



City of Mill City

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MILL CITY PLANNING COMMISSION AGENDA

January 9, 2015 9:00 a.m.

City Hall – 444 S. First Avenue

MILL CITY, OREGON 97360

1. **Call to Order and Flag Salute** Chair Nancy Kelle
2. **Approval of Minutes:** December 12, 2014 - Regular Meeting
December 19, 2014 – Special Meeting – Mason Annexation

3. **Public Comment:**

We welcome you to today's regular monthly 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 board 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. **Presentations: None Scheduled**
5. **Public Hearings None Scheduled**
6. **Old Business:**
 - a. Outdoor Lighting Amendments to Zoning Code
 - b. Mill City Comprehensive Plan Update - Phase 1
 - i. Chapter 4 - Land Use (updated BLA data).
 - ii. Chapter 5 – Natural Resources (1st DRAFT)
 - iii. Buildable Lands Inventory - Updated Tables from Linn County GIS
 - iv. Adopting Ordinance – DRAFT
 - a. BLA updated.
 - b. Readoption of Prior Ordinances (if needed)
 - v. Final UGB Map for concurrence by Marion County & Linn County
 - c. Other

7. New Business

- a. 2014 Annual Report (DRAFT)
- b. 2015 Work Program (DRAFT)
- c. Other

8. Information

- a. City Recorder Report
 - i. Railroad Bridge Inspection Report
- b. Grant Projects & Grant Opportunities
- c. Status of Approved Land Use Applications
 - i. 2014-07 Boneyard Bakery Site Review Awaiting engineering
 - ii. 2014-08 Bradley Lot Line Adjustment Approved 12/16/2014
 - iii. 2014-09 Opal Mason Annexation CC Hearing – 01/27/2015
- d. Prospective Applications
- e. Other

9. Adjournment

Upcoming Planning Commission Meetings (All meetings at City Hall)

January 23, 2015	9:00 - 10:30 a.m.	Work Session: Comp Plan Update
February 13, 2015	9:00 a.m.	Regular Meeting
Presentation & Discussion: Oregon Field Burning Program Roger Beyer Executive Director, Oregon Seed Council John Byers OR Dept. of Agriculture, Program Manager Soil and Water Conservation Districts		
February 24, 2015	5:00 p.m. 6:00 p.m.	Open House Joint Hearing w/ CC re: Comp Plan
February 27, 2015	9:00 – 10:30 a.m.	Work Session: Comp Plan Update
March 13, 2015	9:00 a.m.	Regular Meeting
March 24, 2015	6:30 p.m.	Council Hearing: Comp Plan Update
March 27, 2015	9:00 – 10:30 a.m.	Work Session
April 10, 2015	9:00 a.m.	Regular Meeting
April 24, 2015	9:00 – 10:30 a.m.	Work Session

Future Agenda Items

Not Scheduled Linn County Sheriff / Building Inspection Staff re:
 Derelict Building enforcement & Residential Maintenance Code
 Marijuana Dispensaries

MILL CITY PLANNING COMMISSION
Meeting of December 12, 2014
9:00AM
DRAFT

Planning Commission members present: Chair Nancy Kelle, Vice-Chair Gay Stuntzner, Ann Carey, Dennis Chamberlain, David Leach, Cheryl Lundquist and Frances Villwock. Staff in attendance: City Recorder/Planning Secretary Stacie Cook, and Planning Advisor David Kinney.

Community members present: None.

APPROVAL OF MINUTES:

***Cheryl Lundquist* moved, seconded by *Ann Carey* to approve the minutes of November 14, 2014 as presented.** The motion carried unanimously.

CITIZEN COMMENTS: None.

PRESENTATIONS: None.

PUBLIC HEARING: None.

OLD BUSINESS:

Outdoor Lighting Code Amendments: Mr. Kinney asked if the Planning Commission is ready to forward the modifications to the City Council.

Gay Stuntzner said that there is a new Council that will be coming in and they should have a decision as to whether to move ahead as well.

Dennis Chamberlin said that he got the impression that the Council was concerned that lights would be reviewed for violation on a regular basis when the intention is to only have this be on a complaint basis.

Mrs. Stuntzner suggested putting a definition in for “foot-candle”.

Mrs. Lundquist said that she feels the Council does not want to include R-1 in the lighting code but does agree with putting it in the nuisance code.

Consensus to forward the draft code as presented today to the City Council with a few minor modifications including: no time limit on motion lights and 3+ units in multi-family requires a limited foot-candle.

Mill City Comprehensive Plan Update: Mr. Kinney said that DLCD has reviewed the document and suggested a few modifications. Comments from Linn County are still not in. The ordinance and findings documents need to be drafted prior to a hearing. Mapping is not complete by Linn County at this time. The notice to DLCD will be sent after today’s meeting to advise of a public hearing.

NEW BUSINESS:

Field Burning: DEQ/Dept. of Ag Response to the City and Environmental Justice Task Force Meeting Report: Mrs. Stuntzner gave a brief report on the letter regarding field burning and its impact on the upper canyon area stating that there seems to be an issue with making environmental justice a part of all state agencies. Mrs. Stuntzner spoke at a recent meeting of the environmental task force and asked where the Planning Commission stands in their concerns. An email from one member of the task force regarding this meeting outlines that the Planning Commission will need to be very proactive in politicking on this issue and using the task force as well as other groups/agencies as a vehicle to get the burn law changed.

Annual Meeting Schedule: Mr. Kinney said that the next two to three months will be fairly busy so no additional items will be added.

Systems Development Charges – Overview of SDC's: Mr. Kinney gave a brief Powerpoint outlining systems development charges.

INFORMATION ITEMS:

Bradley Lot Line Adjustment: Mr. Kinney provided a draft lot lint adjustment drawing for the Bradley application. The proposal is to do a jogged lot line to accommodate a sewer line.

Blaylock Site Plan: It has been determined that the structures being erected are not in compliance with the site plan approval. Staff has issued a hold on any further inspections until the matter is taken care of.

CITY RECORDER REPORT: Mrs. Cook gave a brief report on the following items.

- a. Marion County Community Projects Grant
- b. Railroad Bridge Inspection
- c. Resolution No. 76X – Council Operating Protocol
- d. ODOT Cooperative Improvement Agreement – 1st Avenue Crosswalk
- e. Audit Services Contract – Accuity, LLC
- f. Old Water Treatment Plant “Toe Area” Concrete Wall
- g. Swearing in of New Council
- h. Storm Sewer Maintenance

FURTHER BUSINESS FROM THE PLANNING COMMISSION

The meeting was adjourned at 11:59 a.m.

Prepared by:

Stacie Cook, MMC, City Recorder/Planning Secretary

MILL CITY PLANNING COMMISSION
Meeting of December 19, 2014
9:00AM
DRAFT

Planning Commission members present: Chair Nancy Kelle, Ann Carey, Cheryl Lundquist and Frances Villwock. Vice Chair Gay Stuntzner, Dennis Chamberlin and David Leach were absent. Staff in attendance: City Recorder/Planning Secretary Stacie Cook, and Planning Advisor David Kinney.

Community members present: Opal Mason.

The Planning Commission began the meeting with a site visit to 48974 SE Fairview Street, Mill City, Oregon.

APPROVAL OF MINUTES: None.

CITIZEN COMMENTS: None.

PRESENTATIONS: None.

PUBLIC HEARING: File No. 2014-09 Annexation and Zone Change
Applicant: Opal Mason
Location: 48974 SE Fairview St., Mill City
Assessor's Map #: T9SR3E Section 32 Tax Lot 00301

Chair Kelle opened the public hearing at 9:15a.m. and called for any conflict of interest, bias or ex parte contact. Chair Kelle declared a conflict as she has been assisting the applicant with the process and stepped away from the table.

Frances Villwock moved, seconded by Cheryl Lundquist to appoint Dave Kinney as Chair during the hearing process. The motion carried unanimously.

STAFF REPORT: Mr. Kinney stated that the applicant requested annexation into the City due to a failed septic on her property. The property will be annexed into the City as single family residential unless the applicant requests a different zoning. There are some future development opportunities for the site should the property owner wish to do so.

Linn County Environmental Health concurred with the connection and the Fire Department wanted to ensure that there is not an inconsistency in addressing. At this time there is not a need to re-address the property.

APPLICANT'S PRESENTATION: Opal Mason, applicant, stated that when she moved into the home the septic did not work property and upon bringing in a pumping company they advised that there were roots in the line. Because there is a failure in the line Mrs. Mason is required by State law to connect to City services if they are within a specific distance.

PROPONENT’S TESTIMONY: None.

OPPONENT’S TESTIMONY: None.

GENERAL TESTIMONY: None.

QUESTIONS OF CLARIFICATION FROM PLANNING COMMISSION: Ann Carey asked if the Dept. of Revenue has completed their review of this application. Mr. Kinney said that they have. As a part of this annexation, the right-of-way should be included as well.

Mrs. Carey asked if 300’ is the correct footage to require connection to City services. Mr. Kinney said that it is.

Mrs. Lundquist noted that the actual date of the final inspection is correct in the report. Mr. Kinney will modify this to be the true date once the electrical is finalized.

APPLICANT’S SUMMARY: None.

STAFF SUMMARY: Mr. Kinney said his recommendation is to approve the property annexation and to include the right-of-way in the annexation.

Mr. Kinney closed the public hearing at 9:32 a.m.

PLANNING COMMISSION DELIBERATION:

Ann Carey moved, seconded by *Frances Villwock* to recommend to the City Council approve the application of Opal Mason, File No. 2014-09 to annex a 3.00 acre parcel at 48974 SE Fairview St. and the adjacent SE Fairview Street right-of-way and rezone the property to R-1 Residential and adopt the findings of fact as prepared subject to the recommended conditions of approval. The motion carried unanimously.

OLD BUSINESS: None.

NEW BUSINESS: None.

INFORMATION ITEMS: Mr. Kinney said that a stop work order was issued on the mini storage units due to them not being built in compliance with the approved plan.

CITY RECORDER REPORT: None.

FURTHER BUSINESS FROM THE PLANNING COMMISSION: None.

The meeting was adjourned at 9:38 a.m.

Prepared by:

David W. Kinney
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(503) 551-0899
Email: dwkinney@wvi.com

January 2, 2015

To: Chairman Nancy Kelle and Planning Commissioners

From: David W. Kinney, Planning Consultant

In RE: Agenda Items for January 9, 2015 Regular Meeting

7. OLD BUSINESS

a. Outdoor Lighting Code Amendments:

The Planning Commission discussed the outdoor lighting amendments at the December 12, 2015 meeting. Amendments have been made based on the discussion that day. There are still a few outstanding issues before the proposed amendments will be presented to the City Council:

1. 17.44.090.C.7 (page 2) Motion Detectors: Commissioner Villwock requested the decision to exempt motion detector lighting be reconsidered.
2. Footnote (page 2) Definition of foot candle
3. 17.44.090.D.4 (page 3) Measurement of Lighting at edge of property.

**Recommendation: Review and Discuss Outdoor Lighting Code Amendments.
Decide whether or not to proceed with the proposal.**

b. Mill City Comprehensive Plan Update:

Enclosed are the following documents for the Comp Plan update:

1. Updated Memo and Schedule
2. Notice to DLCDC
3. Revised Cover sheets and table of contents
4. Public Hearing Notice
5. DRAFT Ordinance for adoption of the Comp Plan

It has taken Scott Valentine, Linn County GIS, longer to compile maps and 2014 data tables for 2014 developed land, vacant land, steep slopes, redevelopable and infill lands. As a result the schedule for

review and agency comments on the proposed Comp Plan update has been modified. I will be meeting with Scott on Monday, January 5th to resolve a few outstanding issues.

Chapter 5 “Natural Resources” is nearing completion. The narrative is 90% complete, but Linn County GIS needs to prepare the accompanying maps. The chapter will be distributed for discussion at the January 23, 2015 work session.

8. NEW BUSINESS

a. Annual Report (2014)

Enclosed is the DRAFT 2014 Annual Report. The report will be on the February 13, 2015 agenda for approval.

b. Work Program

Enclosed is the DRAFT 2015 Work Program. The Planning Commission updates the work program annually.

9. INFORMATION

a. City Recorder Report: Oral report from Stacie Cook

b. Grant Opportunities and Grant Funded Projects: Oral report from Stacie Cook.

c. Land Use Applications & Followup: On December 5th and 12th I reviewed all of the Planning files from 2010 to 2013. Most files were closed out. There are a few files where copies of documents need to be added, all conditions have not been met or the documents need to be reorganized. Stacie and I will provide a brief overview of followup on land use applications.

d. Upcoming or Prospective Applications

No changes since December 2014. The City may receive land use applications on the following projects:

Future	Site Plan Review	Subway	Hwy 22 – Old Chevron Station
Future	Building Permits only	Brew Pub/Apartments	1 st Ave/Wall Street
Future	Land Use Action on North Santiam River		SW Spring Street

Outdoor Lighting Code Revisions for the City of Mill City

January 9, 2015

DRAFT #5: *Draft developed using DLCDC Oregon Model Land Use Code for Small Cities (2012 Edition) and outdoor lighting codes from other cities in Oregon (Madras, Sisters, Troutdale, Wilsonville, etc.)*

The Mill City Planning Commission is considering amendments to the Zoning Code to add outdoor lighting standards in order to:

1. Add clear standards for new exterior lighting.
2. Protect properties from glare and lights shining directly onto them.
3. Protect the night sky.

The Planning Commission discussed the proposal with the City Council at the October 28, 2014 council meeting. Council members requested the PC consider revisions to:

Chapter 8.04 Nuisance Code

- Simplify the standards for enforcement. Include it as a nuisance complaint.
- Address trespass lighting / glare into adjacent property. Complaint driven.

Chapter 17 Zoning Code

- Simplify standards for single family homes and duplexes.
- Eliminate standards for replacement of existing lights.
- Lighting plan is required for commercial, multi-family residential, non-residential and public for parking areas. No required for single family homes or duplexes.
- Simplify lighting standards for non-residential uses.

17.44.090 Outdoor Lighting (Replaces existing language in code)

Existing Language (to be deleted)

~~Exterior lighting for uses in commercial and industrial zones shall be located in such a manner so as not to face directly, shine or reflect glare onto an adjacent street or property. (Ord. 273 § 5.090, 1998)~~

Proposed Language (to be added or modified)

17.44.090 Outdoor Lighting

A. Purpose. The purpose of this Section is to provide regulations for outdoor lighting that will:

1. Permit reasonable uses of outdoor lighting for nighttime safety, utility, security, productivity, enjoyment and commerce.
2. Conserve energy and resources to the greatest extent possible.
3. Minimize light trespass, so that excessive or misdirected lighting will not intrude on the privacy of others or cause unreasonable glare or light spillover to other property.
4. Curtail the degradation of the nighttime environment and the night sky.
5. Protect the natural environment, including wildlife, from the damaging effects of night lighting from human sources.

B. Applicability.

1. Outdoor lighting for single family residential uses, manufactured homes and duplexes that are constructed in any zone shall comply with standards listed in Sections 17.12.100 and 17.16.100 of this title.
2. The outdoor lighting standards in this Section apply to all other uses permitted in the residential, commercial, public, special planned development and industrial zones, except as exempted by provisions of this Chapter. ¹

C. Exemptions. Outdoor lighting standards do not apply to the following uses and activities:

1. All outdoor light fixtures lawfully installed prior to and operable prior to July 1, 2015 (or adoption date of the ordinance if later) are exempt from all the requirements of this Section.
2. Holiday lighting.
3. Temporary lighting for school activities, community events or similar activities.
4. Temporary lighting for construction or emergency management activities.
5. Street lighting installed by the city's electrical franchisee.²
6. Lighting for U.S. Flags properly displayed.
7. Motion detector lights that operate automatically. ~~for periods of less than ten minutes.~~
[Reconsider at 1-09-2015 PC meeting]

D. Requirements.

1. Outdoor lighting levels shall be subject to review and approval through the site plan review or conditional use permit process. As a guideline, lighting levels shall be no greater than necessary to provide for pedestrian safety, property/business identification, and crime prevention.

¹ On 12-12-2014, the Planning Commission suggested adding a definition of foot candles and examples of what the definition means. After looking for simple definition, it appears this would be more confusing than helpful.

² Add flat-lens or shielded lighting for street lights as part of the City of Mill City Public Works design standards. Allow decorative street lighting, but shield to prevent acorn lights or free standing lights to shine up into the sky.

2. Light poles shall not exceed a height of twenty (20) feet. Pedestal or bollard-style lighting is the preferred method illuminating walkways. This height limitation does not apply to flag poles, utility poles, and streetlights.
3. Except as provided for up-lighting of flags and permitted building-mounted signs, all outdoor light fixtures shall be directed downward, and have full cutoff and full shielding to preserve views of the night sky and to minimize excessive light spillover onto adjacent properties.
4. [For multi-family residential \(3 or more units\) and non-residential developments abutting adjacent residential uses or residentially zoned property, the light level emitted from outdoor light fixtures associated with the development shall not exceed or 1.0 foot-candles at the property boundary. *Discuss at 1-09-2015 meeting.*](#)
5. Lighting shall be installed where it will not obstruct public ways, driveways, or walkways.
6. Where a light standard is placed over a sidewalk or walkway, a minimum vertical clearance of eight (8) feet shall be maintained.
7. Where a light standard is placed within a walkway, an unobstructed pedestrian through zone not less than 36 inches wide shall be maintained.
8. Lighting subject to this Section shall consist of materials approved for outdoor use and shall be installed according to the manufacturer's specifications.

D. Lighting Plan Submittal Requirements. An application for a site plan review or conditional use permit for a non-residential use or a multi-family residential development shall include a lighting plan, prepared by a lighting professional, showing proposed lighting in parking lots, walkways and and outdoor service areas.

The lighting plan shall include:

1. Location on the premises of all existing and proposed outdoor light fixtures and the number and type of each light fixture, lamps, supports, reflectors, including the cut-off or shielding characteristics.
2. Descriptions of each type of light fixture, lamp source type, lumen output and wattage. The description may include the lighting manufacturer-supplied specifications ("cut sheets") that include drawings or photographs of the fixtures, indicating the certified "cut off characteristics" of the fixture.
3. Mounting height with distance noted to nearest property line.
4. Types of timing devices used to control the hours set for illumination, as well as the proposed hours each fixture will be operated.
5. A photometric report issued by a lighting professional will plot the light levels, measured in tenths of foot-candles, that the light fixtures will produce on the ground based on the designated mounting heights for all of the proposed fixtures on the site. The grid shall include light contributions from all sources (i.e. pole mounted, wall mounted, sign, and street lights.)

The grid shall show light levels on the applicant' property and light levels five feet beyond the property lines.

6. If requested, a statement from a lighting professional that the plan, as submitted, meets the City's minimum lighting standards in this Section.
- E. **Maintenance.** For public health and safety, outdoor lighting shall be operable and maintained in good condition.
- F. **Violations.** Any outdoor lighting fixture erected, constructed, enlarged or altered in violation of, any provisions of this Chapter shall constitute a nuisance. Failure to comply with the provisions of this Chapter may result in abatement or enforcement proceedings under Chapter 8.04 of this code.

Amendments Needed to Other Sections of the Zoning Code:

The following standards are the lighting standards that will apply to single family homes and duplexes.

17.12.100 R-1 Zone Adds lighting standards for single family homes.

17.12.100 Outdoor Lighting. The purpose of these standards is to allow reasonable uses of outdoor lighting for nighttime safety, utility and security, conserve energy, curtail the degradation of the nighttime environment and the night sky and minimize light trespass, so that excessive or misdirected lighting will not intrude on the privacy of others or cause unreasonable glare or light spillover to other property. The following standards apply to single family homes, manufactured homes and their accessory uses or buildings.

- A. Outdoor lighting shall not project directly into an abutting property.
- B. Outdoor lighting fixtures shall have light directed luminaires or shielding to prevent direct light from the fixture shining beyond the property line where the light fixture is installed.
- C. No blinking, strobe or rotating lights are permitted.
- D. The mounting height of a light on a building or on a free-standing light pole shall not exceed twenty (20') in height.

17.16 R-2 Zone Adds lighting standards for single family homes and duplexes.
Requires multi-family (3 or more units) and non-residential uses to comply with lighting standards using the Site Plan Review and Conditional Use Permit process.

17.16.100 Outdoor Lighting. The purpose of these standards is to allow reasonable uses of outdoor lighting for nighttime safety, utility and security, conserve energy, curtail the degradation of the nighttime environment and the night sky and minimize light trespass, so that excessive or misdirected lighting will not intrude on the privacy of others or cause unreasonable glare or light spillover to other property. The following standards apply to single family homes, manufactured homes, duplexes and their accessory uses or buildings.

- A. Outdoor lighting shall not project directly into an abutting property.
- B. All outdoor lighting fixtures shall have light directed luminaires or shielding to prevent direct light from the fixture shining beyond the property line where the light fixture is installed.
- C. No blinking, strobe or rotating lights are permitted.
- D. The mounting height of a light on a building or on a free-standing light pole shall not exceed 20' in height.

The following changes to the zoning code will apply to multi-family uses (more than 3 unit complexes), commercial, industrial, non-residential and public uses.

17.16.110 Site Plan Review Add underlined text. Modify 17.16.110.B & .C to add:

- B. Hearing and Action on a Site Plan Review Application. Before the planning commission may act on an application for a site plan review, it shall hold a public hearing thereon in accordance with the provisions of Sections 17.64.080 and 17.64.090 of this title. After the public hearing is closed, the planning commission shall either approve, deny, or approve with conditions or modifications the site plan review application. Action shall be based on the following criteria which are intended to implement the standards of subsection C of this section.
 - 6. Outdoor lighting will comply with design standards to provide adequate lighting for safety and security, provide shielding to direct light downward and prevent direct light from the fixture shining beyond the property line where the light fixture is installed.
- C. Standards. Properties subject to site plan review shall comply with the following standards:
 - 7. Outdoor lighting for multi-family dwellings with 3 or more dwelling units and non-residential uses shall be provided in compliance with the standards of Section 17.44.090 of this title.

17.20.045 Commercial Zone Add lighting standard reference. Modify 17.20.045.B. 8 to add:

- B. Site Review Criteria:
 - 8. Lighting sufficient to satisfy the intended use of the property but designed in such a manner as to not present an adverse impact (as measured by excessive brightness or glare) upon adjacent land uses or traffic movements and in compliance with outdoor lighting standards in Section 17.44.090 of this title.

17.24 Highway-Commercial Zone Add lighting standard reference. Modify 17.24.100 to add:

- 17.24.100 Outdoor Lighting. Outdoor lighting in a Highway Commercial (CH) zone shall comply with the outdoor lighting standards in Section 17.44.090 of this title.

17.28 Industrial Zone Add lighting standard reference. Modify 17.28.090 to add:

17.28.090 Outdoor Lighting. Outdoor lighting in an Industrial (I) zone shall comply with the outdoor lighting standards in Section 17.44.090 of this title.

17.32 Public Zone Add lighting standard reference. Modify 17.32.060 to add:

17.32.060 Outdoor Lighting. Outdoor lighting in a Public (P) zone shall comply with the outdoor lighting standards in Section 17.44.090 of this title.

17.36 Special Planned Development Zone Add lighting standard reference. Modify 17.36.040 to add:

17.36.040 Special standards.

In the SPD zone, development of property shall be consistent with a site development plan for the entire property which has been reviewed and approved by the planning commission and adopted by the city council.

A. The site development plan shall include the following elements:

7. Outdoor lighting in compliance with the outdoor lighting standards in Section 17.44.090 of this title.

17.52.020 Conditional Uses Add lighting standard reference. Modify 17.52.020.C to add:

C. Conditional Use Standards

8. Requiring outdoor lighting sufficient to satisfy the intended use of the property but designed in such a manner as to not present an adverse impact (as measured by excessive brightness or glare) upon adjacent land uses or traffic movements and in compliance with outdoor lighting standards in Section 17.44.090 of this title.

The following changes are proposed to the nuisance code to enable the city staff to review and respond to lighting complaints anywhere in the City.

Chapter 8.04 – Nuisances

8.04.135 Outdoor Lighting

Add this section to the Nuisance Code

- A. Outdoor lighting fixtures shall have light directed luminaires or shielding to prevent direct light from the fixture shining beyond the property line where the light fixture is installed. Lighting which is unshielded or so directed as to focus the beams directly upon adjacent residential property is prohibited at all times.
- B. For multi-family residential and non-residential developments abutting adjacent residential uses or residentially zoned property, the light level emitted from outdoor light fixtures associated with the development shall not exceed **1.0** foot-candles at the property boundary.
- C. In the event outdoor lighting does not comply with the standards in this Section, the city shall notify the property owner of the problem with a notice directing that the lighting be modified, discontinued or abated in accordance with the abatement procedures in this chapter.
- D. If the property owner fails to correct the problem, [the city recorder](#) may declare the outdoor lighting a public nuisance and enforce provisions of this code by using the summary abatement provisions and/or other enforcement provisions in this chapter, [including the issuance of a citation into municipal court.](#)

8.04.160 Notice.

- A. On determination by the [city recorder](#) council that a nuisance exists, the [city recorder](#) council 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. to F. outlines the notification process and mailing requirements.

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.
- 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)

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Email: dwkinney@wvi.com

To: Chairperson Nancy Kelle and Mill City Planning Commissioners
From: David W. Kinney, Planning Consultant
Date: December 31, 2014
Subject: 2015 Mill City Comprehensive Plan Update – Part 1 – Review and Adoption Process

The 2015 Mill City Comprehensive Plan Update – Part 1 includes the following sections:

- Chapter 1 - Introduction
- Chapter 2 - Citizen Involvement
- Chapter 3 - Demographics
- Chapter 4 - Land Use (including adoption of the Buildable Lands Inventory)
- Chapter 5 - Natural Resources
- Chapter 6 - Economy

The staff proposes the City review and adopt these amendments by April 1, 2015. The Planning Commission will then work on the remaining chapters of the plan over the next 6 – 9 months and adopt Part 2 amendments in Fall 2015. Upon completion of both phases, the City staff will compile the plan in a final acknowledged plan document.

The DRAFT 2015 Mill City Comprehensive Plan Update – Part 1 amendments were provided to Ed Moore, DLCD Local Representative, Brandon Reich, Marion County Planning and Olivia Glantz, Linn County Planning while they were being developed.

- Ed Moore, DLCD's South Willamette Valley Regional Representative, and I met several times from August to November 2014 to discuss the DRAFT. We discussed the adoption in two phases and the elements that must be included in the adoption. Ed Moore reviewed the December 1st DRAFT and suggested a few minor corrections that have been incorporated into the plan.
- Brandon Reich, Marion County Planning, reviewed early drafts of the plan amendments related to demographics, land use and the economy. He added several constructive suggestions and edited the document to add clarity.
- Linn County GIS staff will update the land use data for vacant land, infill, constrained land (steep slopes, wetlands, non-buildable areas). Scott Valentine completed a review of all buildable lands on December 23, 2014 and will generate new data tables and maps during the

next few weeks for inclusion prior to the public hearing. I will talk to Steve Barnett & Scott Valentine to verify they can complete this data update by January 15, 2015. With the Linn County GIS information, the buildable land tables and Chapter 4 – Land Use will be updated.

The following items will be included in the final package of amendments:

- | | |
|--|---------------------|
| 1. <u>2015 Mill City Comprehensive Plan Update – Part 1</u> | DRAFT completed |
| 2. Final Maps from Linn County GIS staff. | January 2015 |
| 3. 2014 Buildable Lands Inventory | Edit w/ GIS Data. |
| 4. Land Use Chapter | Edit w/ GIS Data |
| 5. Findings addressing DLCD Goals (similar to Wetlands adoption) | To be completed. |
| 6. Adopting Ordinance | DRAFT completed |
| 7. City Attorney legal review | Review by City Atty |

Copies of Phase 1 of the 2015 Mill City Comprehensive Plan Update – Part 1 will be available to the public for review on the City of Mill City website ([City of Mill City, Oregon](#)) and at City Hall, 444 First Avenue in Mill City. Electronic copies will provided for agency review on December 31, 2014. A final staff report and findings document will be prepared by February 15, 2015.

Proposed Schedule:

- | | |
|---|------------------------|
| 1. 35-day Form 1 Notice to DLCD w/ Proposed Amendments | January 2, 2015 |
| 2. DRAFT Phase 1 Comp Plan Document available at City Hall | January 15, 2015 |
| 3. Solicit Local Agency Comments (30-day review) | January 15, 2015 |
| 4. Insert Chapter 5 - Natural Resources | January 15, 2015 |
| 5. Update Buildable Lands Inventory w/ GIS Data | January 31, 2015 |
| 6. Update Chapter 4 with Buildable Lands Data | January 31, 2015 |
| 7. Staff review agency comments & insert changes | February 14, 2015 |
| 8. Planning Commission review of agency comments | February 14, 2015 |
| 9. Staff prepare final DRAFT for the Public Hearing | February 17, 2015 |
| 10. Joint Planning Commission & City Council Public Hearing | February 24, 2015 |
| a. Open House: 5:00 to 6:30 p.m. | |
| b. Public Hearing: 6:30 p.m. | |
| 11. Staff Revisions based on Public Hearing testimony | |
| 12. Planning Commission Revisions and Recommendation to Council | March 13, 2015 |
| 13. Final City Council Public Hearing | March 24, 2015 |
| 14. City Council Adoption of Ordinance | March / April 2015 |
| 15. Send to Linn County and Marion County for Concurrence | After Council Adoption |
| 16. Send to DLCD for Acknowledgment | After Council Adoption |



NOTICE OF A PROPOSED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE
File No.:
Received:

Local governments are required to send notice of a proposed change to a comprehensive plan or land use regulation **at least 35 days before the first evidentiary hearing.** (See [OAR 660-018-0020](#) for a post-acknowledgment plan amendment and [OAR 660-025-0080](#) for a periodic review task). The rules require that the notice include a completed copy of this form.

Jurisdiction: **City of Mill City**

Local file no.: **2015-01**

Please check the type of change that best describes the proposal:

- Urban growth boundary (UGB) amendment** including more than 50 acres, by a city with a population greater than 2,500 within the UGB
- UGB amendment** over 100 acres by a metropolitan service district
- Urban reserve designation**, or amendment including over 50 acres, by a city with a population greater than 2,500 within the UGB
- Periodic review task** – Task no.:
- Any other change** to a comp plan or land use regulation (*e.g.*, a post-acknowledgement plan amendment)

Local contact person (name and title): Stacie Cook, MMC, City Recorder

Phone: (503) 897-2302 E-mail: scook@ci.mill-city.or.us

Street address: PO Box 256 City: Mill City Zip: 97360-

Briefly summarize the proposal in plain language. Please identify all chapters of the plan or code proposed for amendment (maximum 500 characters):

2015 Mill City Comprehensive Plan Update including: Chapters 1 to 5, including (1) Introduction, (2) Citizen Involvement, (3) Demographics and Population Forecast, (4) Land Use and (5) Economy. This is the first major plan update since 1990.

Date of first evidentiary hearing: 02/24/2015

Date of final hearing: 03/24/2015

This is a revision to a previously submitted notice. Date of previous submittal:

Check all that apply:

- Comprehensive Plan text amendment(s)
- Comprehensive Plan map amendment(s) – Change from _____ to _____
Change from _____ to _____
- New or amended land use regulation
- Zoning map amendment(s) – Change from _____ to _____
Change from _____ to _____
- An exception to a statewide planning goal is proposed – goal(s) subject to exception:
- Acres affected by map amendment:

Location of property, if applicable (site address and T, R, Sec., TL):

List affected state or federal agencies, local governments and special districts: Marion County, Linn County, DLCD

NOTICE OF A PROPOSED CHANGE – SUBMITTAL INSTRUCTIONS

1. Except under certain circumstances,¹ proposed amendments must be submitted to DLCD’s Salem office at least 35 days before the first evidentiary hearing on the proposal. The 35 days begins the day of the postmark if mailed, or, if submitted by means other than US Postal Service, on the day DLCD receives the proposal in its Salem office. **DLCD will not confirm receipt of a Notice of a Proposed Change unless requested.**

2. A Notice of a Proposed Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of a Proposed Change submitted by an individual or private firm or organization.

3. **Hard-copy submittal:** When submitting a Notice of a Proposed Change on paper, via the US Postal Service or hand-delivery, print a completed copy of this Form 1 on light green paper if available. Submit **one copy** of the proposed change, including this form and other required materials to:

Attention: Plan Amendment Specialist
Dept. of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

This form is available here:

<http://www.oregon.gov/LCD/forms.shtml>

4. **Electronic submittals** of up to 20MB may be sent via e-mail. Address e-mails to plan.amendments@state.or.us with the subject line “Notice of Proposed Amendment.”

Submittals may also be uploaded to DLCD’s FTP site at http://www.oregon.gov/LCD/Pages/papa_submittal.aspx.

E-mails with attachments that exceed 20MB will not be received, and therefore FTP must be used for these electronic submittals. **The FTP site must be used for all .zip files** regardless of size. The maximum file size for uploading via FTP is 150MB.

Include this Form 1 as the first pages of a combined file or as a separate file.

5. **File format:** When submitting a Notice of a Proposed Change via e-mail or FTP, or on a digital disc, attach all materials in one of the following formats: Adobe .pdf (preferred); Microsoft Office (for example, Word .doc or docx or Excel .xls or.xlsx); or ESRI .mxd, .gdb, or .mpk. For other file formats, please contact the plan amendment specialist at 503-934-0017 or plan.amendments@state.or.us.

6. **Text:** Submittal of a Notice of a Proposed Change for a comprehensive plan or land use regulation text amendment must include the text of the amendment and any other information necessary to advise DLCD of the effect of the proposal. “Text” means the specific language proposed to be amended, added to, or deleted from the currently acknowledged plan or land use regulation. A general description of the proposal is not adequate. The notice may be deemed incomplete without this documentation.

7. **Staff report:** Attach any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.

8. **Local hearing notice:** Attach the notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable.

9. **Maps:** Submittal of a proposed map amendment must include a map of the affected area showing existing and proposed plan and zone designations. A paper map must be legible if printed on 8½” x 11” paper. Include text regarding background, justification for the change, and the application if there was one accepted by the local government. A map by itself is not a complete notice.

10. **Goal exceptions:** Submittal of proposed amendments that involve a goal exception must include the proposed language of the exception.

¹ 660-018-0022 provides:

- (1) When a local government determines that no goals, commission rules, or land use statutes apply to a particular proposed change, the notice of a proposed change is not required [a notice of adoption is still required, however]; and
- (2) If a local government determines that emergency circumstances beyond the control of the local government require expedited review such that the local government cannot submit the proposed change consistent with the 35-day deadline, the local government may submit the proposed change to the department as soon as practicable. The submittal must include a description of the emergency circumstances.

If you have any questions or would like assistance, please contact your DLCD regional representative or the DLCD Salem office at 503-934-0017 or e-mail plan.amendments@state.or.us.

Notice checklist. Include all that apply:

- Completed Form 1
- The text of the amendment (e.g., plan or code text changes, exception findings, justification for change)
- Any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained
- A map of the affected area showing existing and proposed plan and zone designations
- A copy of the notice or a draft of the notice regarding a quasi-judicial land use hearing, if applicable
- Any other information necessary to advise DLCD of the effect of the proposal

City of Mill City

444 S. 1st Avenue . Post Office Box 256 . Mill City, Oregon 97360
Phone: 503-897-2302 FAX: 503-897-3499 Email: millcity@ci.mill-city.or.us

January 15, 2015

CANYON WEEKLY
P.O. Box 721
Lyons, Oregon 97358
editor@thecanyonweekly.com

Please publish the following Notice of Public Hearing in the February 4, 2015 edition of the *Canyon Weekly*.

PUBLIC HEARING NOTICE **Phase 1 of the 2015 Mill City Comprehensive Plan Update**

Notice is hereby given that the Mill City Planning Commission and City Council will hold a joint public hearing as part of the regularly scheduled city council meeting which begins at 6:30 p.m. on Tuesday, February 24, 2015 at the City Hall, 444 S. 1st Avenue in Mill City to review the following land use proposal:

File 2015-01 - *Phase 1 of the 2015 Mill City Comprehensive Plan Update*

The City of Mill City proposes to adopt a major update to the *Mill City Comprehensive Plan*. The 2015 *Mill City Comprehensive Plan Update* (Part 1) includes the following sections:

Chapter 1 - Introduction
Chapter 2 - Citizen Involvement
Chapter 3 - Demographics
Chapter 4 - Land Use (including adoption of the Buildable Lands Inventory)
Chapter 5 - Natural Resources
Chapter 6 - Economy

The update will replace sections of the *Mill City Comprehensive Plan* that was last updated in 1990. The proposal includes updated background information on the community, new maps, a 20-year population forecast and a 2014 Buildable Lands Inventory.

The decision criteria which apply to this application are found in the Statewide Planning Goals, ORS 197, Oregon Administrative Rules - Chapter 660 and the *Mill City Comprehensive Plan*. The proposed 2015 *Mill City Comprehensive Plan Update* (Part 1) can be viewed at the City of Mill City website: <http://www.ci.mill-city.or.us/>

Prior to the public hearing on February 24, 2015 the Planning Commission will host an open house at the City Hall from 5:00 p.m. to 6:30 p.m. Interested residents are encouraged to come to the open house to review the Comprehensive Plan update and ask questions about the proposal. After the close of the public hearing the Mill City Planning Commission will make a recommendation that the City Council. The City Council will receive the Planning Commission's recommendation and make a final decision on the proposal at a regular meeting of the City Council.

Located in the Scenic North Santiam Canyon
The City of Mill City is an equal opportunity provider.

City of Mill City

444 S. 1st Avenue . Post Office Box 256 . Mill City, Oregon 97360
Phone: 503-897-2302 FAX: 503-897-3499 Email: millcity@ci.mill-city.or.us

The *2015 Mill City Comprehensive Plan Update (Part 1)*, decision criteria and staff report will be available at City Hall after February 10, 2015. Any person wishing to provide testimony must address the decision criteria. Failure to raise an issue precludes appeal and failure to specify to which criterion the comment is directed precludes appeal based on that criterion.

City Hall is accessible to persons with disabilities. Please call City Hall (503-897-2302) by noon the day before the meeting if you need an interpreter for the hearing impaired or any other special accommodation. If you have any questions related to the application, call City Hall (503- 897-2302).

— END —

Sincerely,

DAVID W. KINNEY, Planning Consultant
for the City of Mill City

Direct questions and billing to: Stacie Cook, CMC, City Recorder, City of Mill City



ORDINANCE NO. XXX

AN ORDINANCE TO ADOPT PART 1 OF THE 2015 CITY OF MILL CITY COMPREHENSIVE PLAN UPDATE

WHEREAS, the Mill City Comprehensive Plan (the “Plan”) provides the overall vision, goals and policies to guide the City’s leaders and enable them to make meaningful and consistent land use decisions and investments in the community’s facilities and infrastructure, and

WHEREAS, since the original adoption and acknowledgement of the Mill City Comprehensive Plan (the “Plan”), the City has amended the comprehensive plan many times. In 1990, the City completed a periodic review update that was reviewed and approved by LCDC on September 4, 1990. Since 1990, the City has adopted a number of post acknowledgment plan amendments (PAPAs) to the Plan and implementation ordinances. The City has also adopted technical planning studies to address issues that affect the entire community. These include a buildable lands analysis, flood plain hazards ordinance, local wetlands inventory, Oregon Highway 22 access management plan and public facilities plans. The PAPAs adopted by the City include these broad-based planning documents but also include specific quasi-judicial decisions to address land use applications submitted by individual property owners and the City, and

WHEREAS, the City has concluded that as Mill City grows there is a need to update the Plan to reflect the changes which have occurred and plan for growth to the year 2035, and

WHEREAS, the Mill City Planning Commission has elected to prepare an update to the Mill City Comprehensive Plan in two phases:

Phase 1: Citizen Involvement, Demographics, Land Use, Economy and Natural Resources

A DRAFT of the 2015 City of Mill City Comprehensive Plan Update – Part 1 was submitted to the Department of Land Conservation and Development (DLCD) on **January xx, 2014**.

Phase 2: Historic & Cultural Resources, Housing, Public Facilities, Transportation, Urban Growth

The City of Mill City Planning Commission intends to prepare the 2015 City of Mill City Comprehensive Plan Update – Part 2 in 2015 with agency review, public comment and hearings to be held by the end of 2015.

WHEREAS, the City has prepared the 2015 City of Mill City Comprehensive Plan Update to remove out-of-date information, incorporate amendments adopted by the City since 1990 into the comprehensive plan document, update Comprehensive Plan maps, add new information to comply with statewide land use planning goals and guidelines, and to modify the City’s planning goals and policies; and

WHEREAS, the 2015 City of Mill City Comprehensive Plan Update – Part 1 includes revisions to chapters on citizen involvement, demographics, population projections, land use, economy and natural resources; and

WHEREAS, the Mill City Planning Commission has acted as the City's citizen involvement committee to prepare the 2015 City of Mill City Comprehensive Plan Update– Part 1 and has coordinated the development of the plan amendments with DLCD's local agency representative and with the Marion County Planning Department and Linn County Planning Department; and

WHEREAS, on December 31, 2014 the City formally submitted the plan to the Department of Land Conservation and Development and provided copies to affected state agencies, Marion County, Linn County and local agencies and requested the notified agencies review the proposal and submit comments to the City of Mill City by January 31, 2015; and

WHEREAS, on the Mill City Planning Commission reviewed agency comments in February 2015 and made final revisions to the plan update prior to a joint planning commission and city council public hearing on March 24, 2015.

WHEREAS, on March 24, 2015 the Mill City Planning Commission held an open house to present the plan to the public; and

WHEREAS, on March 24, 2015 the Planning Commission and City Council held a joint public hearing to consider the 2015 City of Mill City Comprehensive Plan Update – Part 1 and heard testimony in favor and against the proposed plan; and

WHEREAS, on March 27, 2015 the Planning Commission held a work session to discuss the comments provided by citizens at the open house and at the public hearing recommended several modifications to the plan; and

WHEREAS, on April 10, 2015 the Planning Commission concluded that the proposed plan was consistent with statewide land use planning goals and guideline, Oregon Administrative Rules and recommended the City Council approve the 2015 City of Mill City Comprehensive Plan Update – Part 1 and replace the outdated sections of the Mill City Comprehensive Plan; and

WHEREAS, on April 24, 2015, the City Council held a second public hearing on the proposal and at the conclusion of the public hearing on April 24, 2015, the City Council deliberated about the proposal and concurred with the Planning Commission recommendations,

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

Section 1. Findings. Findings of Fact as attached in Exhibit A and incorporated herein are hereby adopted as a basis for the adoption of the amendments to the Mill City Comprehensive Plan attached in Exhibit B.

Section 2. Plan Amendment Adoption. The 2015 City of Mill City Comprehensive Plan Update – Part 1, attached as Exhibit B and incorporated herein by reference, is adopted and amends the Comprehensive Plan for the City of Mill City.

Section 3. Comprehensive Plan Map Adoption. The City of Mill City Comprehensive Plan map that is included in the 2015 City of Mill City Comprehensive Plan 2015 Update – Part 1, incorporated herein by reference, is adopted by the City of Mill City.

The City may need to adopt a separate ordinance and findings to address previously approved plan amendments and verify concurrence with plan map changes by each county:

Linn County Planning:

- 1. Ordinance 342: Baughman / Lucas Annexation on SE Fairview St. (readopt)
- 2. Ordinance 348: Ward Annexation (repeal & adopt to match Linn County action)
- 3. Ordinance 364: Drake/Stafford (obtain Linn County concurrence, if LC agrees)

Marion County Planning:

- 1. Ordinance 324: North Reservoir Site
- 2. Ordinance 337: Runion Annexation (Hwy 22).

Section 4. Buildable Lands Inventory Adoption. The Mill City Buildable Lands Analysis Update dated January 2015, attached as Exhibit “C” and incorporated herein by reference, is adopted as a technical amendment to the Comprehensive Plan for the City of Mill City.

Section 5. Compilation of the Mill City Comprehensive Plan. The City Recorder is directed to compile and publish a current version of the Mill City Comprehensive Plan, which incorporates all the plan amendments adopted by this ordinance.

Section 6. Severability. The provisions of this ordinance are severable. If a section, sentence, clause, or phrase of this ordinance is adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of the remaining portions of this ordinance.

Section 7. Effective Date. This ordinance shall be effective thirty days after adoption and execution by the Mayor.

Section 8. Notification to DLCD, Marion County and Linn County. The City Recorder will provide notification of the City’s adoption of this ordinance as a post-acknowledgement plan amendment.

This Ordinance read for the first time by title only on ____th day of _____ 2015.

This Ordinance read by title only for the second time on ____th day of _____ 2015.

This Ordinance passed on the ____th day of _____ 2015 by the city council and executed by the mayor this ____ day of _____ 2015.

Date: _____ By: _____
THORIN THACKER, Mayor

Date: _____ Attest: _____
STACIE COOK, MMC, City Recorder

APPROVED AS TO FORM

Date: _____ By: _____
JAMES L. McGEHEE, City Attorney

Attachments:

- Exhibit “A” - Findings
- Exhibit “B” - City of Mill City Comprehensive Plan 2015 Update – Part 1

CITY OF MILL CITY

COMPREHENSIVE PLAN

2015 UPDATE

Part 1

December 2015 REVIEW DRAFT

CITY OF MILL CITY
COMPREHENSIVE PLAN
2015 Update
(Part 1)

Adopted by the City of Mill City

Ordinance No. _____
_____, 2015

Acknowledged by the State of Oregon
Land Conservation and Development Commission and
Department of Land Conservation and Development

Mill City Comprehensive Plan Acknowledgment Date	February 4, 1982
Periodic Review Acknowledgment Date:	September 4, 1990
Mill City Plan 2015 Update Acknowledgment Date:	_____, 2015

Compiled and Printed _____ 2015

CITY OF MILL CITY, OREGON

Incorporated 1949

Mayor

Tim Kirsch

City Council

Scott Baughman

M. Susann Heller

Justin Merrill

Fred Smith

Thorin F. Thacker

Planning Commission

Ann Carey

Dennis Chamberlain

Nancy Kelle

David Leach

Cheryl Lundquist

Gay Stuntzner

Frances Villwock

City Staff

City Recorder

Stacie Cook, MMC

City Attorney

James L. McGehee

Planning Consultant

David W. Kinney

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PHASE 1 – DRAFT COMPLETED – January 2015

- Chapter 1. Introduction & Overview of Plan
- Chapter 2. Citizen Involvement
- Chapter 3. Demographics and Population Forecasts
- Chapter 4. Land Use w/ Buildable Lands – Update w/ DATA from Linn GIS
- Chapter 5. Natural Resources
- Chapter 6. Economy

PHASE 2 – DRAFT to be Completed by Fall 2015

- Chapter 7 Historic and Cultural Resources
- Chapter 8 Housing
- Chapter 9 Public Facilities
- Chapter 10 Transportation
- Chapter 11 Energy
- Chapter 12 Mill City Urban Growth Area (UGB)
- Appendices

Steps to Be Completed by February 24, 2015 for PHASE 1 ADOPTION

1. Adopting Ordinance DRAFT to PC 01-09-2015
2. Findings addressing DLCD Goal Requirements (similar to what was included in the Wetlands Adoption Packet). To be completed. - DWK
3. Maps from Linn County GIS staff. Redraw all Maps for Phase 1
4. Buildable Lands Inventory Data from Linn County GIS Insert Data into Chapter 4
5. Buildable Lands Update (redo per Linn GIS Data)
6. Provide Track Changes for All Goals & Policies to DLCD To be completed
7. Review and Reformat as needed
 - A. Paragraph number system 1.1 to ...
 - B. Edit Table of Contents, Map List and Tables List
 - C. Redo Goals & Policies format to insert Statewide Planning Goals
8. Coordinate Map Adoption with Marion County Planning
 - A. Runyon property
 - B. Mill City Water Reservoir Site
9. Coordinate Map Adoption with Linn County Planning
 - A. Ward property
 - B. Drake / Stafford properties

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MILL CITY PLANNING COMMISSION 2014 Annual Report

The Planning Commission and Planning staff completed or worked on the following items during 2014.

1. **Mill City Comprehensive Plan Update.**

The Planning Commission initiated the update of the Comprehensive Plan in June 2014. Phase 1 of the Comp Plan update includes the following sections:

- Chapter 1: Introduction
- Chapter 2: Citizen Involvement
- Chapter 3: Demographics
- Chapter 4: Land Use
- Chapter 5: Economy
- Chapter 6: Natural Resources

Phase 1 of the update includes a new 20-year population projection (2015 to 2035), 2010 Census Data information on the community; updated Comprehensive Plan and Zoning maps of the City; and new maps on natural resources and natural hazards lands. The Planning Commission also revised goals and policies throughout the plan.

Ed Moore, DLCDC Local Representative, Brandon Reich, Marion County Planning and Olivia Glantz, Linn County Planning reviewed the draft Comprehensive Plan document to ensure the City complies with statewide planning requirements and it is consistent with the Linn County and Marion County comprehensive plans. Steve Barnett and Scott Valentine, Linn County Geographic Information Systems (GIS) staff updated all of the land use data for vacant land, infill, constrained land (steep slopes, wetlands, power lines and non-buildable areas). Updated maps and tables utilize 2014 Linn County & Marion County assessor records and recent aerial photography.

In 2015, completion and adoption of the Comprehensive Plan update will be a high priority of the Planning Commission. The Commission has approved the following schedule:

DRAFT Phase 1 Comp Plan Update Submitted to DLCDC	December 2014
Planning Commission review of Agency comments	February 2015
Joint Planning Commission & City Council Public Hearing	February 24 or March 13
Planning Commission Revisions	March 2015
Final City Council Public Hearing (if needed) & Adoption	April or May 2015
Send to Marion County & Linn County for Concurrence	After Council Adoption
Send to DLCDC, Secy' of State and DOR for Concurrence	After Council Adoption

2. **Medical Marijuana:** Provided a recommendation to the City Council in March 2014 that there be a one-year moratorium on the location of medical marijuana dispensaries in Mill City.
3. **Zoning Code Codification:** In June 2014 the Municipal Code Corporation issued Supplement #5 to the *Mill City Municipal Code* (MCMC). The updated code includes all ordinances through Ordinance 370 including the most recent revisions to the zoning code.

4. **Zoning Code Amendments – Outdoor Lighting.** The Planning Commission held work sessions to review sample outdoor lighting codes from several Oregon cities and proposed new lighting standards for Mill City. A joint meeting was held with the City Council on October 28, 2014 to discuss the proposal and get feedback. Based on City Council suggestions, the Commission revised the proposal. A final recommendation will be made in February or March 2015.
5. **Mill City Master Parks Plan:** The Parks Advisory Committee met a number of times from September to December 2013 to complete work on the Mill City Parks Master Plan. An open house was held on February 13, 2014 and the Planning Commission and City Council held a public hearing on February 25, 2014. The Plan was adopted by the City Council in March 2014.
6. **Aerial Photography:** Linn County Geographic Information Services (GIS) obtained new aerial photos for the Mill City area and most of Linn County in 2014. The updated photos were completed at no cost to the City. The high resolution photos will provide contour data within 6” and are available on-line at the Linn County GIS website: [Linn County GeoMoose](#).
7. **Field Burning Issues:** The Planning Commission initiated contacts with the Governor’s office, DEQ, Oregon Dept. of Agriculture and the Environmental Justice Task Force regarding the negative impact field burning has on Mill City’s air quality. They will continue to pursue the issue in 2015.
8. **Presentations:** Frances Thomas & Dale Kirsch from the North Santiam Historical Society and Allison McKenzie, GROW Santiam made presentations in October. Dave Kinney provided an overview of the purpose and use of Systems Development Charges.
9. **Land Use Applications:** Staff prepared updated land use application forms in 2014 and modified the development review process to obtain detailed reports from the City Engineer. The Planning Commission handled seven (7) new land use applications in 2014. The City Recorder and Planning Consultant also reviewed land use files from 2010 to 2014 for compliance with conditions of approval. Fifteen files were closed and archived.

Applications Reviewed in 2014

1.	2012-09	Yarbrough	Village @ Santiam Pointe Replat	Approved + extension granted
2.	2014-01	Blaylock	Mini-Storage Site Review – NW 5th	Approved, but Enforcement Action
3.	2014-02	Zoning Code – Lighting	Modify Outdoor Light Standards	See above
4.	2014-03	Hearts to Arts	Antenna Height Variance for radio transmitter – Hwy 22	Approved
5.	2014-04	Swift / Merrill	Lot Line Adjustment & Variance – 175 SE Ivy	Approved
6.	2014-07	Cady	Boneyard Bakery Site Review – 721 NE Santiam Blvd	Approved
7.	2014-08	Bradley/Neustadter	Lot Line Adjustment - 213 SW Broadway	Approved
8.	2014-09	Opal Mason	Annexation & Zone Change to R-1 - SE Fairview	PC Rec to Approve
9.	No File #	Tinney	Lot Line Adjustment – SW Spring	Concurred w/ Staff Approval

Prior Land Use Decisions requiring additional action

10.	2007-03-04	Baughman Annex	Annexation	Finalize Ordinance for City Council
	2012-08	Buildable Lands	Buildable Lands Inventory	Will be included in Comp Plan Update

Submitted by the Mill City Planning Commission on February 13, 2015.

Nancy Kelle, Chairperson

on behalf of Gay Stuntzner, Vice-Chair, and Planning Commissioners Ann Carey, Dennis Chamberlain, David Leach, Cheryl Lundquist and Frances Villwock.

Mill City Planning Commission

2015 - 2016 Work Program

January 2015 through December 2016

DRAFT for DISCUSSION at January 9, 2015 Planning Commission Meeting

1. General Planning Services

- a. Staff Planning Commission for routine planning activities
- b. Process land use applications
- c. Work w/ city staff on mapping, day-to-day planning items or small special projects.

2. Comprehensive Plan Update.

The Mill City Comprehensive Plan update is the Planning Commission's highest priority project for 2015-2016. The update will be divided into two phases:

Phase 1: Citizen Involvement, Demographics, Land Use, Economy and Natural Resources

A DRAFT of the Phase 1 Comp Plan update was completed and submitted to DLCD in December 2014. The Planning Commission will review agency comments and make final revisions prior to a public hearing in March 2015. Final adoption by May 2015.

Phase 2: Historic & Cultural Resources, Housing, Public Facilities, Transportation, Urban Growth

Phase 2 is tentatively scheduled to be written in Summer/Fall 2015 with agency review, public comment and hearings to be held at the end of 2015.

3. Buildable Lands Inventory

The 2014 Update of *Buildable Lands Analysis* will be adopted as a technical amendment to the Comprehensive Plan as part of the Phase 1 Comp Plan update.

Steve Barnett and Scott Valentine, Linn County GIS Staff have updated all of the land use data for vacant land, infill, constrained land (steep slopes, wetlands, power lines and non-buildable areas) using Linn County & Marion County assessor's records and 2014 aerial photography. They will prepare updated maps and tables for inclusion in the Comp Plan update and buildable lands inventory by the end of January 2015.

4. Research Derelict Building and Building Maintenance Standards

The City Council has referred this issue to the Planning Commission.

- a. Research codes from other cities & discuss policy options for City to address derelict buildings, public health and safety issues, property maintenance and housing maintenance (aesthetic appearance) standards.
- b. Develop policy options for discussion with the City Council.

- c. Discuss roles of the city staff, Linn County staff, planning commission role and elected officials in notification and enforcement efforts.
- d. Hold work session or discussion with City Council on policy options
- e. Develop Code Amendments per CC work session.

5. Zoning Code Enforcement

- a. Review planning/zoning enforcement process with city staff, Linn County Planning / Building Dept. staff and the City Attorney.
- b. Identify and reach consensus on policies for code enforcement process for planning issues.
- c. Modify code enforcement process as needed.
- d. Review city code to determine new requirements and/or intergovernmental agreement.

6. Sewer SDC Updates

The Sewer Systems Development Charge (SDC) was last updated in 1998. Since then the City has rebuilt the city's three pump stations and upgraded the wastewater treatment facility (WWTF) on SE Fairview Street.

Before the Planning Commission can proceed with a review of the charges, the City's consultants must review what % of the 2010 wastewater treatment plant improvement will benefit future users.

- a. Update fixed assets / infrastructure values
- b. Review Disbursement Requests forms from IFA for MC Sewer Project (2009 to 2011) and allocate costs of the 2010 projects to current and future users.
- c. Identify future improvements to the WWTF
- d. PC review and recommend SDC fee adjustment
- e. Prepare modified SDC Resolution
- f. 90-Day Notice of Changes to interested parties
- g. Council Public Hearing and Action on Sewer SDC Resolution

7. Public Works Design Standards

The Public Works Design Standards and Construction Specifications were developed by Westech Engineering in 1999. They can be updated if the Budget Committee allocates \$\$\$ to the project.

The Planning Commission requests the engineer establish a clear policy on when sidewalks and curbs are to be installed as part of a development vs. when a non-remonstrance agreement deferring the improvements is required. One policy option is to require curbs and sidewalks be installed when there are existing curbs and sidewalks are within 150' of the development site.

8. Storm Drainage Master Plan (Basin Updates)

City Engineer John Ashley was authorized to proceed with engineering review and planning for storm drainage improvements in the 1st – 4th /N. Santiam River-Kingwood storm drainage basin.

- a. Preliminary meeting w/ City Engineer to review findings.
- b. Public hearing to amend the Storm Drainage Master Plan
- c. Recommendation to the City Council

9. Zoning Code Revisions: (On-going Project – make changes as needed to the Zoning Code)

- a. Outdoor Lighting
- b. Informational handouts on zoning code requirements:
 - RV Parking / Storage drawings showing where they are allowed.
 - Fence location drawings
 - Metal canopies & awning location drawings
 - Others??
- c. Model Zoning Code revisions
 - Table of Allowed Uses, Setbacks, Design Requirements.

10. Training:

- a. Hold at least two training session for PC members annually.
 - March or April 2015 – Master Plans (Storm Drainage) or ODOT/County Roads staff
 - August 2015 – Legislative Changes affecting land use
 - Summer 2015 – Tour of city facilities: water & sewer
- b. Meet with the city engineer to discuss current projects.
- c. Set 3-6 month advance agendas for Work Program items.