



LAND USE ACTION ADJACENT TO THE NORTH SANTIAM RIVER

CITY OF MILL CITY
Application and Decision Making Procedures

Prior to filing an application, you may wish to discuss your proposal with city staff. If needed, they will arrange a pre-application meeting with the city planner to discuss your proposal.

1. APPLICATION FEES

Application fees are listed on the application form. Fees must be paid at the time the application is filed. The fully completed application form, required attachments and fees must be submitted before the city review begins.

2. REVIEW FOR COMPLETENESS

Upon submission of the application, the city planner will review the application for completeness. The city planner will determine, within 14 days from the date of submittal, if the applicant has provided all required information. If the application is incomplete, the city planner will notify the applicant of the items which need to be submitted. The application is not considered complete until certified complete by the city. The 120-day decision period will commence the day the application is certified complete.

3. STAFF REPORT

After the application is found to be complete, the city planner will prepare a staff report summarizing the application, decision criteria, whether the application complies with code requirements, agency referrals (responses from any affected local, county, state or federal agencies and local utilities), and staff recommendations. A copy of the staff report will be provided to the applicant seven (7) days prior to the public hearing.

4. PUBLIC HEARING BEFORE THE MILL CITY PLANNING COMMISSION

A public hearing will be conducted before the Mill City Planning Commission. The city will publish a hearing notice and send a notice to all property owners within the required notice area at least 10 days prior to the public hearing. The public hearing will be scheduled at the first available planning commission meeting after the notice requirements are met. The hearing provides an opportunity for all interested parties to comment on the application.

5. DECISION OF THE PLANNING COMMISSION

At the conclusion of the hearing and deliberation, the planning commission will either approve or deny the application based on the applicable code criteria. The Planning Commission may impose conditions of approval to assure compliance with city requirements. The Planning Commission decision is final for a site plan approval for a land use action adjacent to the North Santiam River unless the decision is appealed.

6. APPEALS

Appeal of the planning commission decision may be filed by any person filing a Notice of Appeal within fifteen days of the date the city mails a Notice of Decision to all interested parties. If an appeal is filed, the city council will hold a public hearing to consider the appeal. The City Council may uphold the original decision or approve the appeal. Council actions may be appealed to the State Land Use Board of Appeals pursuant to ORS 197.805 through 197.855.

7. ISSUANCE OF BUILDING PERMITS

Building permits will be issued only after the appeals period has been completed. Building permits may be withheld until the applicant reimburses the City for any outstanding fees or legal, engineering or administrative costs incurred by the City in reviewing the proposal.

8. FOR MORE INFORMATION

Call or write to City of Mill City, 444 1st Avenue, P.O. Box 256, Mill City OR 97360.

Phone: 503.897.2302.

Email: info@ci.mill-city.or.us

Website: www.ci.mill-city.or.us

Land Use Action Adjacent to the North Santiam River

Any land use change involving a property that adjoins the North Santiam River shall be submitted to the planning commission for review. Land use changes include, but are not limited to:

- New building construction, enlargement of a building on the riverfront side of the building; or
- The removal of trees or vegetation in the area between the stream channel and the topographical break at the top of the stream bank; or
- The creation of a lot or parcel by the subdividing or partitioning of land; or
- Landscaping that requires the addition or removal of fifty (50) cubic yards of soil within seventy-five (75) feet above the topographical break at the top of the stream bank; or
- Water dependent uses such as boat docks or boat launching and/or mooring facilities.

TYPE OF APPLICATION:	Application Fee
<input type="checkbox"/> Pre Application Conference with Planner &/or City Engineer	\$200.00
<input type="checkbox"/> Site Plan Review - Land Use Adjacent to the North Santiam River	\$500.00

I understand that the application fee 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: _____
Property Owner or Authorized Agent

1. BRIEFLY DESCRIBE PROPOSAL:

2. APPLICANT:

Name: _____

Address: _____

City/State/Zip: _____

Phone:

Work (_____) _____ - _____ Home: (_____) _____ - _____

Fax (_____) _____ - _____ Email: _____

 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: _____	Print Name: _____
Signature: _____	Signature: _____
Street Address: _____	Street Address: _____
City, State & Zip: _____	City, State & Zip: _____

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: _____

Closest Intersecting Streets: _____

Assessor's Map & Tax Lot Number:

T9S R3E _____	Tax Lot(s): _____
T9S R3E _____	Tax Lot(s): _____

Size of Property: _____ acres or _____ square feet.

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

Lot No.: _____ Block No.: _____ Subdivision: _____

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. ZONING:

Existing Zoning: _____	Proposed Zoning: _____
Existing Plan Designation: _____	Proposed Plan Designation: _____

7. CURRENT USE OF THE PROPERTY: _____

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A site plan review is a detailed examination of the physical characteristics of a proposed development or improvement to property, with special attention given to the design of the development or improvements and the potential impacts on adjoining properties or land uses. In order to evaluate impacts adjacent to the North Santiam River, the City may require the applicant to provide additional information on the riparian area next to the river and flood elevations.

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 how well the applicant meets the standards and criteria set forth in the Mill City Zoning Code. This application will not be accepted unless all required information is provided.

1. **BUILDING LOCATIONS:** The site plan must show all existing and proposed buildings including setbacks from property lines. The plan should also show all public utilities (water, sewer, storm sewers and streets) on site or immediately adjacent to the property. The site plan shall be drawn to scale, including North point and lot dimensions.

- All existing and proposed buildings are shown
- All building setback lines are shown.
- All existing and proposed utilities are shown on the site plan. All existing buildings are shown.
- North Santiam River high water mark, top of bank and 2' contours within 100' of the river.
- Existing trees and natural vegetation within 100' of the river.

2. **RIPARIAN AREA:** The site plan must show the existing riverbank, high water mark, top of bank, contours and location of existing trees and natural vegetation which exists on the property.

a. The removal of any existing trees or other forms of existing natural vegetation such as shrubs, brush, plants or grasses between the stream channel and the topographical break at the top of the stream bank shall not be harmful to existing fish and wildlife habitat, including such items as stream bank erosion/stabilization and water quality degradation. When the removal of trees is considered to be commercial harvesting, the Oregon Department of Forestry shall have jurisdiction to manage the removal of trees.

- Show any trees or vegetation which will be removed within 100' of the top of bank.
- Show any tree or vegetation planting which is proposed within 100' of the top of bank.

b. The proposed use or activity shall not have a potentially damaging impact on existing fish or wildlife habitat along the river. Describe any impacts the development may have on fish and wildlife habitat in the riparian area:

3. **LANDSCAPING:** The site plan should prevent the unnecessary destruction of major vegetation, preserve unique natural or historical features, provide for ground cover to prevent excessive runoff and dust control, and present an attractive setting for the development.

- a. Preserve existing street trees and any on-site healthy trees over 18 inches in diameter, unless removal is required for location of buildings or is necessary to protect safety or meet good silvaculture practices.
- b. Maintain indigenous vegetation on steep slope areas (25%), within riparian setbacks and in wetlands.
- c. Trees in front yards shall be trimmed to a height of 6 feet and planted 30 feet or more apart.
- d. Significant natural habitats shall be maintained to the maximum extent feasible.

Landscaping is shown on the site plan. The landscaping plan showing all existing and proposed landscaping, the extent and type of all proposed landscaping features including tree and planting types, irrigation systems, access ways, benches, and walkways. Landscaping must be completed prior to occupancy.

4. **PUBLIC IMPROVEMENTS:** All new structures are required to have or to have the ability to have all public improvements installed as part of the development process. Therefore, the applicant must be prepared to install the required street, water, sewer, storm drainage, power, and communication lines. All required improvements must be installed prior to issuance of a certificate of occupancy. The city may require the applicant to provide a performance bond or financial 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 prior to construction. The city will inspect all construction.

a. Are there adequate water, sewer, and storm drainage facilities available to serve the development (show on site plan)?

b. List public services currently available to the site:

Water Supply:	_____	-inch line available in _____	Street.
Sanitary Sewer:	_____	-inch line available in _____	Street.
Storm Sewer:	_____	-inch line available in _____	Street.
Natural Gas:	_____	-inch line available in _____	Street.
Telephone:	_____	is _____	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. Does the applicant intend to extend public services to the site within a reasonable period of time?

____ Yes. ____ No. If yes, when will public improvements (water, sewer, streets, curbs, sidewalks, storm drainage) and underground utilities be installed to serve the development?

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.

5. **ACCESS DRIVEWAYS AND TRAFFIC CIRCULATION:** The site plan must show driveways, ingress and egress, roadways, and pedestrian walks for safe and efficient vehicle and pedestrian circulation.

6. **STREET IMPROVEMENTS:** City streets must be adequate to meet the demands of the development. The City's public works standards require new developments to be adjacent to fully improved streets with curbs, sidewalks, asphaltic concrete (AC) paving and storm drainage improvements. The City may require dedication of additional street right-of-way. The City may also require the applicant to make street improvements concurrently with the development.

Show the existing streets adjacent to the property and the right-of-way width on the site plan.

10. **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?

11. 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)

12. 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?

13. 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?

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

Yes. ____ No. If yes, attach as Exhibit B.

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

PLANNING

ENGINEERING

Name

Firm

Street Address

City State Zip

(_____) _____ - _____
Work Phone

(_____) _____ - _____
FAX

E-mail

Name

Firm

Street Address

City State Zip

(_____) _____ - _____
Work Phone

(_____) _____ - _____
FAX

E-mail

REQUIRED ATTACHMENTS

1. **Applicant’s Proposal / Site Plan:** One reproducible master, drawn to scale, showing the proposal. When a site plan is required, the applicant should show all surrounding properties, neighboring streets and roads, existing uses of the property, all details of the proposed development including all public improvements, landscaping, parking structures, and other information required in the Zoning Code. More than one sheet can be submitted.
2. **Vicinity Map:** The vicinity map may be drawn on the same map as the site plan. All properties, streets, and natural features within 250 feet of the perimeter of the parcel shall be shown on the vicinity map.
3. **Restrictive Deeds and Covenants:** If the applicant desires to impose restrictive deeds and covenants on the development, these may be submitted with the site plan.
4. **Property Owner Authorization:** If the applicant is not the owner of the property, the application shall be accompanied by a notarized statement certifying that the applicant has the authorization of the owner(s) to file the application.
5. **Proposed Findings of Fact:** The City may request that the applicant prepare proposed findings of fact which indicate how the proposal complies with LCDC Goals and Guidelines, the City of Mill City Comprehensive Plan and the City of Mill City Zoning Code.