hours	SKATE: Review SKATE design plans. Briefly discuss w/ Stacie Cook.
0.00	hours	SOB – RR Bridge Project. No activity in December 2018. Waiting for grant agreement. On hold until federal shutdown is resolved and USDOT-FHWA staff are back at work.
2.85	hours	General Planning Services: Respond to land use questions from Stacie Cook and Vicki re: various items; Site visits to check land use questions at individual properties; Prep PC packets; Attend Planning Commission meeting; various emails to City, surveyors.

17.85	hours @ 75/hr \$	1,338.75
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Planning – Land Use Applications

0.25	hours	2017-02. Baughman/Lucas Annexation. Prep and Email sample docs for annexation legal description and mapping to Scott Baughman and Boatwright Engineering.
0.35	hours	2017-03. Baughman Property Line Adjustment. Final Survey Review. Email comments to City and Boatwright Engineering. Approve final survey drawing prior to issuance of building permits.
0.35	hours	2018-07. Carmona Minor Partition. Final Plat/Survey review and approval.
0.75	hours	2018-090 Kelley CP/ZC. Prepare PC recommendation and memo to City Council. Prepare CC Notices of Public Hearing.

1.50 hours 2018-12 and 2018-13 Baughman LLA & Minor Partition. Prepare Public Hearing Notices –
Email to Stacie Cook.

3.20 hours @ 75/hr \$ 240.00

Subtotal – General Planning & Admin Personal Services \$ **1,578.75**

No Charge

1.95 hours General Planning and Administrative items

Expenses

Mileage Charges @ .55 per mile
Planning Mtgs 38 miles \$ 20.90

Subtotal of Expenses \$ **20.90**

Total Due: \$ 1,599.65

Remit to:

David W. Kinney
Community Development Consultant
791 E. Hollister St.
Stayton, Oregon 97383

David W. Kinney
Community Development Consultant
 791 E. Hollister Street, Stayton, OR 97383
 Office: 503.769.2020 * Cell: 503.551.0899 * Fax: 503.769.4111
dwkinney@wvi.com

Client: City of Mill City

Month: December 2018

Land Use Applications																			
Date	Start Time	End Time	Total	Admin	SKATE	SCA Grants	TIGER-- SOB RR Bridge	Planning General	2017-02 Lucas-Bghmn Annex	2017-03 PLA Final Survey	2018-07 Carmona MP	2018-09 Kelley Trio Tavn CP/ZC	2018-10 IOOF Variance Antennae	2018-12 & 2018-013 Baughman MP & LUA Fairview	No Charge	Total	Work Activities	Miles	
12/5/2018	10:30	10:50	0.35							0.35						0.35	Email from Jeanne Boatwright re: 30' sewer easement on south edge of PLA site on SE Fairview Street. Email response: no city utilities within the area; vacating easement is appropriate course of action.		
12/5/2018	1:15	1:30	0.25	0.25												0.25	Nuisance Ordinance Review		
12/5/2018	1:38	1:45	0.10					0.10								0.10	Call w/ Robert Earl, ODOT, re: Subway permit and extension. Discussed city enforcement if they do not provide insurance cert and bond to ODOT; City can include in NE 5th Ave project and assess to property owner.		
12/6/2018	10:00	10:30	0.50					0.25							0.25	0.50	Email to Robert Earl & Stacie Cook re: Subway permit and enforcement actions; save copies of ODOT emails 2017 & 2018.		
12/6/2018	10:30	12:45	2.00	2.00												2.00	Nuisance Ord Review. Email DRAFT #3 to PC subcommittee & Stacie.		
12/7/2018	11:45	3:30	3.50	3.00											0.50	3.50	Nuisance Ord Review. Administrative procedures section; update numbering system; PC DRAFT for discussion.		
12/10/2108	9:45	10:00	0.25					0.25								0.25	Revise PC minutes; email to Ann Carey.		
12/10/2018	10:30	11:15	0.75									0.75				0.75	2018-09 Kelley ZC/CP. Prepare City Council notices of public hearing and final PC recommendation to City Council; Email both to Stacie.		
12/10/2018	2:00	2:05	0.10												0.10	0.10	Email PC minutes to Stacie w/ revisions		
12/11/2018	11:15	11:30	0.25						0.25							0.25	Email w/ sample annexation legal and ordinance; Sample DOR approval ltr		
12/12/2018	8:45	10:30	1.75			1,75										-	SCA Grants: Conference call w/ Russ, Stacie & John Ashley; SW Cedar site visit with Russ Foltz;		
12/12/2018	11:00	1:00	2.00	2.00												2.00	Nuisance Code Review: Denny, Marge, Grant and Stacie subcommitte review.		
12/13/2018	10:00	12:30	2.50	2.00				0.50								2.50	Nuisance Code Revisions: Prepare PC Packet and Email to PC members and Stacie.		
12/13/2018	12:30	1:00	0.50	0.50												0.50	Review the PW Shops proposals		
12/18/2018	10:30	12:00	1.50											1.50		1.50	Prepare PH Notices - Baughman LUA /Minor Part; Email to Stacie		
12/18/2018	12:00	1:15	1.25		1.25											1.25	Review Dreamland 90% CD set for discussion w/ PC members.		
12/18/2018	4:15	6:30	2.25					1.25							1.00	2.25	City Hall (Miscellaneous Planning items); Prep for PC meeting;		
12/18/2018	6:30	8:30	2.00	1.50				0.50								2.00	PC Meeting - Nuisance Ordinance	38	
12/19/2018	12:00	12:20	0.35								0.35					0.35	18-07 Carmona Minor Partition - Review final plat		
12/19/2018	12:25	1:55	1.50	1.50												1.50	Nuisance Ord Amendments - Memo to City Council; Email to Stacie.		
12/28/2018	10:25	11:25	1.00	1.00												1.00	Budget Review - Review 6-month actual revs & expenses. Emails w/ Vicki Emery to clarify beginning fund balances.		
			24.65	13.75	1.25	-	-	2.85	0.25	0.35	0.35	0.75	-	1.50	1.85	22.90		38	

	Rate	Total
Hours	21.05	75.00
Mileage	38.00	0.55
		1,599.65

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Client: City of Mill City

Month: December 2018

									Land Use Applications										
Date	Start Time	End Time	Total	Admin	SKATE	SCA Grants	TIGER--SOB RR Bridge	Planning General	2017-02 Lucas-Bghmn Annex	2017-03 PLA Final Survey	2018-07 Carmona MP	2018-09 Kelley Trio Tavr CP/ZC	2018-10 IOOF Variance Antennae	2018-12 & 2018-013 Baughman MP & LUA Fairview	No Charge	Total	Work Activities	Miles	

	Admin	SKATE	SCA Grants	TIGER--SOB RR Bridge	Planning General	2017-02 Lucas-Bghmn Annex	2017-03 PLA Final Survey	2018-07 Carmona MP	2018-09 Kelley Trio Tavr CP/ZC	2018-10 IOOF Variance Antennae	2018-12 & 2018-013 Baughman MP & LUA Fairview	No Charge	Total
Hours	1,031.25	93.75	-	-	213.75	18.75	26.25	26.25	56.25	-	112.50		1,578.75
Expenses	-			-	20.90			-	-	-	-		20.90
Total	1,031.25	93.75	-	-	234.65	18.75	26.25	26.25	56.25	-	112.50		1,599.65