



City of Mill City

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MILL CITY PLANNING COMMISSION AGENDA

Special Meeting

Friday, October 19, 2018 9:30 a.m.

City Hall – 444 S. First Avenue

MILL CITY, OREGON 97360

Prior to the meeting, the Planning Commission will conduct a site visit at 9:00 a.m. at 512 SE Kingwood Avenue to review the proposed Ward minor partition.

1. **Call to Order and Flag Salute – 9:00 a.m.** Chair Ann Carey

2. **Approval of Minutes:** September 21, 2018 – Special Meeting

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:**

Proposal: Minor Partition – Partition 4.68-acre site into three parcels.
Location: 512 SE Kingwood Avenue
Prop Owner: Robert & Vicki Ward

5. **Presentations:** None scheduled

6. **Old Business**

- a. File 2017-02 Lucas-Baughman UGB Amendments

- i. Approved by Linn County Board of Commissioners on October 9, 2018
- ii. Notice of Decision to DLCD to be filed by Linn County Planning
- iii. Appeal Period (21 days from effective date listed on Notice of Decision)
- iv. Annexation review & decision (after appeal period ends).

6. Old Business (continued)

- b. Nuisance Ordinance Amendments – DRAFT #2
- c. Landlord/Tenant Code Amendments & Enforcement Discussion
- d. TIGER Grant Agreement Status
- e. Other

7. New Business

- a. Safe Routes to School Grant Proposal
 - i. Safe Routes to School Action Plan
 - ii. Grant Application Submitted to ODOT
- b. Other

8. Informational Items

- a. City Recorder Report
- b. Planning Consultant Time Report
- c. Current Applications:
 - i. Trio Tavern – Comp Plan/Zone Change from Residential to Commercial
- d. Prospective Application:
 - i. Development – NW Beech Street
 - ii. Subdivision – SE 6th Avenue (Freeman property near City wells)
- e. Future Workshop Agenda items
 - i. Tiny House Design Standards
 - ii. Architectural Standards Code Amendments – for Garages/Houses
 - iii. Other

9. Other Business

10. Adjournment

Upcoming Planning Commission Meetings (All meetings at City Hall)

Tuesday, November 20, 2018	6:30 PM	Regular Meeting
Tuesday, December 18, 2018	6:30 PM	Regular Meeting

Public Hearing Format for Land Use Hearings Before the Mill City Planning Commission

- | | | |
|----|---|----------------------------------|
| A. | Opening of the Public Hearing & Rules of Conduct | Chairperson |
| B. | Declarations of Ex Parte Contact, Conflicts of Interest or Bias | |
| C. | Applicant's Presentation of the Application | |
| D. | Staff Report | Planning Consultant for the City |
| E. | Proponent's Testimony (Persons in Favor) | |
| F. | Opponent's Testimony (Persons Opposed) | |
| G. | General Testimony of Individuals or Organizations | |
| H. | Questions of Clarification from the Planning Commission and Staff | |
| I. | Applicant's Summary and Rebuttal | |
| J. | Staff Summary | |
| K. | Close of Public Hearing | |

Planning Commission Deliberation & Decision

No public testimony is permitted during the Planning Commission's deliberation. The Planning Commission will normally make a recommendation or a decision on an issue following a public hearing but may continue their deliberation to either a special meeting or the next regular meeting of the Planning Commission.

Guidelines for Public Testimony:

The Chair of the Planning Commission, as presiding officer, will recognize all speakers. If you wish to testify during the public hearing, please assist the Chairperson by abiding by the following rules:

1. State your name and address.
2. Indicate whether you support the application, oppose the application or wish to offer general testimony. Provide factual evidence and direct your testimony to the decision criteria.
3. Please keep your testimony brief and to the point. Limit comments to 3-5 minutes per person.
4. Direct any questions you have to the Chairperson. The Chairperson will direct your question to the applicant, city staff or other person who may be able to provide an answer.
5. The Chairperson may limit testimony when it is cumulative, repetitive, irrelevant or immaterial to the issues being considered.

MILL CITY PLANNING COMMISSION
Meeting of September 21, 2018

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

Staff in attendance: Planning Advisor David Kinney. City Recorder Stacie Cook was out of the office.

City Council Representatives: None.

Agency Representatives: None.

The meeting was called to order at 9:05 a.m. Chair Ann Carey led the pledge of allegiance.

APPROVAL OF MINUTES: Marge Henning identified one minor corrections to the August 21st minutes on page4. Mr. Kinney made the corrections. ***Dennis Chamberlin moved, seconded by David Leach to approve the minutes of August 21, 2018, as modified. The motion carried unanimously (5:0).***

PUBLIC COMMENT: None.

PUBLIC HEARINGS: None.

PRESENTATIONS: None.

D BUSINESS:

File 2017-02 – Lucas/Baughman UGB Amendments & Annexation: Mr. Kinney reported that the Linn County Planning Commission held a public hearing on September 11, 2018. At the conclusion of the hearing, the Linn County Planning Commissioners unanimously recommended the Board of County Commissioners approve the UGB amendments as proposed. Mr. Kinney attended the public hearing, reported the applicant provided testimony and there was no other testimony.

The Board of County Commissioners will hold a public hearing on Tuesday, September 25th at 10:00 a.m. at the Linn County Courthouse. If the Board approves the proposal, they will adopt an ordinance and issue a Notice of Decision. Once the appeal period ends, they will inform the City that the UGB amendments have been approved. At that point, the Mill City Planning Commission and City Council will consider the annexation proposal that was part of the original application.

Nuisance Ordinance Amendments:

At the request of the City Council, the Planning Commission reviewed proposed amendments to Mill City Municipal Code, Chapter 8.04 “Nuisances”. On September 14th, Chair Ann Carey and Vice-chair Marg Henning met with City Recorder Stacie Cook and City Clerk Kimberly

Johnson to discuss the city's code enforcement process, identify the most common nuisance issues and discuss the administrative enforcement procedures in the code. The subcommittee reviewed nuisance ordinances from Mill City, Halsey and Harrisburg as well as the City of Corvallis Livability Code. Chair Ann Carey pointed out that the three small cities all contract with the Linn County Sheriff's Office for law enforcement services. In April 2018, Halsey adopted amendments to their nuisance code and worked with Sgt. Klein on several nuisance enforcement cases. Mr. Kinney used information from the September 14th meeting and the sample codes to prepare prospective amendments to Chapter 8.04.

The Planning Commission reviewed proposed changes and recommended the following modifications to Mill City's code:

8.04.010 Definitions. Add/modify definitions for "Inoperable Vehicle", "Discarded Vehicle", "Garbage", "Debris", and "Junk".

8.04.040 Nuisances affecting public health. Accumulation of "solid waste". Add the word *"garbage"*.

1. Add language to ban burning when a burn ban is declared by a state or federal agency. Check to see if the local fire department can impose a local burn ban with the fire district and if this ban applies within the City limits.
2. Check the city's ordinances to see if open burning of garbage is prohibited. Add a reference in the nuisance code to the "burning ordinance".

8.04.050 Creating a Hazard. Modify language in this section and others to change "person otherwise having possession of the property" to *"or person in charge of the property."*

8.04.060 Attractive Nuisances. Add unprotected excavations to the list of attractive nuisances. Add new subsection B. *"No owner or person in charge of property shall fail to secure an unoccupied building in such a manner as to make it inaccessible to transients or children."* This section is in addition to the City's dangerous/derelict building enforcement process and provides an opportunity for staff to use a simplified nuisance process to get a building boarded up.

8.04.070 Defective sidewalks – snow and ice removal. This section now requires removal of snow & ice from sidewalks within 2 hours of daylight. Change allows up to 24 hours for snow removal.

8.04.080 Noxious Weeds. Leave dates "May 15th to September 30th". Leave existing language in most sections. Compare section on noxious vegetation (blackberries, etc.) to simplify or clarify language for the staff. Look at language where noxious vegetation grows across property lines, damaged fences or grows over a sidewalk/street. See Halsey, Ord. 2018-04, Section 15. Modify language and bring back to the Planning Commission at the next meeting.

Make sure language allows for an exemption for "hay fields" or "agricultural crops".

8.04.100 Trees. Add the following as "hazardous vegetation"

1. *Vegetation which impairs the traveling public's view of the street or public thoroughfare or traffic signs located thereon.*
2. *A dead or decaying tree which is a hazard to the public use of the public thoroughfare or to persons or property near the tree.*
3. *Any vegetation which is near combustibles or creates a fire hazard.*

No person or person in charge of property shall permit hazardous vegetation to exist at any time upon the property or in the public right-of-way abutting the property which includes but is not limited to the adjoining landscape or parking strip.

8.04.090 Scattering Rubbish.

8.04.140 Junk. Add new Section on "Trash Removal" from Harrisburg, Section 8.05.070. Add language to prohibit the storage of trash in trailers on the public right-of-way for a period longer than ____ days.

New Storage of Property on the Public Right-of-way. Add a new section.

No person shall store or permit to be stored any personal property of any kind on any public right-of-way, street, alley, parking strip, landscape strip, ditch, sidewalk or curb, except for legally parked motor vehicles as permitted by Mill City Municipal Code, Chapter XX "Traffic". Failure to move personal property for a period of 72 hours shall constitute prima facie evidence of storage of personal property.

8.04.145 Inoperable Motor Vehicles. The Commission had a lengthy discussion on the storage of inoperable vehicles on private property and the desire that the City's staff use discretion when a property owner is working on a "project car" or "restoring vehicles". The Commission discussed whether the City should permit the storage of 1, 2 or 3 inoperable vehicles on a property or retain the current no tolerance standard.

8.04.155 Noise. The Commission discussed noise violations and past noise problems in Mill City. Mr. Kinney requested the Commission members review Stayton's noise ordinance and recommend changes at the next meeting.

8.04.160 to 8.04.220 **Enforcement and Violations.** The Planning Commission recommended a series of changes to these sections to simplify the city's enforcement process.

New Complaint Based Response. Add language.

1. *Administrative and enforcement responses under this chapter will be initiated on the basis of a complaint.*
2. *Complaints may be filed by members of the public, by representatives of the city organization and by representatives of external agencies in a manner that shall be consistent with administrative operating guidelines.*

Planning Commission members discussed whether or not the City will require a complainant to give their name and contact information. If a complaint is made anonymously, the city staff would need to independently verify it exists before proceeding with an enforcement action.

3. *Notwithstanding the provisions of this section, the City Recorder may choose to initiate administrative or enforcement activities when conditions are known or suspected to be present on a property, premises or a structure that would constitute a nuisance under this Chapter.*

New **Investigation and Determination.** Add language to clarify staff responsibilities for investigation and enforcement. The revise language grants authority to the City Recorder to issue a citation to appear in Muni Court (without having the City Attorney prepare a separate complaint). Review this process with the City Attorney before making a final recommendation to the City Council.

Investigation and Determination. The existence of an enumerated nuisance shall be determined by the City Administrator. Upon determination that a condition or action exists which violates this ordinance, the City Administrator may cite the person responsible into municipal court for the offense, may initiate proceedings to abate the nuisance or both. The City Administrator may also determine that even though a violation exists, the City lacks the resources to enforce this ordinance and will leave enforcement to a civil action by persons affected.

New ***Voluntary Compliance***

(1) Upon determination that a nuisance exists as defined in this ordinance, the City Recorder or designee has the option to solicit voluntary compliance by sending a letter to, or by a telephone call followed by a letter documenting the conversation with, the person responsible for abating the nuisance; and establishing a deadline for compliance with provisions of the ordinance. If the City Recorder confirms the person responsible has not voluntarily complied within the time period, or if the violation is a recurrent violation, the City Recorder may initiate formal abatement proceedings by causing a notice to be posted and mailed as described in Section 8.04.160.

(2) In the event the person responsible has made significant improvement to the property, and requests additional time, or where there is an extreme hardship as determined by the City Administrator, the City Administrator may extend the deadline.

8.04.160 **Notice.** Modify language to delegate responsibility to the City Recorder (or designee, including LCSO deputies) to determine a nuisance exists.

8.04.170 **Abatement by Person Responsible.** Break into two sections to make it clear that a property owner may file an appeal of the City Recorder's determination that a nuisance exists.

8.04.190 **Abatement by the City.** Modify minimum charges for city abatement of a nuisance. Set a minimum charge of \$100 or actual costs + 10%.

New **Appeal of Abatement Costs.** Add a new section which will allow a property owner to appeal the charges to the City Council.

8.04.210 **Summary Abatement.** Modify summary abatement language. Use Halsey's 2018 update as a guide. Review with the City Attorney.

8.04.220 **Violation.** Recommend the City use an infraction process. Work with the Municipal Judge and City Attorney to set fine levels for 1st, 2nd and 3rd offenses. Delete jail time as a penalty.

Other issues: Mr. Kinney will check the City's parking code to see if it addresses:

1. Parking too close to or blocking travel lanes.
2. Parking any vehicle outside a driveway in a front yard area.

NEW BUSINESS:

Safe Routes to School Plan and Grant Application:

The Santiam Canyon School District has plans to upgrade the Santiam Middle/High School facilities. Copies of conceptual plans for a new Santiam High School classroom building, industrial education buildings, 2nd gymnasium and parking were provided to the Commission. District officials have informed the City they will likely seek voter approval of a bond measure in 2019. As part of the school district's plans, they have proposed to work with the City to seek grants for public improvements near the schools.

Mr. Kinney presented a Safe Routes to School (SRTS) conceptual plan for improvements adjacent to the Mill City Elementary School and the Santiam Middle/High School campuses. The SRTS plan shows a variety of improvements to create safe accessible routes for students walking, biking or taking the bus to the Santiam Canyon schools.

The proposed improvements include:

- ADA compliant sidewalks and crosswalks on 2nd, 4th, SW Cedar and SE Evergreen Streets.
- Connections to the recreational trail north of SW Broadway Street.
- Flashing lights at the 4th & SW Broadway and 1st and SW Evergreen intersections.
- Bus drop-off points.
- Replacement of sidewalks and crosswalks that are not ADA compliant.
- Reconfiguring of curbs, sidewalks and crosswalks on all sides of the Santiam Middle/High School campus.
- Creation of complete walking route for students from Marion County.
- Connection of safe walking routes for students from the SE quadrant of the City.

Mr. Kinney explained the City staff and school district staff will be submitting a Safe Routes to School infrastructure grant application in October to build many of the listed improvements, as shown on the conceptual plan. Costs for the project will range from \$1.5 to \$2.0 million.

The Planning Commission discussed the conceptual plans and welcomed the improvements.

Dennis Chamberlin moved, seconded by David Leach to endorse the Safe Routes to School Plan and recommended the City submit an SRTS grant application to the Oregon Department of Transportation. The motion carried unanimously (5:0).

INFORMATIONAL ITEMS:

City Recorder Report: City Recorder Stacie Cook provided a written report to the Planning Commission.

Planning Consultant Time Report: Mr. Kinney provided a copy of his August timesheet and bill.

Current Applications:

File 2018-08 Minor Partition. 512 SE. Kingwood Ave. Applicants: Robert and Vicki Ward.

Prospective Applications:

1. Minor Partition – NW 8th Street and NW Beech Street.
2. Subdivision – SE 6th Avenue (Freeman property next to the City wells).

BUSINESS FROM THE PLANNING COMMISSION: None.

OTHER BUSINESS:

The next meeting of the Planning Commission will be Friday, October 19, 2018 to discuss the Nuisance Code amendments, dangerous/derelict ordinance amendments including landlord/tenant issues and a public hearing on File 2018-08 – Minor Partition.

There will not be a meeting on Tuesday, October 16, 2018.

The meeting was adjourned at 11:32 a.m.

Prepared by:

David W. Kinney, Planning Consultant

Minutes approved by the Planning Commission on the _____ day of _____ 2018.

SCRIPT TO BE READ AT COMMENCEMENT OF A QUASI-JUDICIAL LAND USE PUBLIC HEARING

Good evening, [Introduce yourself and Commission members].

I will be presiding over this hearing.

This is a public hearing to consider Land Use File #2018-08, minor partition at 512 SE Kingwood Avenue in Mill City. The City has received a land use application from the Robert and Vicki Ward requesting the City approve a minor partition for their property at 512 SE Kingwood Avenue. The proposal will legally divide the 4.78-acre parcel into three lots.

A copy of the agenda and hearing procedures for this meeting is near the entry door. This hearing is now open.

Oregon land use law requires a statement be made available to those in attendance. The detailed Statement, with the information required under ORS 197.763(5), is printed and available.

The Planning Commission will consider the application, written and oral testimony and the criteria listed in the Mill City Zoning and Subdivision Codes when making a decision. All testimony, arguments and evidence received during this public hearing must be directed to the approval criteria, or to such other rule, law, regulation or policy which you believe to apply to this case.

If anyone has any questions or objections regarding the Statement or these proceedings, please raise those questions when it comes to your turn to speak during the hearing.

If you testify, please state your name, address, if you support the proposal, are opposed to the proposal or have questions. Please limit your testimony to 3-5 minutes.

Objections

At this time, I would ask the audience if there are any objections:

- (1) Are there any objections to the notice that was sent in this case?
- (2) Are there any objections to the jurisdiction of the Planning Commission to hear and consider this case?

[If there are none, announce "there are objections".]

Declarations of Conflict of Interest, Bias and Ex Parte Contact

I will now ask the Planning Commission members if they are ready to consider the proposal:

- (1) Are there any declarations of conflict of interest; ex parte contact or bias by any members of this body?

[If there are, have the Planning Commission member(s) state what the conflict, bias or ex parte contact is]

We are now ready for the applicant to present the proposal.

Follow the Hearing Agenda Format for the order of the staff report and public testimony.

CLOSING STATEMENT

At the close of the public hearing, please read:

The Planning Commission's decision may be appealed to the City Council within 10 days of the mailing of the notice of decision by the

City. The decision will be forwarded to the City Council for consideration at their next regularly scheduled meeting. The Council may either ratify the decision or call the matter up for a public hearing.

ORS 197.763(5) STATEMENT INFORMATION REGARDING PROCEDURES FOR LAND USE HEARING

Minor Partition

The City has received a land use application from the Robert and Vicki Ward requesting the City approve a minor partition for their property at 512 SE Kingwood Avenue. The proposal will legally divide the 4.78-acre parcel into three lots.

The property currently has a residence at 512 SE Kingwood Avenue, a 3,200 square foot shop in the SW corner of the site and a well in the center of the property. The applicant proposes to create a new building lot on the NE corner of the site fronting on SE Kingwood Avenue, a new lot containing the existing home at 512 SE Kingwood Avenue and a large tract will be reserved for future development.

- Parcel 1: 10,625 +/- square foot lot vacant lot (proposed building lot) facing SE Kingwood Ave.
- Parcel 2: 11,500 +/- square foot lot including the existing house at 512 SE Kingwood Ave.
- Parcel 3: 4.17+/- acre vacant tract for future redevelopment.

Map 1
Minor Partition Proposal
Aerial Photo – 512 SE Kingwood Avenue, Mill City



The property is located in the R-2 Multi-family Residential zone. The R-2 zone allows residential uses when the lots comply with the City's lot size and setback requirements in Chapter 17.16.

All testimony, arguments and evidence received during this public hearing must be directed toward these approval criteria, or to such other rule, law, regulation or policy which you believe to apply to this case. An issue which may be the basis for an appeal shall be raised not later than the close of the record at or following the final evidentiary hearing on this case. Such issues shall be raised with sufficient specificity so as to afford this body, and the parties to this hearing an adequate opportunity to respond to each issue.

At the conclusion of the public hearing, the Planning Commission will make a decision to either approve or deny the application. An aggrieved party may appeal the Planning Commission decision by filing an appeal with the City Recorder within ten (10) days of the date the City issues a written notice of decision.

Notice of the planning commission decision to approve or deny an application for a minor partition will be sent to the city council. Within twenty-one (21) days of the date of the planning commission decision, the city council will review the decision and determine the need for further public hearings. If the city council determines that no further hearings are necessary, or if the planning commission decision is not appealed, the decision of the planning commission will become effective immediately.

If the City Council either calls up the issue or hears an appeal in this case, the City Council's final action may be appealed within 21 days of mailing of notice of the decision to the Oregon Land Use Board of Appeals.

The Presiding Officer over the public hearing reserves the right to limit the time of any presentation. Please try to avoid repetition; if someone else has already expressed the same thoughts, it is perfectly alright to state that you agree with the statements of that previous speaker.

If you have documents, maps or letters that you wish to have considered by this body, they must formally be placed in the record of this proceeding. To do that, either before or after you speak, please leave the material with Planning Staff who will make sure your evidence is properly taken care of.

Prior to the conclusion of the initial evidentiary hearing in this case, any participant may request an opportunity to present additional evidence, arguments or testimony regarding the application involved here. Continuances may take the form of holding an additional public hearing with oral testimony allowed or may consist of holding the evidentiary record open for a period of time designated by the City, for submittal from the public of written evidence.

If you have any questions regarding any of the information contained in this Statement, please voice those questions, or objections at the time you testify. If you do not wish to testify, your questions or objections may be submitted in writing and will be dealt with during the course of the hearing. Any written material must be presented prior to the closure of the record in this case.



City of Mill City, Oregon

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Staff Report for Ward Minor Partition

To: Mill City Planning Commission
From: David W. Kinney, Planning Consultant
Date: September 20, 2018
Applicants: Applicants & Property Owners: Robert and Vicki Ward
Location of Request: 512 SE Kingwood Avenue, Mill City, Oregon
Assessor's Map #: T9S, R3E, Section 32BD, 00400
File No. 2018-08
Subject: Minor Partition Proposal 512 SE Kingwood Avenue

I. Enclosures.

- A. Application
- B. Minor Partition Map Submittal for 512 SE Kingwood Avenue, Mill City dated September 2018.
- C. Mill City Water System Map – Sheet 10
- D. Mill City Sewer System Map – Sheet 22
- E. Minor Partition Map showing recommended conditions of approval.

II. Proposal

The City has received a land use application from the Robert and Vicki Ward requesting the City approve a minor partition for their property at 512 SE Kingwood Avenue. The proposal will legally divide the 4.78-acre parcel into three lots.

The property currently has a residence at 512 SE Kingwood Avenue, a 3,200 square foot shop in the SW corner of the site and a well in the center of the property. The applicant proposes to create a new building lot on the NE corner of the site fronting on SE Kingwood Avenue, a new lot containing the existing home at 512 SE Kingwood Avenue and a large tract will be reserved for future development.

Parcel 1: 10,625 +/- square foot lot vacant lot (proposed building lot) facing SE Kingwood Ave.

Parcel 2: 11,500 +/- square foot lot including the existing house at 512 SE Kingwood Ave.

Parcel 3: 4.17 +/- acre vacant tract for future redevelopment.

Map 1 and Map 2 show the location of the property and the proposed partition.

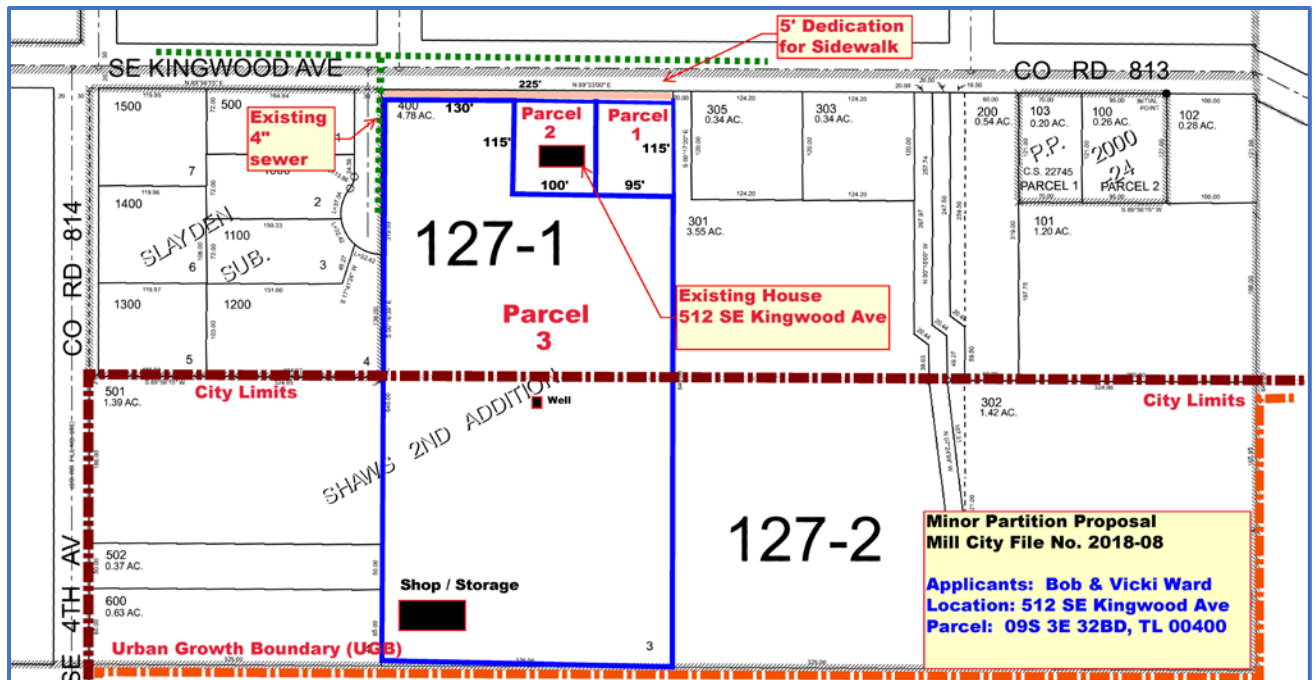
Map 1

Minor Partition Proposal
Aerial Photo – 512 SE Kingwood Avenue, Mill City



Map 2

Minor Partition Proposal



III. Background Information

A. Utilities

The applicant did not submit any engineering plans. The existing house at 512 SE Kingwood Avenue is currently served by city water and sewer utilities. Storm drainage is provided in a roadside ditch along SE Kingwood Avenue. Map 3 provide a schematic plan with the approximate location of existing water & sewer utilities adjacent to the site. As-built drawings of the City's water and sewer utilities are attached as Exhibit "C" and Exhibit "D".

1. Water: The existing house is served by city water. The new lots can be served by existing city water mains adjacent to the site. No water main improvements are required at this time.

SE 5th Avenue: 6" AC water main on the west side of the cul-de-sac.

SE Kingwood: 8" ductile iron water main on south edge of the street.

A new water service will be required for Parcel 1.

A water main extension will be required for a future subdivision on Parcel 3.

2. Sewer: The existing house is connected to the city sewer, but there is no recorded easement. New lots can be served by existing sewer mains. No sewer main improvements are required at this time.

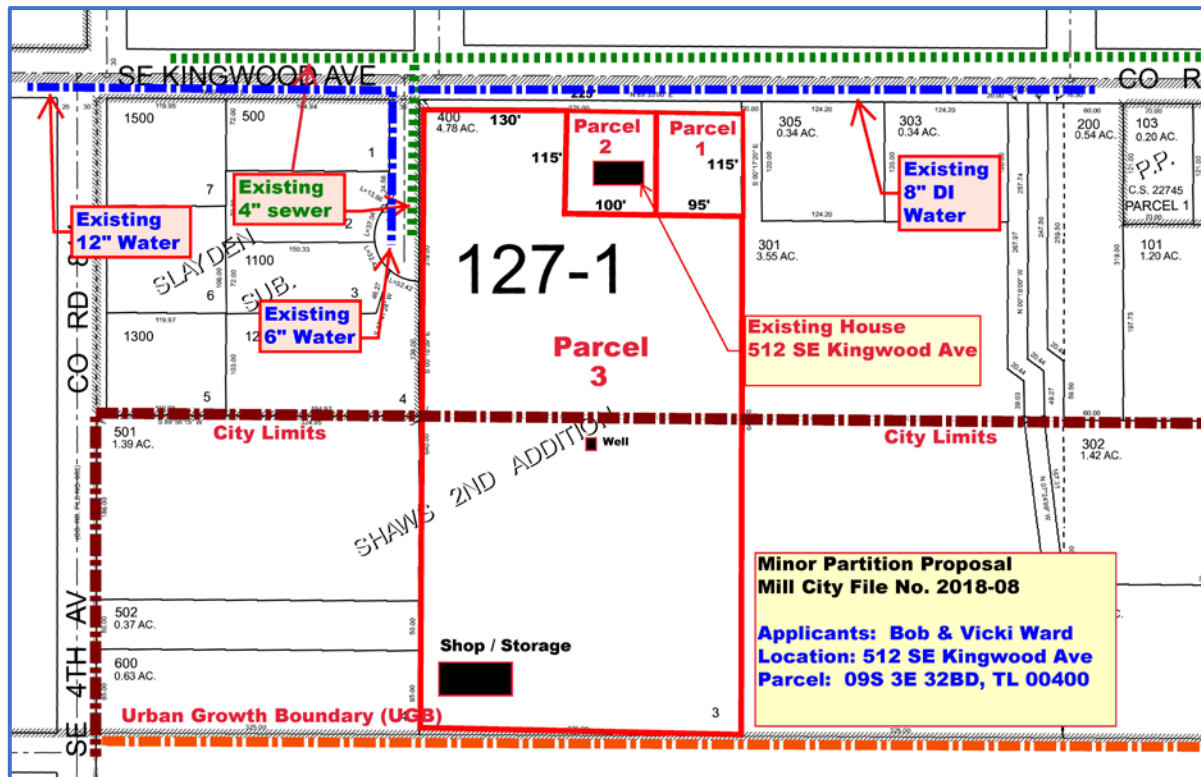
SE 5th Avenue: 4" sewer main & cleanout on west side of the street.

SE Kingwood: 4" sewer main on the north side of the street.

A new sewer service will be required for Parcel 1.

Sewer main extensions will be required for future subdivision on Parcel 3.

Map 3
Existing Utilities



3. Storm Drainage: The property drains north to the drainage ditch on the north edge of the site along SE Kingwood Avenue. The ditch flows west into a storm sewer at the SE 5th cul-de-sac.

SE Kingwood Avenue: A storm sewer extension will be required along SE Kingwood Avenue in front of the property.

Future Subdivision: A drainage analysis and new storm sewers will be required to serve a new subdivision on Parcel 3. The size of the required storm sewers cannot be determined without a storm drainage analysis completed by a civil engineer.

4. Private Utilities: The property is currently served by Frontier, Pacific Power and WAVE Broadband.

B. Streets

1. SE Kingwood Avenue: SE Kingwood Avenue is a turnpike style street with a 50' +/- wide right-of-way and a 28'-wide AC pavement width. There are no curbs, gutters or sidewalks in front of the applicant's property; however, curbs end at the SE 5th Avenue cul-de-sac. Therefore, the curb alignment has been established for the extension of the curbs to the east.

SE Kingwood is a Linn County road designated as a major collector. The City and County plans show future urban improvements within the existing 60' ROW including curb, gutters, sidewalks and a 36' pavement width. The City has asked the Linn County Roads Department to notify the City of any improvements which will be required at this time.

2. SE 5th Avenue: SE 5th Avenue is a half-street. AC pavement, curbs and sidewalks were constructed at the time the Slayden subdivision on the west side of the street was constructed. The City will require the preservation of a 30' right-of-way for the future construction of the east side of SE 5th Avenue. The completion of SE 5th Avenue is necessary for the future redevelopment of Parcel 3.

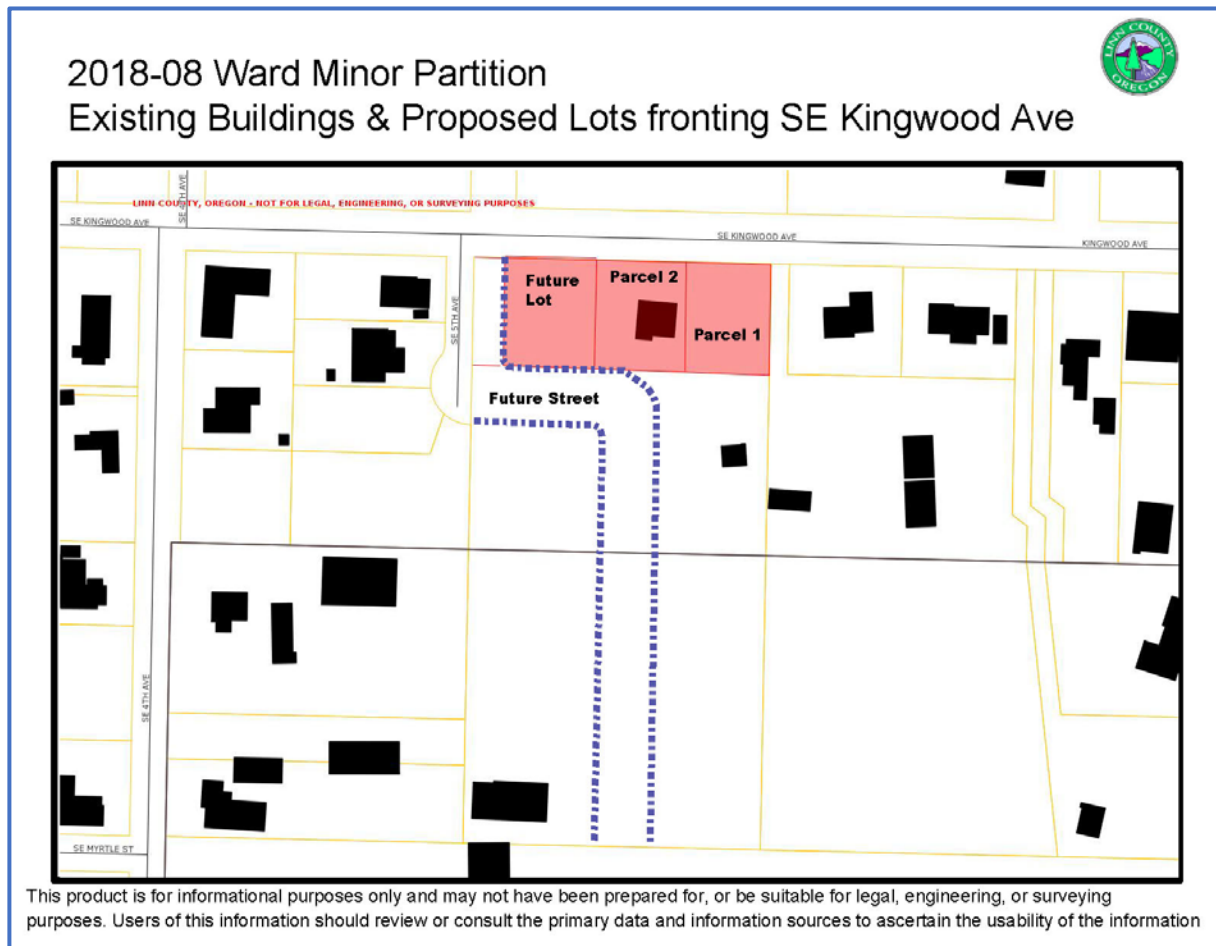
C. Existing Development in the Vicinity

Surrounding properties south of SE Kingwood Avenue are zoned for residential development. Most lots within the surrounding neighborhood are developed as single-family residential home sites. Map 4 shows homes and buildings in the vicinity.

1. North: City well site and proposed public works shop facility. There is no access to this site from SE Kingwood Avenue.
2. East (south of SE Kingwood Avenue): Single family residences. Lots fronting on SE Kingwood Avenue are ¼-acre in size. There are several large home sites (flag lots) that access SW Kingwood Avenue via long driveways. The site immediately east of the Ward property is inside the UGB and may be developed as a subdivision in the future.
3. South (outside UGB): Old Walker ranch – hazelnut farm. This 101-acre parcel is outside the Mill City UGB and zoned Exclusive Farm Use.
4. West (SE 5th Avenue & Al Ward home and shops): Single-family residential neighborhood from the applicant's property west to SE 5th Avenue.

- There are two vacant residential lots at the south end of the SE 5th Avenue cul-de-sac. They are 10,000 sf and 20,000 sf.
- Al Ward has his home and logging shop/storage buildings at 1118 SE 4th Avenue.

Map 4
SE Kingwood Avenue Area
Homes and Buildings in the Vicinity



D. Agency Comments: Agency referral notices have been sent to the Public Works Supervisor, Linn County Roads Department, Mill City Fire District, County Surveyor and utilities. As of Friday, October 12, 2018 the City had received the following comments:

Mill City Fire District: The fire district responded on October 1, 2018 and stated *“We have no issues with this land use action.”*

Linn County Roads Department: The City is anticipating written comments prior to the public hearing.

Private Utilities: No comments received.

County Surveyor: The City did not receive a written response from the County Surveyor. The County has the following survey requirements for any approved partition:

- ☐ 1. *No survey required on parcels created over ten acres.*
- ☒ 2. *Parcels ten acres and less must be surveyed.*
- ☒ 3. *Per ORS 92.050, plat must be submitted for County Surveyor & City review.*
- ☒ 4. *Checking fee and recording fees required.*
- ☒ 5. *A current or updated title report must be submitted at the time of review. Title reports shall be no less than 15 days old at the time of approval of the plat by the Surveyor's Office.*

Mill City Public Works: Russ Foltz, Public Works Supervisor recommends several conditions of approval that will apply at the time of the development of the property.

- 1. *New water service for Parcel 1.*
- 2. *New sewer service and interceptor tank for Parcel 1. Locations to be verified on site.*
- 3. *Driveway approaches must comply with City of Mill City standards and Linn County Road standards.*
- 4. *Public Works Construction Permit from Linn County Roads for all work in the public right-of-way.*

Any other agency comments received prior to or at the public hearing will be included in the record.

- F. Neighbor Comments:** The City sent notices to property owners in the vicinity. No written comments were received prior to the preparation of the staff report. Any comments received prior or at the public hearing will be included in the record.

IV. Zoning & Subdivision Code Criteria

A. Proposed Minor Partition -- 3 Lots:

The applicant proposes to divide the property into three lots. The property is 1.39-acres in size and is in the Multi-family Residential (R-2) zone.

- B. Zoning & Comp Plan Designations:** The subject property has the following plan designations and zoning:

Parcel	Address	Proposed Size	Comp Plan Designation	Zoning
1	500 block SE Kingwood	10,625 sf	Residential	R-2 Residential
2	512 SE Kingwood (existing house)	11,500 sf	Residential	R-2 Residential
3	SE 5th Ave (future subdivision)	4.17 acres	Residential	R-2 Residential

C. Criteria for Review of Minor Partitions.

Chapter 16.32 of the Mill City Code provides the application requirements and the criteria for review of minor partitions.

16.32.040 Minor Partitioning Procedure

A. Application Requirements. Any division of land that is within the definition of a minor partition shall be submitted to the planning commission for review and approval. There shall be submitted to the city administrator an application for approval of a tentative plat for a minor partition. The application shall include the following:

1. The map of the land area from which the parcels are to be partitioned. This shall include the date, north arrow, and scale of drawing and sufficient description to define the location, boundaries and dimensions of the tract to be partitioned;
2. Name and address of the owner or owners of record, and of the person who prepared the partition;
3. The parcel layout, showing dimensions and size of parcels;
4. The street and lot pattern in the immediate vicinity;
5. Location of existing buildings to remain in place, drainage ways, and other features of the land which are important to its development.

E. Approval Criteria for a Partition

In reviewing the application for a minor partition, the planning commission shall base the decision on findings related to the following criteria:

1. The minor partition is consistent with the standards of this title and Title 17 of this code;
2. The applicable design standards of Chapter 16.40 are met or can reasonably be met through the imposition of conditions of approval;
3. All necessary public utilities can be provided to the parcels to be created;
4. Full and orderly development to the surrounding area can be maintained.

D. Review of Minor Partition Criteria:

Findings: The proposed partition was reviewed for compliance with zoning and subdivision requirements in the Mill City Municipal Code.

Criteria 1. *All lots are consistent with zoning and subdivision code standards:*

Mill City Zoning Code:

17.16 Multi-family Residential (R-2) Zone. Lots in the R-2 zone that are used for residential purposes must meet the minimum lot size (5,000 sf), width (50' frontage) and yard requirements of the R-2 residential zone.

- Lot size: 5,000 sf.
- Frontage: 50' frontage on a street.
- Width: 50' wide.
- Front setback: 15' front yard, 20' to face of a new garage.
- Side/Rear setback: 5' side and rear yard

The proposed lots meet the minimum R-2 lot size, frontage and lot width requirements. The proposed lot line for Parcels 1 & 2 must provide a minimum 5' setback to the house at 512 SE Kingwood Avenue. New structures must comply with the setback requirements.

17.16.020 Permitted Uses. Single family residences are permitted outright in the R-2 zone. Multi-family residential development may be developed on larger lots.

17.64.150 Public Works Standards. This section requires compliance with the City of Mill City public works standards for any public improvements and service lines.

- Water: A new water service and meter is required for Parcel 1.
- Sewer: A new sewer tank and sewer lateral connection are required for Parcel 1.
- Storm Drainage: The City will coordinate storm drainage improvements on SE Kingwood Avenue with the Linn County Roads Department.
 - At the time of development of Parcel 3, the City will require storm sewers, on-site detention/water quality improvements on Parcel 3 to minimize peak storm flows.
 - If Linn County does not require installation of curbs on SE Kingwood Avenue, the City will require at the time of development of Parcel 3, the installation of curbs, gutters and storm sewers on SE Kingwood along the full frontage of Parcels 1, 2 and 3.
- Driveways & Approaches: Each parcel must be served with a paved driveway approach and driveway for the building site.
 - SE Kingwood Ave.: Parcels 1 and 2 will have driveways to SE Kingwood Avenue. Driveways will be installed to Linn County standards.
 - SE 5th Ave: Parcel 3 will take driveway access to SE 5th Avenue.
 - **No Access strip: The final partition map shall include a no-access strip adjacent to Parcel 3 on the entire SE Kingwood Avenue frontage and the 1st 50' of SE 5th Avenue.**
- Streets: See discussion below under Criteria 2, Subdivision Code, Section 16.32.020 and Section 16.44.030.

Mill City Subdivision Code – Design Standards

16.32.020.A and 16.32.040.A Application Requirements.

Findings: The proposed partition was reviewed for compliance with application filing and requirements of Section 16.32.020.A and 16.32.040.A. The applicant filed the required application, fees, maps and supplemental information as required in Section 16.32.020.A and 16.32.040.A. The application was deemed completed on September 19, 2018.

16.32.020.B and 16.32.020.C Design Standards and Improvement Requirements

Findings: The proposed partition must comply with the Design Standards in Chapter 16.40 and the Public Improvement Requirements in Chapter 16.44 of the Mill City Land Division Code. The applicable design and public improvement standards are reviewed below.

16.40.020 Streets.

Findings: The following street design standards in Section 16.40.020 apply to this proposal.

B. & G. Minimum Street Widths & Existing Streets.

SE Kingwood: SE Kingwood Avenue has a 50'-55' wide ROW east of SE 5th.

SE 5th Avenue: SE 5th Ave has a 30'-wide ROW next to the Slayden subdivision.

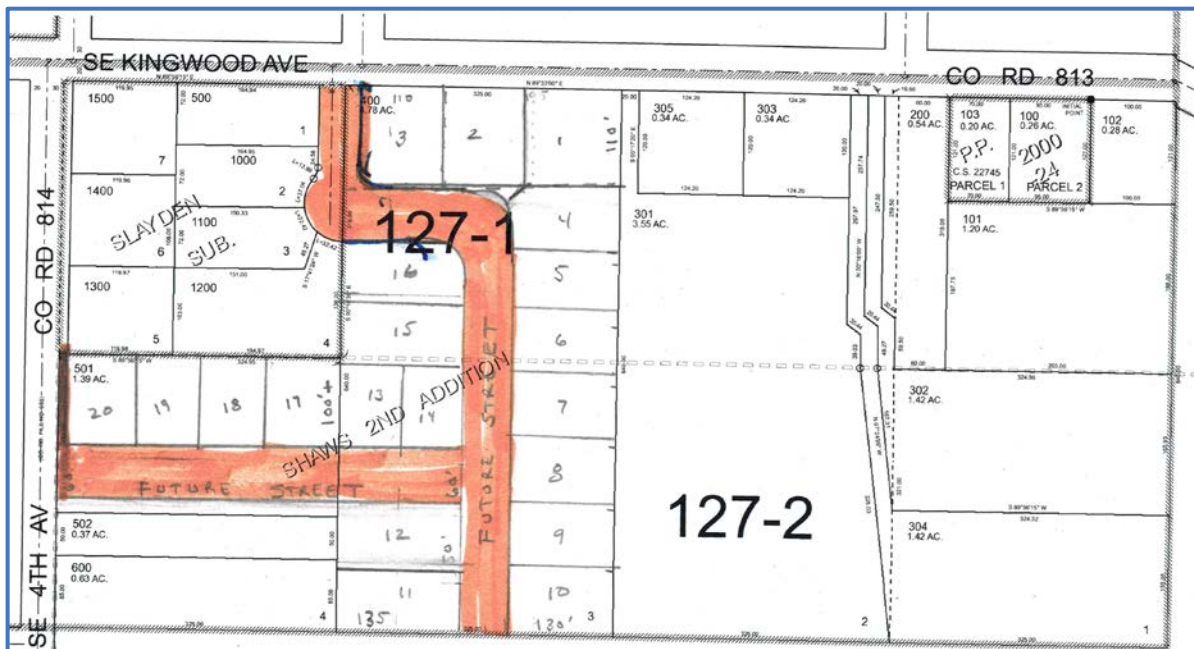
Section 2.11 of the Mill City Public Works Design Standards (PWDS) sets a minimum ROW width of 60' for residential streets longer than 600' in length. Neither street complies with the City standard.

Section G. states that whenever existing streets adjacent to a land division are of inadequate width, the City shall require dedication of additional right-of-way. However, Section B. permits the City to waive the additional dedication requirement if the City Engineer and Planning Commission find the existing 40' or 50' ROW width is adequate based on the existing conditions. The City Engineer and public works staff have previously reviewed the ROW widths on each street and concluded:

SE Kingwood: A 5' ROW dedication is required. A 60' ROW width will allow for urban street improvements with a 36' wide pavement section and sidewalks.

SE 5th Ave: A 30' ROW dedication is needed. The final partition plat should include a 30'-wide roadway easement on Parcel 3 which may be dedicated at the time of a future subdivision or development of Parcel 3.

Map 5
Future Extension of SE 5th Avenue



E. Future Extension of Street.

SE 5th Avenue: SE 5th Ave was constructed as a half-street when the Slayden subdivision was developed. SE 5th Avenue may be extended in the future as shown on Map 5. As noted above, a 30'-wide roadway easement should be provided on the west side of Parcel 3 for the future extension of SE 5th Avenue.

16.40.030 Blocks.

Findings: No new blocks are created with the proposed partition.

16.40.040 Lots.

16.40.040 Lot Size & Shape.

- A. Size & Shape.** Lot sizes and dimensions shall be consistent with the lot size and width standards of the Mill City Zoning Code. Lot depth shall not exceed 2 ½ times the average width.

Findings: New parcels must comply with the minimum lot size, width and setback requirements in the R-2 zone requirements in Chapter 17.16.

Parcel 1: The 95' x 115' lot size complies with the size and shape requirements.

Parcel 2: The 100' x 115' lot size complies with the size and shape requirements.

Parcel 3: The 4.167+/- acre parcel allows for future redevelopment, including the creation of a 30'-wide ROW for SE 5th Avenue and a 100' x 115' parcel at the corner of SE 5th Avenue and SE Kingwood Avenue.

- B. Access.** Each lot shall abut upon a publicly owned street or easement of private access . . . for a width of at least 25 feet.

Findings: The proposal complies with the minimum 25' lot frontage requirement.

Parcel 1 has 95' frontage on SE Kingwood Avenue.

Parcel 2 has 100' frontage on SE Kingwood Avenue.

Parcel 3 has 130' frontage on SE Kingwood Avenue.

16.40.060 Large lot subdivision.

16.40.060 Large Lot Subdivisions. In subdividing or partitioning tracts into large lots or parcels which at some future time may be redivided (e.g., after development, the remaining buildable area is at least twice the minimum size required under zoning), the planning commission shall require that the blocks be of such size and shape, be so divided into lots or parcels, and contain such building site restrictions as will provide for extension and opening of streets and extension of utilities at intervals which will permit a subsequent division of any lot or parcel into lots or parcels of smaller size.

Findings: As noted above under 16.40.020 “Streets” the City needs to plan for the future extension of SE 5th Avenue and preserve the opportunity to develop the 4.17-acre parcel with access to a local street. The proposal complies with the minimum 25’ lot frontage requirement.

Parcel 3 may be developed either as a multi-family housing project or as a single-family subdivision. Map 5 shows how a future subdivision could be developed. At minimum, the City needs to preserve ROW for the completion of a cul-de-sac on SE 5th Avenue. The City staff recommends a condition of approval to create a roadway easement for completion of SE 5th Avenue on the final plat.

Conclusions. The proposed minor partition complies with the basic zoning and subdivision requirements of the City of Mill City as noted. The proposal can comply with the street and public improvement requirements in Chapters 16.32 and 16.40 if the applicant complies with the following conditions of approval:

1. The final partition plat will include:

- a. A no-access strip adjacent to Parcel 3 on the entire SE Kingwood Avenue frontage and the first 50’ of SE 5th Avenue.
- b. A 5’-wide street dedication along the entire SE Kingwood Avenue frontage.
- c. A 30’-wide roadway easement along the west edge of Parcel 3 for a future SE 5th Avenue dedication to allow for construction of a SE 5th Avenue cul-de-sac or street extension.
- d. A minimum 5’ building setback line from the existing house at 512 SE Kingwood Avenue from the new property line between Parcels 1 & 2.

Criteria 2. Public Works Design Standards are met or can be met.

Criteria 3. All necessary utilities can be provided to the parcels.

16.32.020 and 16.44.030 Public Improvements. These sections of the code require the developer to install water, sewer, street and storm drainage facilities with the partition or subdivision.

16.32.020 “Improvement Requirements in Partitions”

- C. Improvements. When a partition is being approved, the city shall determine whether or not any or all of the improvements as specified in Sections 16.44.010 through 16.44.030 are needed to serve the property in the partition. The city shall make one of the following determinations: (1) the improvements shall be accomplished at this time; (2) the improvements shall be accomplished at some future time; or (3) the improvements are not needed.
1. If the city finds that any or all of the improvements are needed at this time, the city shall require that the improvement be accomplished according to the standards and procedures of Sections 16.28.010 and 16.28.020, and in accordance with the city public works design standards;
 2. If the city determines that a required improvement would be more appropriately completed at a future date because of circumstances related to development in the surrounding area and the current condition of utilities and streets, the city shall require

a deferred improvement agreement, based on a recommendation by the city engineer, and in a form approved by the city attorney.

Findings:

1. Streets & Sidewalks:

- a. SE Kingwood Avenue. SE Kingwood Avenue is a turnpike style street with a 50' +/- wide right-of-way and a 28'-wide AC pavement width. There are no curbs, gutters or sidewalks in front of the applicant's property; however, curbs end at the SE 5th Avenue cul-de-sac. Therefore, the curb alignment has been established for the extension of the curbs to the east.

SE Kingwood is a Linn County road designated as a major collector. The City and County plans show future urban improvements within the 60' ROW including curb, gutters, sidewalks and a 36' pavement width. However, no project is imminent. Future curbs on the south side of the street will match those located on the west side of SE 5th Avenue intersection.

The City has asked the Linn County Roads Department to notify the City of any improvements which will be required at this time. If Linn County does not require street improvements, then the Planning Consultant recommends execution and recording of a deferral/non-remonstrance agreement that will require the construction of half-street improvements (AC widening, curb, gutter and sidewalk along the entire frontage of SE Kingwood Avenue at the property owner's expense when Parcel 3 is developed.).

The Planning Consultant recommends the following conditions:

1. If required by Linn County, street widening, curbs, sidewalks and storm sewers will be required along the SE Kingwood Avenue frontage.
 2. If SE Kingwood Avenue improvements are not required by Linn County with this partition, then the property owner must execute and record a deferral/non-remonstrance agreement for streets and sidewalk improvements, that stipulates no building permits will be issued on Parcel 3 until required SE 5th Avenue and SE Kingwood Avenue improvements are constructed.
 3. A 5'-wide dedication along the SE Kingwood Avenue frontage.
 4. A no-access strip on Parcel 3 along the SE Kingwood Avenue frontage.
- b. SE 5th Avenue. 5th Avenue is a 16'-wide half-street with curbs, gutters and sidewalks on the west side. As discussed, 5th Avenue and related public improvements may be deferred until Parcel 3 is either subdivided or developed.

The Planning Consultant recommends the following conditions:

1. No improvements will be required on SE 5th Avenue with this partition.
2. A 30'-wide roadway easement on Parcel 3 for a future dedication of SE 5th Avenue.
3. Execution and recording of a deferral/non-remonstrance agreement for streets and sidewalk improvements, that stipulates no building permits will be issued on Parcel 3 until required SE 5th Avenue and SE Kingwood Avenue improvements are constructed.

2. **Storm Drainage Improvements:** See prior discussion and findings. No storm drainage improvements are recommended with this partition.
3. **Water:** A new water services is required to serve Parcel 1. The new water service will need to be installed prior to or concurrently with the issuance of any building permit for Parcel 1.
4. **Sewer:** A new sewer lateral and interceptor tank complying with the City's public works design standards is required to serve Parcel 1. The new sewer lateral and interceptor tank will need to be installed prior to or concurrently with the issuance of any building permit for the site.
5. **Easements:**
 - a. PUE: A 7' wide PUE is recommended along SE Kingwood Avenue for any future private utility construction.
 - b. A sewer easement must be recorded for the property and then referenced on the final plat.

Conclusion: All lots can be served by public and private utilities. The proposal can comply with Criteria 2 and 3 upon compliance with the recommended conditions of approval.

Criteria 4. Full and orderly development to the surrounding area can be maintained.

Findings: This property is a vacant parcel. The purpose of the land division is to create one new building site on Parcel 1, east of the house at 512 SE Kingwood Avenue. As discussed at length in the staff report, the public utilities are either installed or can be easily extended to serve Parcel 1.

This partition is a partial development of the 4.78-acre site. The applicant and City need to ensure the full site can be served with by city streets, public and private utilities at the time Parcel 3 (4.17-acres) is either subdivided or developed in the future.

The recommended conditions of approval do not impose burdensome requirements on the applicant, but they do preserve the applicant's (or future owners) ability to develop the site. If the applicant complies with the recommended conditions of approval, the Planning Consultant concludes the partition will have provide for the future extension of streets within and adjacent to the site and allow for the logical extension of public and private utilities to serve Parcel 3 and parcels to the south and east of the applicant's property.

Conclusion: The partition proposal will affect the full and orderly development of the surrounding area, but with compliance with the conditions of approval, the proposal will comply with Criteria 4.

V. Staff Recommendation and Proposed Conditions of approval

The Planning Consultant recommends the Planning Commission approve the minor partition application subject to the following conditions of approval.

- A. **Approved Map & Time Limit of Partition Approval.** The partition is approved as shown on the attached map, dated & stamped approved by the City of Mill City Planning Department. Approval is granted subject to the completion of the partition survey within one year from the date of City Council approval and compliance with all conditions of approval. The minor partition approval will expire October 31, 2019 if the plat has not been recorded.

B. Survey. A minor partition survey map must be recorded with Linn County no later than October 30, 2019. The survey must be prepared by a registered professional surveyor and comply with state law and the Linn County surveyor requirements for minor partitions. The partition plat map must show:

1. *Parcels:*

Parcel 1, 2 and 3 as shown on the approved partition map. The final dimensions of the proposed lots shall be consistent with the plan approved by the City. Minor modifications to the lot dimensions and sizes may be approved by the City Recorder.

2. *Street Dedication and Roadway Easement:*

- a. A 5'-wide street dedication for the widening of SE Kingwood Avenue.
- b. A 30'-wide public roadway easement for the future dedication of right-of-way for SE 5th Avenue.

3. *Other Easements and No Access strip*

- a. Prepare and record a City of Mill City Sewerage System Easement and reference the recorded sewer easement on the final plat.
- b. Provide a 7' wide public utility easement along the frontage of SE Kingwood Avenue.
- c. Provide a no-access strip for Parcel 3 along the entire SE Kingwood Avenue frontage and the first 50' of SE 5th Avenue.

4. *Building Setbacks:* The final plat shall show special building setbacks:

- a. Parcel 3 street-side setback: 20' east from the future SE 5th Avenue ROW.
- b. Parcel 2 side setback from house: minimum 5' side setback from the existing house east to the Parcel 1 property line.

C. Public Works Requirements: The applicant shall complete the following public improvements prior to City approval of the final plat, unless otherwise specified below. Improvements will be designed and installed in accordance with the City of Mill City Public Works Design Standards and Construction Specifications.

Permits:

1. The property owner, or authorized contractor/representative, shall obtain a construction permit from the Linn County Roads Department for any work performed in the Kingwood Avenue right-of-way including private utility work, street cuts, driveway approach, storm drainage or sidewalk construction.

Streets:

1. SE Kingwood Avenue Deferral and Non-Remonstrance Agreement (NRA):

Execute and record in the Linn County Deed Records a deferral/non-remonstrance agreement for street, sidewalk and drainage frontage improvements on SE Kingwood Avenue.

The agreement will stipulate that the owner of Parcel 3 is responsible for the construction of required street, sidewalk and drainage improvements on the full frontage on SE Kingwood Avenue adjacent to Parcels 1, 2 and 3 and that no building permits will be issued on Parcel 3 until the required SE Kingwood Avenue improvements are constructed.

The NRA shall be on a form approved by the City. The NRA shall be executed and recorded prior to the issuance of a building permit for Parcel 1.

2. SE 5th Avenue: Execute and record in the Linn County Deed Records a deferral/non-remonstrance agreement for full street, sidewalk, public utility and drainage frontage improvements on SE 5th Avenue on a form approved by the City.

Water & Sewer Services:

3. Install a new water service to Parcel 1 prior to or concurrently with the issuance of a building permit for Parcel 1.
4. Install a new sewer interceptor tank and sewer lateral for Parcel 1 prior to or concurrently with the issuance of a building permit for Parcel 1.

VI. Burden of Proof

The burden of proof is on the applicant to present the application to the Planning Commission and to present information which shows that the application meets the criteria for approval of the City of Mill City subdivision code for a minor partition.

VII. Planning Commission Decision

A. Planning Commission Options:

Approval:	Motion to approve the application of Robert and Vicki Ward for a minor partition, File No. 2018-08 subject to the conditions of approval as <u>(proposed / modified)</u> and to adopt the findings of fact as recommended.
Continuance:	Motion to continue the deliberation on the application and grant the applicant 30 days to provide additional information to the city.
Denial	Motion to deny the minor partition proposal, File No. 2018-08 for the following reasons: (list reasons).

Subdivision and Partition Application

TYPE OF APPLICATION:

Application Fee

Deposit

- | | | |
|--|-------------|-------------|
| <input type="checkbox"/> Pre-Application Conference with Planner &/or City Engineer | \$ 75.00 | None |
| <input type="checkbox"/> Partition: | | |
| <input type="checkbox"/> Minor Partition | \$ 300.00 | \$ 200.00 |
| <input type="checkbox"/> Major Partition (includes creation of street) | \$ 500.00 | \$ 250.00 |
| <input type="checkbox"/> Subdivision: | | |
| <input type="checkbox"/> Subdivision with 4 to 10 lots | \$ 1,000.00 | \$ 500.00 |
| <input type="checkbox"/> Subdivision with 11 to 20 lots | \$ 1,500.00 | \$ 750.00 |
| <input type="checkbox"/> Subdivision with 21 or more lots | \$ 2,000.00 | \$ 1,000.00 |

I understand that the application fee or deposit paid for this land use proceeding is in accordance with the current City of Mill City Land Use Fees Resolution. If the City incurs additional costs for engineering, legal, planning consultation, inspection fees or other direct costs related to this proposal, which are beyond the initial filing fee or deposit, then the city may require an additional deposit or fee to cover costs incurred. The additional fee shall be payable to the City upon receipt of a bill showing the documented City costs. If the property owner or applicant does not pay the additional fees which are invoiced, the City may withhold issuance of building permits, certificates of occupancy, utility service connections or subdivision/partition plats until the fees are paid. I agree to reimburse the City for the additional costs the City of Mill City may incur in reviewing and processing this application.

SIGNATURE OF AUTHORIZED APPLICANT: _____

Robert Ward
Property Owner or Authorized Agent

1. BRIEFLY DESCRIBE PROPOSAL:

*Divide property into 3 street frontage lots At
512 SE Kingwood*

2. APPLICANT:

Name: *Bob Ward / Vicki Ward*

Address: *P.O. Box 769*

City/State/Zip: *Mill City, OR. 97360*

Phone: Work () - _____ Home: *(503) 877-2077*

Fax () - _____ Email: *rward@wvi.com*

DO NOT WRITE BELOW THIS LINE

Application received by: _____ Date: _____ Fee Paid: \$ _____ Receipt No. _____

If applicant is not the property owner, fill out Section 3.

3. LEGAL OWNERS: WE, the following (Please print or type full name, address, city, state, and zip code),

Print Name: Robert Ward
Signature: [Signature]
Street Address: 1395 SW Spring St
City, State & Zip: Mill City, OR 97360

Print Name: Vicki Ward
Signature: [Signature]
Street Address: 1395 SW Spring St
City, State & Zip: Mill City, OR 97360

being owners of record, contract purchasers, or authorized agent of owners of the subject property respectfully petition the City of Mill City for permission to develop the property in accordance with this application and hereby authorize the applicant and/or authorized agents to represent us during any land use proceedings before the City of Mill City.

4. LOCATION: Identify the exact location of the property (street address or, if not addressed, the County Assessor's tax lot number, and the closest intersecting streets):

Street Address: 512 SE Kingwood Ave
Closest Intersecting Streets: 4th SE Ave

Assessor's Map & Tax Lot Number:

T9S R3E 32 BD Tax Lot(s): 400

T9S R3E _____ Tax Lot(s): _____

Size of Property: 4.78 acres or _____ square feet.

5. LEGAL DESCRIPTION (as it appears on the deed)

Lot No.: 400 Block No.: L13 Subdivision: Shaws 2nd Addition

NOTE: If the application involves a fraction of a lot or a lot which is not within a platted subdivision, attach a full legal description in metes and bounds, marked "Exhibit A"

6. COMPREHENSIVE PLAN DESIGNATION and ZONING :

Existing Plan Designation: _____ Proposed Plan Designation: R-1

Existing Zoning: _____ Proposed Zoning: _____

7. CURRENT USE OF THE PROPERTY: 1 House - Bare Land

SUPPLEMENTAL INFORMATION

The Mill City Planning Commission will use the information provided by the applicant to analyze the merits of this application. A decision to approve or deny the application is made based on whether or not applicant complies with the standards and criteria set forth in the Mill City Subdivision Code. This application for a subdivision or a partition will not be accepted unless all required information is provided.

1. **COMPREHENSIVE PLAN CONFORMANCE:** How does this subdivision meet the goals and policies of the Mill City Comprehensive Plan?

Continue with available buildable lots within city limits

2. **ZONING:** Will the proposed subdivision allow development in compliance with the zoning district?

yes

3. **COMPATIBILITY WITH SURROUNDING AREA:** How is the subdivision compatible with the surrounding area?

Proposed will continue development of original 50'x100' lots adjacent to Standard Subdivision.

4. **PUBLIC SERVICES:** All subdivisions are required to have all public improvements installed as part of the land division process. The improvements required at the time of the subdivision will be specified by the Planning Commission as part of the approval. Therefore, the applicant must be prepared to install the required street, water, sewer, and storm drainage and other improvements described in the Mill City Subdivision Code, Article 5. The improvements must be installed prior to recording of the final subdivision plat or the applicant must provide a performance bond or financing guarantee that the improvements will be installed. All public improvements must meet City of Mill City standard specifications. All design plans must be approved by the city engineer prior to construction. The city will inspect all construction.

- a. Are there adequate water, sewer, street, and storm drainage facilities available to serve the proposed land division?

yes

- b. List public services currently available to the site:

Water Supply: ✓ -inch line available in EXISTING Street.
Sanitary Sewer: ✓ -inch line available in EXISTING Street.
Storm Sewer: ✓ -inch line available in EXISTING Street.
Natural Gas: ✓ -inch line available in EXISTING Street.

Telephone: ☒ is Existing is not available in _____ Street.
Cable TV: ☒ is " is not available in _____ Street.
Electrical: ☒ is " is not available in _____ Street.
Utility easements ☒ are " are not required (show on site plan)

- c. If public and private utility services are not available, does the applicant intend to extend public services to the site concurrently with the development?

☐ Yes. ☐ No.

If yes, when will public improvements (water, sewer, streets, curbs, sidewalks, storm drainage) and underground utilities be installed to serve the development? If not, explain.

- d. What effect will the development have on the city's ability to provide public services to the general area of the development? Must the city expand, oversize, or extend services to meet the demands created by the development? Who will pay for these improvements? Explain.

Services to this Area readily available -
No expansion Needed

- e. A preliminary storm drainage analysis and runoff calculations and must be submitted to the City Engineer as part of the subdivision application. Has the preliminary report been submitted to the City?

☐ Yes. ☐ No.

Discuss briefly how the storm drainage impacts from the subdivision will be handled.

5. **DESIGN LAYOUT/PATTERN OF DEVELOPMENT:**

- a. How does the design layout of the proposed parcels, lots, and roads fit with the existing pattern of development in the area?

Proposal use "diverse and continue within
possible future development

- b. Are any landlocked parcels created? ☐ Yes. ☒ No.

- c. Does vehicular access and street layout provide adequate circulation within the development and meets requirements of emergency service providers (fire and police)? ☒ Yes. ☐ No.

6. **FLOOD HAZARDS:** Is the property located in a flood plain? ☐ Yes. ☒ No.

Is the property located adjacent to a waterway? ☐ Yes. ☒ No.

If the answer to either of these questions is yes, how will the proposed development comply with all standards for riparian setbacks or flood hazard protection?

7. **HISTORIC SITES OR STRUCTURES:**

Do any historic sites or structures listed on the City of Mill City Comprehensive Plan, Historic Landmarks Inventory, exist on the property? ☐ Yes. ☒ No.

If yes, Name of Historic Building or Landmark: _____

If yes, how will the historic resource be affected by the proposal? (attach description of changes proposed)

8. **WETLANDS:** Are there any wetlands on the site as shown on the Mill City Local Wetlands Inventory?

☐ Yes. ☒ No.

If yes, how will the development comply with the City's wetlands requirements in MCMC Chapter 17.72?

9. **NATURAL RESOURCES and/or HAZARDS:** Are there any other natural resources or hazards on the property. Examples: steep slopes greater than 20%, riparian corridors along Elizabeth Creek, Cedar Creek, DeFord Creek, Snake Creek or the North Santiam River, geologic rock outcroppings, etc.

☐ Yes. ☒ No.

If yes, describe them and the impact the development may have on these resources. Will any steps be taken to protect these natural resources?

10. **DEED COVENANTS AND RESTRICTIONS:** Will any deed covenants or deed restrictions apply to the development?

☐ Yes. ☒ No. If yes, attach as Exhibit B.

11. **CONSULTANTS:** Please list below planning and engineering consultants.

PLANNING

Name

Firm

Street Address

City State Zip

() -
Work Phone

() -
FAX

E-mail

ENGINEERING

Name

Firm

Street Address

City State Zip

() -
Work Phone

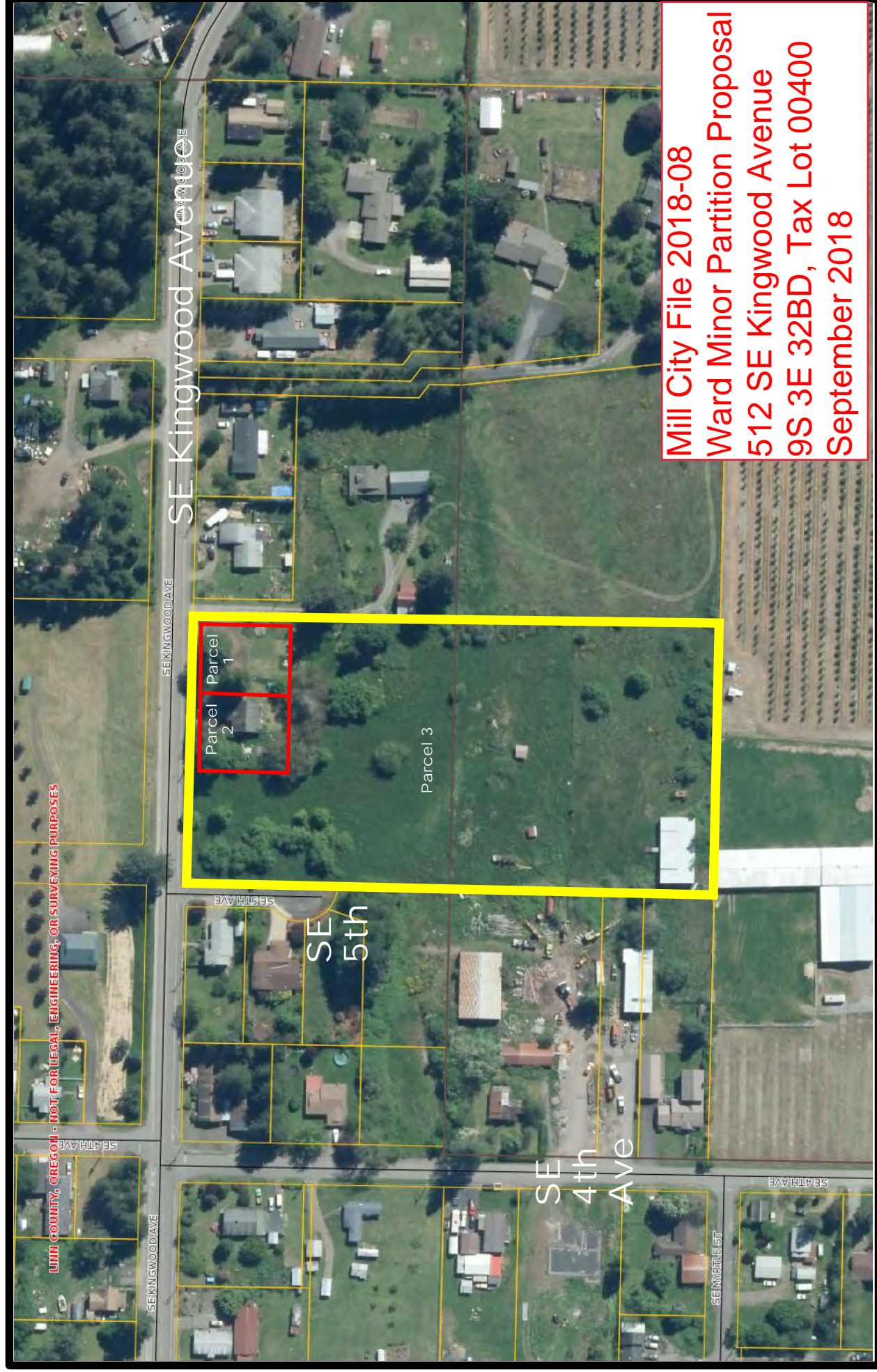
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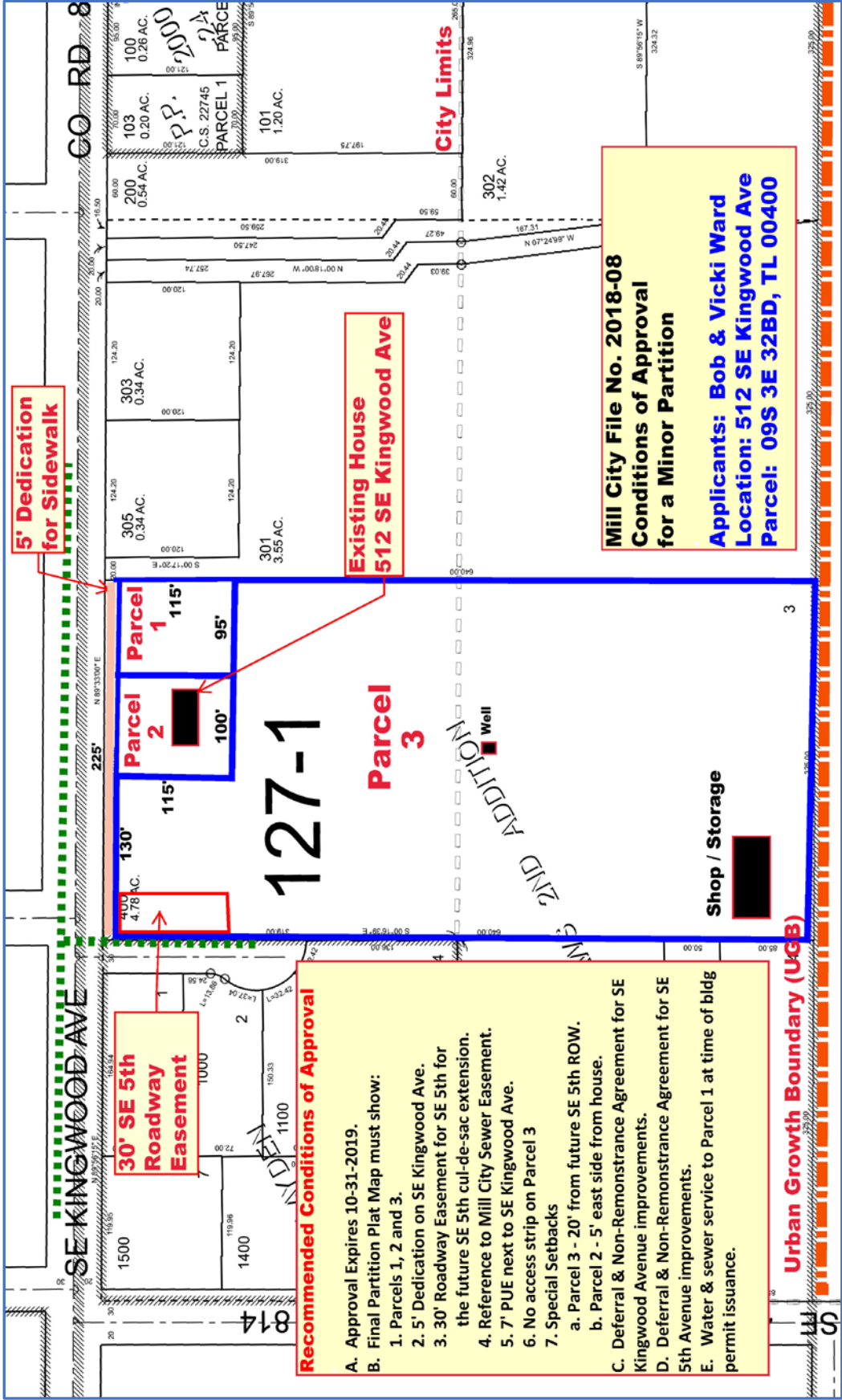


Proposed Minor Partition 512 SE Kingwood Ave., Mill City

File No. 2018-08
Applicant: Ward



Ward Minor Partition
File 2018-08
Recommended Conditions of Approval



Title 8 HEALTH AND SAFETY

Chapters:

Chapter 8.04 - NUISANCES

Chapter 8.08 - ANTI-GRAFFITI CODE

Chapter 8.04 NUISANCES

Sections:

Article I. - General Provisions

Article II. - Animals

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Article I. General Provisions

[8.04.010 Definitions.](#)

8.04.010 Definitions.

As used in this chapter:

"Discarded vehicle" is any vehicle that does not have lawfully affixed thereto an unexpired license plate or is in one or more of the following conditions: wrecked, dismantled, partially dismantled, abandoned, or junked. A discarded vehicle includes major parts thereof, including, but not limited to: bodies, engines, and transmissions. *[Definition – Halsey 2018-424]*

"Garbage" means food waste, animal and vegetable waste, dead animal carcasses, refuse, rubbish, household trash, or other useless or discarded material. *[Definition – Halsey 2018-424]*

"Debris" means the remains of something broken down or destroyed, including, but not limited to: scrap metal, scrap paper, scrap plastic or scrap wood; pieces of asphalt, concrete, lumber or other building supplies; yard clippings or cuttings of plant material; broken empty glass, plastic or metal containers; broken furniture; discarded home or industrial appliances; or other putrescible or nonputrescible wastes and discard materials. *[Definition – Halsey 2018-424]*

"Inoperable motor vehicle" or "abandoned motor vehicle" means a motor vehicle, including a recreational vehicle, which:

1. Has been left on a street, alley or public right-of-way for a period of more than seventy-two (72) hours or on a specific parcel of public or private property for more than thirty (30) days; **or**
2. Has broken or missing windows or windshield; or one or more missing wheels; or one or more missing tires; or lacks a transmission or engine; or the transmission or engine will not run; or is missing one or more parts so that the vehicle cannot be driven; or is a discarded vehicle, as defined in this section. *[Definition – Halsey 2018-424]*

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3. Is not currently registered or licensed for the current year; constitutes a presumption that the vehicle is inoperable.

"Junk" means any articles of personal property, object or material which is manufactured or man-made, whether of artificial materials or natural materials, which has been abandoned or discarded, or which is inoperable; or which is useless to serve its intended purpose in its current condition; or which is being kept or stored to serve some useful purpose in the future. Junk includes, but is not limited to, one of the following classifications:

1. Inoperable household appliances, including, but not limited to, washers, dryers, refrigerators, dishwashers, water heaters, stoves, and similar items, or parts thereof;
2. Used household furniture, including, but not limited to, sofas, beds, chairs, tables, mattresses, and similar items, or parts thereof;
3. Used/machinery or motor vehicle parts, including, but not limited to, motors, tires, wheels, chassis and similar items, or parts thereof;
4. Used building materials, including, but not limited to, lumber, stone, brick, plywood, wire, glass, metal, plumbing fixtures, lighting fixtures, heating fixtures, and similar items, or parts thereof;
5. Discarded, useless or abandoned vehicles or recreation equipment, or parts thereof;
6. Temporary storage structures which are not securely anchored to the ground, or have broken or structurally unsound supports or roof members, or have unsecured, ripped, broken or unsafe canvas or metal siding or roofing materials.

"Person" means a natural person, firm, partnership, association or corporation.

"Person in charge of property" means an agent, occupant, lessee, contract purchaser or other person having possession or control of property or supervision of a construction project.

Person Responsible. The "person responsible" for abating a nuisance includes:

1. The owner;
2. The person in charge of property, as defined in this section;
3. The person who caused a nuisance, as defined in this chapter or another ordinance of the city, to come into or continue in existence.

"Public place" means a building, way, place or accommodation, publicly or privately owned, open and available to the general public.

"Solid waste" means all decayable or non-decayable wastes, whether in solid or in liquid form, including, but not limited to: garbage, rubbish, ashes, sewage sludge, street refuse, industrial wastes, swill, demolition and construction wastes, manure, vegetable or animal solid or semi-solid wastes, silage, dead animals, and other discarded solid materials.

(Ord. 339 § 8, 2006; Ord. 317 § 1, 2004; Ord. 195 § 1, 1985)

Article III. Nuisances Affecting Public Health and Safety

[8.04.040 Nuisances affecting public health.](#)

[8.04.050 Creating a hazard.](#)

[8.04.060 Attractive nuisances.](#)

[8.04.070 Defective sidewalks—Snow and ice.](#)

[8.04.080 Noxious vegetation.](#)

[8.04.090 Scattering rubbish.](#)

[8.04.100 Trees.](#)

[8.04.105 Fencing maintenance standards.](#)

[8.04.110 Fences.](#)

[8.04.120 Surface waters—Drainage.](#)

8.04.040 Nuisances affecting public health.

No person shall cause or permit a nuisance affecting public health on property owned or controlled by him or her. The following are nuisances affecting public health and may be abated as provided in this chapter:

- A. Open vaults or privies constructed and maintained within the city, except those constructed or maintained in connection with construction projects in accordance with State Health Division regulations;
- B. Accumulations of solid waste, **garbage**, debris, rubbish, manure and other refuse that are not removed within a reasonable time and that affect the health, safety or welfare of the city;
- C. Stagnant water that affords a breeding place for mosquitoes and other insect pests;
- D. Pollution of a body of water, well, spring, stream or drainage ditch by sewage, industrial wastes or other substances placed in or near the water in a manner that will cause harmful material to pollute the water;
- E. Decayed or unwholesome food offered for human consumption.
- F. Premises that are in such a state or condition as to cause an offensive odor or that are in an unsanitary condition;
- G. Drainage of liquid wastes from private premises;
- H. Cesspools or septic tanks that are in an unsanitary condition or that cause an offensive odor;
- I. Mastics, oil, grease or petroleum products allowed to be introduced into the sewer system by a user connected to the sewer system.

(Ord. 317 § 2, 2004; Ord. 195 § 11, 1985)

8.04.40 Nuisances affecting Public Health ---- Comparison:

Halsey – Section 3, Ord 2018-04. Nearly identical language.

Harrisburg – 8.05.020. Identical language.

8.04.050 Creating a hazard.

No person shall create a hazard by:

- A. Maintaining or leaving, in a place accessible to children, a container with a compartment of more than one and one-half cubic feet capacity and a door or lid that locks or fastens automatically when closed and that cannot be easily opened from the inside.
- B. Being the owner **or person in charge of property** ~~otherwise having possession of property~~ on which there is a well, cistern, cesspool, excavation, or other hole of a depth of four feet or more, and a top width of twelve (12) inches or more and failing to cover or fence it with a suitable protective construction.

(Ord. 195 § 15, 1985)

8.04.050 Creating a Hazard ---- Comparison

Halsey – Section 11, Ord 2018-04. Nearly identical language.

Harrisburg – 8.05.030. Identical language.

8.04.060 Attractive nuisances.

- A. No owner or person in charge of property shall permit on the property:
 - 1. Unguarded machinery, equipment or other devices that are attractive, dangerous and accessible to children;
 - 2. Lumber, logs or piling placed or stored in a manner so as to be attractive, dangerous and accessible to children.
 - 3. Any excavation to remain open for an unreasonable length of time **without erecting proper safeguards or barriers.** *[Harrisburg, Section 8.05.040.1.c.] [is this clear enough?].*
- B. No owner or person in charge of property shall fail to secure an unoccupied building in such a manner as to make it inaccessible to transients, **children or the general public.** *[Halsey, Section 12, 2018-424].*
- C. This section does not apply to authorized construction projects with reasonable safeguards to prevent injury or death to playing children.

(Ord. 195 § 16, 1985)

8.04.060 Attractive Nuisances - Comparison

Halsey – Section 3, Ord 2018-04. Nearly identical language. Suggest adding Section B.

Harrisburg – 8.05.040. Nearly identical language. Discuss adding A.3.

8.04.070 Defective sidewalks—Snow and ice.

- A. No owner or person in charge of property, improved or unimproved, abutting on a public sidewalk, shall permit:
 - 1. Snow to remain on the sidewalk for a period longer than the **first twenty-four hours** after the snow has fallen;
 - 2. Ice to remain on the sidewalk for more than two hours of daylight after the ice has formed, unless the ice is covered with sand, ashes or other suitable material to assure safe travel.
- B. No owner of property, improved or unimproved, abutting on a public sidewalk, shall permit the sidewalk to deteriorate to such a condition that, because of cracks, chipping, weeds, settling, covering by dirt, or other similar occurrences, the sidewalk becomes a hazard to persons using it.
- C. The city shall not be liable to any person for loss or injury to a person or property suffered or sustained by reason of any accident on sidewalks caused by ice, snow, encumbrances, obstructions, cracks, chipping, weeds, settling, holes covered by dirt or other similar conditions. Abutting property owners shall maintain sidewalks free from such conditions and are liable for any and all injuries to persons or property arising as a result of their failure to so maintain the sidewalks.

(Ord. 195 § 17, 1985)

8.04.070 Defective Sidewalks + Snow & Ice removal -- Comparison:

Halsey – Section 13, Ord 2018-04. Nearly identical language for snow & ice.

Harrisburg – 8.05.050. Identical language for snow & ice.

8.04.080 Noxious vegetation.

- A. The term "noxious vegetation" does not include vegetation that constitutes an agricultural crop, unless that vegetation is a health hazard or a fire or traffic hazard within the meaning of subsection B of this section.
- B. The term "noxious vegetation" does include, at any time between May 15th and September 30th of any year:
 - 1. Weeds more than ten (10) inches high;
 - 2. Grass more than ten (10) inches high and not within the exception stated in subsection A of this section;
 - 3. Poison oak;
 - ~~4. Poison ivy;~~
 - 4. Vegetation, including blackberry bushes or vines , that
 - a. crosses a property line, without the permission of the adjacent property owner; or
 - b. causes damage to fences or structures; or
 - c. extends onto or over any part of a sidewalk; or
 - d. creates a traffic hazard because it extends onto the public right-of-way, obstructs vision or impedes travel on any part of a street or sidewalk;
 - 5. Vegetation that is:
 - a. A health hazard; or

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- b. A fire hazard as defined in an applicable provision of the State Fire Code; or
- c. A traffic hazard because it impairs the view of a public thoroughfare or otherwise makes use of the thoroughfare hazardous.

Halsey – Section 15, Ord 2018-04. Alternate language for subsections 5 & 6 above.

- (e) ~~Rampantly growing~~ plants or vines (such as blackberries or bamboo) that:
 - (i) Cross property lines without permission of the adjacent property owner;
 - (ii) Cause damage to fences or structures; or
 - (iii) Cross onto the public right-of-way, obstruct vision or impede travel on any part of a street or sidewalk
 - (iv) Constitutes a fire hazard as defined in an applicable provision of the State Fire Code.

Harrisburg – 8.05.060 Trees, shrubs and weeds. Applies to lots smaller than 1-acre in size. Similar to Mill City's ordinance. Authorizes public works director to mow "noxious vegetation"/"high grass" and bill property owners.

- C. Between May 15th and September 30th of any year, no owner or person in charge of property shall allow noxious vegetation to be on the property or in the right-of-way or public thoroughfare abutting on the property. An owner or person in charge of property shall cut down or destroy vegetation as often as needed to prevent them from becoming unsightly, from becoming a fire hazard, or, in the case of weeds or other noxious vegetation, from maturing or from going to seed.
- D. Between April 1st and May 15th of each year, the city recorder may cause to be published three times in a newspaper of general circulation in the city a copy of subsection C of this section as a notice to all owners and persons in charge of property of the duty to keep their property free from noxious vegetation. The notice shall state that the city is willing to abate the nuisance on a particular parcel of the property at the request of the owner or person in charge of the property for a fee sufficient to cover the city's abatement costs. The notice shall also state that, even in the absence of such requests, the city may abate all such nuisances ten (10) or more days after the final publication of the notice and charge the cost of doing so on a particular parcel of property to the owner or the person in charge of the property, or the property itself.
- E. If the notice provided for in subsection D of this section is used, it shall be in lieu of the notice required by Section 8.04.160 of this chapter.

(Ord. 282 § 1, 2001; Ord. 195 § 18, 1985)

8.04.100 Hazardous Vegetation.

- ~~A. No owner or person in charge of property that abuts on a street or public sidewalk shall permit trees or bushes on the property to interfere with street or sidewalk traffic. An owner or person in charge of property that abuts on a street or public sidewalk shall keep all trees and bushes on the premises, including the adjoining parking strip, trimmed to a height of not less than eight feet above the sidewalk and not less than ten (10) feet above the roadway.~~
- ~~B. No owner or person in charge of property shall allow a dead or decaying tree to stand if it is a hazard to the public or to persons or property on or near the property.~~

(Ord. 195 § 20, 1985)

- A. As used in this section "hazardous vegetation" includes:

1. Any vegetation which interferes with the normal use of or obstructs a public street or sidewalk. An

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owner or person in charge of property that abuts on a street or public sidewalk shall keep all trees and bushes on the premises, including the adjoining parking strip, trimmed to a height of not less than eight feet above the sidewalk and not less than ten (10) feet above the roadway. Trees and bushes which are trimmed to a height of not less than eight feet above the sidewalk and not less than ten feet above the roadway are rebuttable and presumed not to interfere.

2. Vegetation which impairs the traveling public's view of the public thoroughfare or traffic signs located thereon.
3. A dead or decaying tree which is a hazard to the public use of the public thoroughfare or to persons or property near the tree.
4. Any vegetation which is near combustibles which are stored so as to create a hazard.
5. Any vegetation, plants, shrubs or trees which are found to:
 - Conceal trash and debris; or,
 - Create harborage for rats or vermin; or,
 - Create harborage for people involved in criminal or prohibited activity or for products used for criminal activity.

- B. No owner or person in charge of property shall permit hazardous vegetation to exist at any time upon the property or in the public right-of-way abutting the property which includes but is not limited to the adjoining parking strip.

8.04.100 Trees --- Comparison

Halsey – Section 16, Ord 2018-04. Language covers broader range of trees, shrubs, etc.

Section 16. Hazardous Vegetation.

- (1) As used in this section “hazardous vegetation” includes:
 - (a) Any vegetation which interferes with the normal use of or obstructs a public street or sidewalk. Trees and bushes which are trimmed to a height of not less than eight feet above the sidewalk and not less than ten feet above the roadway are rebuttable and presumed not to interfere.
 - (b) Vegetation which impairs the traveling public’s view of the public thoroughfare or traffic signs located thereon. [Yes].
 - (c) A dead or decaying tree which is a hazard to the public use of the public thoroughfare or to persons or property near the tree. [yes]
 - (d) Any vegetation which is near combustibles which are stored so as to create a hazard. [yes]
- (2) No owner or person in charge of property shall permit hazardous vegetation to exist at any time upon the property or in the public right-of-way abutting the property which includes but is not limited to the adjoining parking strip.

9.2.90.6.20.1 Corvallis – Thickets that Conceal Hazards.

Cut and remove and keep cut and removed all blackberry vines and other thickets when such growth is found to be:

- Concealing trash and debris; or,
- Creating rat harborage; or,
- Creating harborage for people involved in criminal or prohibited activity or for products used for criminal activity.

8.04.105 Fencing maintenance standards.

- A. **Fencing Materials.** Fences and walls shall not be constructed of or contain any material which will do bodily harm, such as barbed wire, broken glass, spikes, or any other hazardous or dangerous materials. Electric and barbed wire fences are not permitted except those intended to contain or restrict animals, as permitted under Section 8.04.110.
- B. **Maintenance Standards.** Every fence or wall shall be maintained in a condition of reasonable repair. The fence or wall shall not be allowed to become and/or remain in a condition of disrepair. Disrepair includes, but is not limited to, noticeable leaning toward an adjoining property or sidewalk, missing sections or slats, broken supports, non-uniform height, an overgrowth of noxious weeds or vines growing on or through the fence onto an adjoining property, sidewalk or public right-of-way, or be in any other condition of disrepair condition that creates an imminent danger to public safety or threatens adjacent property.
 1. In the event a fence does not comply with the minimum maintenance standards, the city shall notify the property owner of the problem with a notice to correct the violation in accordance with the abatement procedures in this chapter.

2. If the property owner fails to correct the problem, the city council may declare the fence a public nuisance and enforce provisions of this code by using the summary abatement provisions and/or enforcement provisions in this chapter.

(Ord. No. 367, § 1, 2-12-2013)

8.04.105 Fencing Maintenance Standards:

Not in either the Harrisburg, Halsey or Corvallis Livability Code.

8.04.110 Fences.

- A. No owner or person in charge of property shall construct or maintain a barbed-wire fence, or permit barbed wire to remain as part of a fence, along a sidewalk or public way; except such wire may be placed above the top of other fencing not less than six feet, six inches high.
- B. No owner or person in charge of property shall construct, maintain or operate an electric fence along a sidewalk or public way or along the adjoining property line of another person.
- C. Notwithstanding the prohibition against electric fences set forth in subsection B of this section, an owner or person in charge of property may, after obtaining a permit from the city, construct, operate and maintain an electric fence.
 1. Upon proper application, the city may allow the construction, operation and maintenance of an electric fence along a sidewalk, public way or along the adjoining property line of another person;
 2. In determining if it is appropriate to grant a permit herein the city shall apply the following criteria:
 - a. The applicant's purpose in constructing and maintaining the fence must be for the restraint of livestock within the bounds of the fence;
 - b. The charging unit of the fence must be purchased later than January 1, 1994 and shall be limited to no more than nine thousand six hundred (9,600) volts direct current;
 - c. The fence must be posted every fifty (50) feet with an appropriate sign warning that the fence is electrified;
 - d. No more than two electrically charged strands shall be allowed on the fence. The strands must be placed in a manner to minimize the danger to persons of accidental contact with the fence;
 - e. If the property fenced is not used for the restraint of livestock for more than thirty (30) days the owner or person in charge of the property shall disconnect the charging unit from the fence. If the property is not used for the restraint of livestock for a period of one year the charging unit and strands, if any, shall be removed;
 3. Prior to acting on the application notice must be given to all property owners within two hundred fifty (250) feet of the proposed electric fence. The notice must be given at least ten (10) days prior to the council meeting that the application is being heard;
 4. It shall be the applicant's burden to establish that the criteria set forth in subsection (C)(2) of this section is met;
 5. The permit may be revoked by the city immediately upon determining the fence is a hazard to the health, safety or welfare of the general public;
 6. The city may, by resolution, establish a fee for the permit. The fee shall include administrative costs incurred by the city and all costs incurred by the city to notify the surrounding landowners.

(Ord. 260 § 1, 1995; Ord. 195 § 21, 1985)

8.04.110 Fences --- Comparison:

Halsey – Section 21, Ord 2018-04. Mill City’s language is more detailed and provides opportunities for barbed wire fences to contain farm animals.

Harrisburg – 8.05.100. Nearly identical to Mill City Sections A & B.

8.04.120 Surface waters—Drainage.

- A. No owner or person in charge of a building or structure shall permit rainwater, ice or snow to fall from the building or structure onto a street or public sidewalk or to flow across the sidewalk.
- B. The owner or person in charge of property shall install, and maintain in a proper state of repair, adequate drainpipes or a drainage system, so that overflow water accumulating on the roof or about the building is not carried across or on the sidewalk.

(Ord. 195 § 22, 1985)

8.04.120 – Surface waters – Drainage --- Comparison:

Halsey – Section 22, Ord 2018-04. Identical.

Harrisburg – 8.05.080. Identical.

Article IV. Nuisances Affecting Public Peace—Additional Nuisances

[8.04.130 Radio and television interference.](#)

[8.04.140 Junk.](#)

[8.04.145 Inoperable motor vehicle.](#)

[8.04.150 Additional nuisances.](#)

[8.04.155 Unnecessary noise.](#)

8.04.130 Radio and television interference.

- A. No person shall operate or use an electrical, mechanical or other device, apparatus, instrument or machine that causes reasonably preventable interference with radio or television reception by a radio or television receiver of good engineering design.
- B. This section does not apply to devices licensed, approved and operated under the rules and regulations of the Federal Communications Commission.

(Ord. 195 § 31, 1985)

8.04.130 Radio Interference --- Comparison:

Halsey – Section 3, Ord 2018-04. Nearly identical language.

Harrisburg. 8.05.090. Identical.

8.04.090 Scattering rubbish – Add garbage, solid waste

No person shall throw, dump, store or deposit, on public or private property, rubbish, garbage, trash, solid waste, debris, refuse or any substance that would mar the appearance, create a stench or fire hazard, detract from the cleanliness or safety of the property or would be likely to injure a person, animal or vehicle traveling on a public way.

Burning garbage - check burn ordinance.

(Ord. 317 § 3, 2004: Ord. 195 § 19, 1985)

8.04.140 Junk.

- A. No person shall keep junk outdoors on a street, lot, or premises or in a building that is not wholly or entirely enclosed except for doors used for ingress and egress.
- B. This section does not apply to junk kept in a junkyard or automobile wrecking yard in a location, which has been zoned for that purpose and which has been approved by the city in accordance with established zoning procedures.

(Ord. 317 § 4, 2004: Ord. 195 § 32, 1985)

8.04.090 Scattering Rubbish & 8.04.140 Junk ----- Comparison:

Harrisburg – 8.05.100 Identical to Mill City. Mill City’s junk definition is “broader”.

Halsey – Ord 2018-424. Sections 17 to 20 – More extensive language than Mill City’s code. Most of these items are covered under Mill City’s definition of “JUNK”

Section 17. Appliances and Fixtures. No person shall leave, store or place any inoperable or discarded washer, dryer, ice box, freezer, refrigerator, dishwasher, stove, water heater or other household appliance or any plumbing fixture on public or private property outside of a building unless it is completely enclosed by a solid fence or other solid structure and is not visible from a public right-of-way, other public area, or another private property.

Section 18. Household Goods. No person shall leave, store or place any discarded couch, chair, mattress, carpet or other piece of household furniture or furnishings on public or private property outside of a building, unless it is completely enclosed by a solid fence or other solid structure and is not visible from a public right-of-way, other public area, or another private property.

Section 19. Junk & Debris. No person shall allow the accumulation, collection, or storage of junk or debris to occur on property under their possession or control that is visible from the public right-of-way, other public area, or another private property.

Section 20. Scattering Rubbish. No person shall deposit, on public or private property, any debris, junk, garbage, or other substance that would mar the appearance, create a stench or fire hazard, detract from the cleanliness or safety of the property or would be likely to injure a person, animal or vehicle traveling on a public right-of-way.

Harrisburg – 8.05.070 “Trash Removal”.

Trash must be removed within 1 week for household garbage and 2 weeks for other trash/debris, to keep it from “blowing around” or “attracting rodents or other animals.”

Includes language to be able to cite people dumping “trash” on public or private property.

8.05.070 Trash Removal.

2. No person shall allow trash for which the person is responsible for to be on public property, or on private property that the person does not own or control.

3. No person shall discard or dispose of any trash on public property, except in a receptacle provided for such trash and other refuse.

a. No person shall take any household or commercially generated trash or other refuse onto public property for the purpose of discarding or disposing of such trash or other refuse.

Storage of trash in trailers on public right-of-way. Does city want to require garbage service?

8.04.145 Inoperable motor vehicle.

- A. No owner or person in charge of property shall store or permit the storing of an inoperable vehicle and/or abandoned vehicle upon a specific parcel or parcels of public or private property within the city, unless: (1) the vehicle is stored as a part of a commercial business operation that has been approved by the city, or (2) the vehicle is stored wholly or entirely within an enclosed building.

8.04.145 Inoperable Motor Vehicle

Halsey – Section 24, Ord 2018-04. Similar language. Separates “Storage in ROW” as separate section.

Section 24. Discarded and Inoperable Vehicles

- (1) Discarded Vehicles Prohibited. It shall be unlawful to park, store, or leave, or permit the parking or storing of any discarded vehicle upon any public or private property within the City, unless it is located where it is not visible from outside the owner’s property, or unless it is in connection with a property authorized business pursuant to the zoning laws of the City.
- (2) Inoperable Vehicles. It shall be unlawful to park, store or leave or permit the parking or storing of more than two inoperable vehicles upon any public or private property within the City, unless such vehicles are located where they are not visible from outside the owner’s property, or unless it is in connection with a properly authorized business pursuant to the zoning laws of the City.

No more than two discarded or inoperable vehicles may be stored on private property, unless stored within an enclosed building.

Section 30. Storage of Property on the Public Right of Way.

No person shall store or permit to be stored any personal property of any kind on any public right of way, street, alley, parking strip, sidewalk, ditch or curb, except for legally parked motor vehicles as permitted by Halsey Municipal Code 6.15 Traffic. Failure to move personal property for a period of 72 hours shall constitute prima facie evidence of storage of personal property.

- B. The parking of inoperable vehicles, machinery, equipment or similar objects for a time period in excess of seventy-two (72) hours on the right-of-way of any street, alley, public right-of-way or other publicly owned property within the city shall not be permitted. (Ord. 317 § 5, 2004)

What about RV/trailer or other vehicle parked in public right-of-way.? Look at parking ordinance. Add cross reference for Kim if this is prohibited.

8.04.145 - Junk – Discarded Vehicles

Corvallis -- Junk definition includes any derelict, neglected, wrecked motor vehicle, trailer, boat, etc. or part thereof.

8.04.150 Additional nuisances.

- A. The acts, conditions or objects specifically enumerated and defined in this chapter are declared public nuisances and may be abated by the procedures set forth in Article V of this chapter.
- B. In addition to the nuisances specifically enumerated in this chapter, every other thing, substance or act that is determined by the council to be injurious or detrimental to the public health, safety or welfare of the city is declared a nuisance and may be abated as provided in this chapter.

(Ord. 195 § 45, 1985)

8.04.150 Additional Nuisances - Comparison:

Halsey – Section 34 & 35, Ord 2018-04. Identical.

Harrisburg – Identical.

8.04.155 Unnecessary noise.

No person shall create or assist in creating or permit the continuance of unreasonable noise in the city. The following enumeration of violations of this section is not exclusive but is illustrative of some unreasonable noises:

- A. Keeping an animal that, by loud and frequent or continued noise, disturbs the comfort and repose of a person in the vicinity.
- B. Using an engine, thing or device that is so loaded, out of repair or operated in such a manner as to create a loud or unnecessary grating, grinding, rattling or other noise.
- C. Using a mechanical device operated by compressed air, steam or otherwise, unless the noise created by it is effectively muffled.
- D. Construction, excavation, demolition, alteration or repair of a building between the hours of 8:00 p.m. and 7:00 a.m., except by special permit granted by the city.
- E. Using or operating an automatic or electric piano, phonograph, loudspeaker or sound-amplifying device so loudly that it disturbs persons in its vicinity, or in a manner that makes it a public nuisance.

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(Ord. 307 § 2, 2002: Ord. 196 § 4, 1985)

8.04.155 Noise -- Comparison:

Stayton --- See Stayton Ordinance Example – More details.

Article V. Abatement Procedure—Violation—Penalty

[8.04.160 Notice.](#)

[8.04.170 Abatement by person responsible.](#)

[8.04.180 Joint responsibility.](#)

[8.04.190 Abatement by the city.](#)

[8.04.200 Assessment of costs.](#)

[8.04.210 Summary abatement.](#)

[8.04.220 Violation—Penalty.](#)

8.04.160 Prior to Notice -- Add Section delegating investigation & determination to staff and providing step for Voluntary Compliance

Halsey – Ord 2018-424, Section 36.

36. Investigation and Determination. The existence of an enumerated nuisance shall be determined by the City Administrator. Upon determination that a condition or action exists which violates this ordinance, the City Administrator may cite the person responsible into municipal court for the offense, may initiate proceedings to abate the nuisance or both. The City Administrator may also determine that even though a violation exists, the City lacks the resources to enforce this ordinance and will leave enforcement to a civil action by persons affected.

Section 37. Voluntary Compliance

- (1) Upon determination that a nuisance exists as defined in this ordinance, the City Administrator has the option to solicit voluntary compliance by sending a letter to, or by a telephone call followed by a letter documenting the conversation with, the person responsible for abating the nuisance; and establishing a deadline for compliance with provisions of the ordinance. If the City Administrator confirms the person responsible has not voluntarily complied within the time period, or if the violation is a recurrent violation, the City Administrator may initiate formal abatement proceedings by causing a notice to be posted and mailed as described in Section 38.
- (2) In the event the person responsible has made significant improvement to the property, and requests additional time, or where there is an extreme hardship as determined by the City Administrator, the City Administrator may extend the deadline.

8.04.160 Notice.

- A. On determination that an enumerated nuisance exists, the City Recorder ~~by the council that a nuisance exists, the council~~ the City Recorder shall cause a notice to be posted on the premises or at the site of the nuisance, directing the person responsible to abate the nuisance.
- B. At the time of posting, the city recorder shall cause a copy of the notice to be forwarded by registered or certified mail to the person responsible at the person's last known address.
- C. The notice to abate shall contain:
 1. A description of the real property, by street address or otherwise, on which the nuisance exists;

Title 8 HEALTH AND SAFETY

2. A direction to abate the nuisance within ten (10) days from the date of the notice;
 3. A description of the nuisance;
 4. A statement that, unless the nuisance is removed, the city may abate the nuisance and the cost of abatement will be charged to the person responsible;
 5. A statement that failure to abate a nuisance may warrant imposition of a fine or jail sentence;
 6. A statement that the person responsible may protest the order to abate by giving notice to the city recorder within ten (10) days from the date of the notice.
- D. If the person responsible is not the owner, an additional notice shall be sent to the owner, stating that the cost of abatement not paid by the person responsible may be assessed to and become a lien on the property.
- E. Upon completion of the posting and mailing, the persons posting and mailing shall execute and file certificates stating the date and place of the mailing and posting.
- F. An error in the name or address of the person responsible shall not make the notice void, and in such case the posted notice shall be sufficient.

(Ord. 195 § 46, 1985)

8.04.160 Notice -- Comparison:

Halsey – 2018-424, Section 38. – Identical procedure.

8.04.170 Abatement by person responsible.

- A. Within ten (10) days after the posting and mailing of notice as provided in Section 8.04.160, the person responsible shall remove the nuisance or show that no nuisance exists.

8.04.175 Appeal of Nuisance Determination

Add a new section heading and put subsections B., C. and D. in the new section.

ADD Section Heading – Appeal of Nuisance Determination

- B. A person responsible, protesting that no nuisance exists, shall file a written statement that specifies the basis for the protest with the city recorder.
- C. The statement shall be referred to the council as a part of its regular agenda at its next succeeding meeting. At the time set for consideration of the abatement, the person protesting may appear and be heard by the council. The council shall determine whether a nuisance in fact exists, and the determination shall be entered in the official minutes of the council. Council determination shall be required only in cases where a written statement has been filed as provided.
- D. If the council determines that a nuisance in fact exists, the person responsible shall abate the nuisance within ten (10) days after the council determination.

(Ord. 195 § 47, 1985)

8.04.180 Joint responsibility.

If more than one person is a person responsible, they shall be jointly and severally liable for abating the nuisance or for the costs incurred by the city in abating the nuisance.

(Ord. 195 § 48, 1985)

8.04.190 Abatement by the city.

- A. If the nuisance has not been abated by the person responsible within the time allowed, the council may cause the nuisance to be abated.
- B. Any person acting on behalf of the City engaged in removing or correcting the nuisance ~~The officer charged with abatement of the nuisance~~ shall have the right to enter into or upon property at reasonable times to investigate or cause the removal of a nuisance.
- C. The city recorder shall keep an accurate record of the expense incurred by the city in physically abating the nuisance and shall include a **minimum charge of \$100 or actual costs plus 10% charge** of \$100.00 or 10% of those expenses, whichever is greater, for administrative costs. ~~twenty (20) percent of those expenses for administrative costs.~~

(Ord. 195 § 49, 1985)

8.04.190 Abatement by City -- Comparison:

Halsey – 2018-424, Section 42. – Modify language to provide flexibility to the City. Sets minimum cost for abatement plus a minimum \$100 administrative charge to cover the staff time to enforce the nuisance.

8.04.200 Assessment of costs.

- A. The city recorder shall forward to the owner and the person responsible, by registered or certified mail, a notice stating:
 - 1. The total cost of abatement, including the administrative costs;
 - 2. That the costs as indicated will be assessed to and become a lien against the property unless paid within thirty (30) days from the date of the notice;
 - 3. That if the owner or the person responsible objects to the cost of the abatement as indicated, a notice of objection may be filed with the city recorder not more than ten (10) days from the date of the notice.
- B. No sooner than thirty (30) days after the date of the notice, the council, in the regular course of business, shall hear and make a decision on the objections to the costs assessed.
- C. If the costs of the abatement are not paid within thirty (30) days from the date of the notice, an assessment of the costs, as stated or as decided by the council, shall be made by resolution and shall be entered in the docket of city liens. When the entry is made, it shall constitute a lien on the property from which the nuisance was removed or abated.
- D. The lien shall be enforced in the same manner as liens for street improvements are enforced and shall bear interest at the rate of ten (10) percent per year. The interest shall begin to run from the date of entry of the lien in the lien docket.
- E. An error in the name of the owner or the person responsible or a failure to receive the notice of the proposed assessment will not void the assessment, and it shall remain a valid lien against the property.

(Ord. 195 § 50, 1985)

8.04.160 Abatement Costs Appeal --- ADD a new section. Gives opportunity to appeal the cost of the abatement if the property owner thinks the City's charges are excessive.

ADD New Section -- Abatement Costs Appeal

- (1) A person responsible, protesting the abatement costs, shall file a written statement that specifies the basis for the protest with the City Administrator within 10 days from the date of the notice.
- (2) The statement shall be referred to the Council as part of its regular agenda at its next succeeding meeting that is not less than five business days from the date the written statement is filed with the City. At the time set for consideration of the abatement, the person protesting may appear and be heard by the Council. The Council shall determine whether the abatement costs were assessed correctly, and the determination shall be entered in the official minutes of the Council.
- (3) If the Council determines that a nuisance in fact exists, the person responsible shall pay the abatement costs within 30 days after the Council determination.
- (4) If the costs are not paid within 30 days from the date of the Council determination, the assessment of costs shall be made by resolution, and shall be entered in the docket of City liens, as described in **Section 8.04.xxx.**

8.04.210 Summary abatement.

The procedure provided by this chapter is not exclusive, but is in addition to procedure provided by other ordinances. The chief of the fire department, a law enforcement officer, or any other city official may proceed summarily to abate a health or other nuisance which unmistakably exists and which imminently endangers human life or property.

(Ord. 195 § 51, 1985)

8.04.210 Summary Abatement -- Replace w/ the following section.

Halsey – 2018-424, Section 45. – Provides more clarity on use of the Summary Abatement option.

- (1) When making the determination that a nuisance exists under this ordinance, if the City Administrator determines that the condition which exists is an imminent danger to human life, safety or to property, the City Administrator shall, without notice and hearing, summarily abate the nuisance.
- (2) Following such a summary abatement, the City Administrator shall cause the notice required by Section 43 to be given to the owner and the person responsible. The owner or the person responsible may protest the City Administrator's determination that a nuisance existed and the cost of abatement. Such protest shall be in writing, filed with the City Administrator within 10 days of the date of the notice, and heard by the Council within the time limits provided in **Section 8.04.xxx.**

8.04.220 Violation—Penalty.

- A. Penalty. A violation of a provision of this chapter is punishable by a fine not to exceed five hundred dollars (\$500.00), ~~or by imprisonment not to exceed ten (10) days, or by both.~~
- B. Separate Violations.
 - 1. Each day's violation of a provision of this chapter constitutes a separate offense;
 - 2. The abatement of a nuisance is not a penalty for violating this chapter, but is an additional remedy. The imposition of a penalty does not relieve a person of the duty to abate the nuisance. However, abatement of a nuisance within ten (10) days of the date of notice to abate, or if a written protest has been filed, then abatement within ten (10) days of council determination that a nuisance exists, will relieve the person responsible from the imposition of a penalty under this section.

(Ord. 195 §§ 52, 53, 1985)

CORVALLIS LIVABILITY CODE OPTIONS

9.2.70.3 Complaint Based Response.

- 1) Administrative and enforcement responses under this chapter will be initiated on the basis of a complaint.
- 2) Complaints may be filed by members of the public, by representatives of the city organization and by representatives of external agencies in a manner that shall be consistent with administrative operating guidelines.
- 3) Anonymous complaints will not be accepted.
- 4) Notwithstanding the provisions of CMC 9.02.070.03(1), the Director may choose to initiate administrative or enforcement activities when conditions are known or suspected to be present on a property, premises or a structure that would constitute an imminent hazard or an incipient hazard, as those terms are defined herein.

C

9.2.70.4 Inspections

9.2.70.5 Right of Entry

- 9.2.70.5.1 Administrative Warrant
- 9.2.70.5.2 Grounds for Issuance of Administrative Warrant
- 9.2.70.5.3 Procedure for Issuance of Administrative Warrant
- 9.2.70.5.4 Execution of Administrative Warrant

BURN BAN

Add a code provision to require compliance with burn ban imposed by a state or federal agency. Or fire department (check w/ Fire District attorney).

Parking too close to travel lanes. Find code provision.

Parking outside driveway in front yard area. Find code provision.

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: October 1, 2018

Professional Services rendered to the City of Mill City for the planning and administrative services during the period September 4 to 30, 2018.

Planning and Administrative Services:

General

3.00	hours	Administrative Support: Prep response to Frank Shythe Sewer Permits/SDC questions; Review PW Shops RFP; Mtg in Scio w/ LC small cities re: Building Inspection services.
11.55	hours	SRTS Grant Application: Prepare SRTS maps, grant application (draft), SRTS Plan, mtgs w/ Stacie, Anita Leach & Santiam Canyon School District officials; Coordination w/ John Ashley and John Newberg for survey and mapping work;
3.70	hours	SOB – RR Bridge Project. Brownsville visit (Main Street corridor); FHWA conference call re: grant agreement; Review ODOT/Linn County Transfer of Jurisdiction Agreement for vehicle bridge and 1 st Ave/Wall Street intersection;
15.95	hours	General Planning Services: Respond to land use questions from Stacie Cook and Vicki re: various items; Q&A re: NW 8 th Place, Dan Berrey (4 th Ave); Water/Sewer Master Plan grant opportunities; Nuisance Ordinance updates (mtg w/ Kim, Stacie, Ann C and Marg); Prep Nuisance Ordinance amendments; Prep PC packets; attend Planning Commission meeting & minutes; Mill City Falls Park Charging Station options; various emails to City, surveyors.

34.20 hours @ 75/hr \$ 2,565.00

Planning – Land Use Applications

3.65	hours	2017-02. Lucas/Baughman UGB Amendment. Attend LC Planning Commission and LC Board of Commissioners public hearings. Review LC staff reports prior to meetings; Answer questions at Board of Commissioners public hearing.
9.25	hours	2018-08 Ward Minor Partition. Pre-Application meeting with Bob & Vicki Ward. Prepare Notices & Staff Report; Email maps to Stacie for review by applicant.
2.25	hours	2018-xx Crum – NW 8th Place. Pre-Application meeting w/ Leslie Crum. Prepare written responses to applicant's questions on utilities and zoning.

15.15 hours @ 75/hr \$ 1,136.25

Subtotal – General Planning & Admin Personal Services **\$ 3,701.25**

No Charge

6.90 hours General Planning and Administrative items

Expenses

Mileage Charges @ .55 per mile

Administration. Building Inspection meeting 24 miles..... \$ 13.20

SRTS Mtg 38 miles \$ 20.90

SOB Mtgs and TIGER Grant meetings 83 miles..... \$ 45.65

Planning Mtgs: PC, Pre-App Meeting, LC Hearings 176 miles \$ 96.80

Subtotal of Expenses **\$ 176.55**

Total Due: \$ 3,877.80

Remit to:

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

Client: City of Mill City Month: September 2018

Date	Start Time	End Time	Total	Admin	SCA Cedar	SCA - 5th	SRTS Grants & Apps	TIGER-SOB RR Bridge	Planning General	2017-02 Lucas UGB	2018-08 Ward Minor Partition	2018-xx Pre-app Crum NW 8th	No Charge	Total	Work Activities	Miles
9/4/2018	10:00	10:15	0.20						0.20					0.20	Call w/ Stacie Cook to review current planning items: Vicki Ward pre-app; Dan Berrey pre-app; PC meeting dates for September,	
9/5/2018	11:15	11:30	0.25						0.25					0.25	Calls w/ Ann Carey re: PC Meeting dates; Code amendments for nuisance ordinance amendments; derelict/dangerous building updates. Get copy of Halsey code update.	
9/5/2018	2:30	2:45	0.10					0.10						0.10	Emails w/ Scott McDowell; Brownsville; Lynda Harrington re: Brownsville tour of bridge/street improvements on 9-10-2018.	
9/5/2018	2:45	2:55	0.15										0.15	0.15	Respond to Email from Melinda Flatman re: survey work	
9/6/2018	9:00	10:30	1.50								0.50		1.00	1.50	Prep for Pre-App Mtg w/ Bob & Vicki Ward; Prepare Partition and Future Subdivision option map.	
9/6/2018	10:45	12:00	1.25								1.25			1.25	Pre-App Mtg w/ Bob & Vicki Ward; Contact w/ Steve Barnett for City Limits Legal Description.	
9/6/2018	12:00	1:00	1.00						1.00					1.00	Discussion w/ Stacie Cook - Various Planning Items; FmHA options for Water Master Plan/Sewer Master Plan grant applications.	38
9/6/2018	2:15	3:00	0.75								0.50		0.25	0.75	Review legal description of City's 1947 Incorporation; Modify partition map for Ward site; Emails to City & Wards. VM Scott Baughman-Lv msg	
9/8/2018	9:20	10:30	1.00								1.00			1.00	Ward 2018-08 Partition - Notices of Public Hearing;	
9/8/2018	10:30	11:00	0.50								0.50			0.50	Ward 2018-08 Partition - Staff Report	
9/10/2018	11:00	12:15	1.25					1.25						1.25	SOB Tour of Brownsville project site.	
9/10/2018	12:15	1:30	1.25										1.25	1.25	SOB Luncheon @ Amandos	
9/10/2018	2:30	3:15	0.75					0.75						0.75	Travel	45
9/11/2018	10:00	11:00	1.00	1.00										1.00	Small Cities - Building permits meeting in Scio; Representing Mill City	24
9/11/2018	6:00	8:30	2.50							2.00			0.50	2.50	Linn County Planning Commission - Lucas/Baughman UGB Extension - Review Linn County staff report; Attend LC Planning Comm public hearing;	50
9/13/2018	2:30	5:00	2.50				2.50							2.50	SRTS Maps - Email to John Ashley & Stacie for discussion	
9/14/2018	8:45	11:00	2.25						2.25					2.25	Mtg w/ Stacie, Kim, Ann Carey and Marg to review nuisance ordinance	
9/14/2018	11:00	12:45	1.75				1.75							1.75	Mtg w/ Santiam Canyon School District Architect re: SRTS-App and Site Plan review requirements.	38
9/14/2018	1:00	2:00	1.00				1.00							1.00	Budget review - July 1, 2018 Beginning Fund Balances w/ Vicki Emery	
9/14/2018	2:00	3:30	1.50				1.50							1.50	Email to SCSD Architect: Review water, sewer, storm improvements in School Area w/ Russ Foltz; Walk school site - SW Evergreen Street	
9/14/2018	3:30	5:00	1.50						1.00				0.50	1.50	Planning items with Stacie Cook - PC Agenda items; Dealers' License ltr; Frank Shythe property; Pre-App mtg w/ potential buyer for Rasmussen;	
9/17/2018	9:50	10:20	0.50						0.50					0.50	Nuisance Code Update	
9/17/2018	10:25	11:15	0.80				0.80							0.80	SRTS Maps - Review w John Ashley	
9/17/2018	11:25	4:00	4.50						4.00				0.50	4.50	Nuisance Code Update; Prepare PC Packet; Email to Stacie Cook & Ann C.	
9/18/2018	5:00	5:45	0.75								0.50		0.25	0.75	Revise notices and maps per application. Email to Stacie Cook.	
9/18/2018	6:45	8:00	1.25								1.00		0.25	1.25	2018-08 Ward Staff Report	
9/19/2018	9:10	1:20	4.50								4.00		0.50	4.50	2018-08 Ward Staff Report	
9/21/2018	8:50	11:50	3.00						3.00					3.00	Planning Commission meeting	

City of Mill City

Accounts Payable

Allocation by Account #

Vendor: David Kinney

Fund	Account #	Admin	SCA Cedar	SCA - 5th	SRTS Grants & Apps	TIGER-SOB RR Bridge	Planning General	2017-02 Lucas UGB	2018-08 Ward Minor Partition	2018-xx Pre-app Crum NW 8th	Total	Account #
General	10-10-6050	95.28					1,293.05	273.75	693.75	168.75	2,524.58	10-10-6050
Street	20-20-6050	59.55			887.15						946.70	20-20-6050
Water	30-30-6050	59.55									59.55	30-30-6050
Sewer	40-40-6050	23.82									23.82	40-40-6050
Street Reserve	70-73-6005			-							-	20-20-6050
RR Bridge	50-50-6005					323.15					323.15	50-50-6005
Skate Park	55-55-6005										-	55-55-6005
		238.20	-	-	887.15	323.15	1,293.05	273.75	693.75	168.75	3,877.80	

