



# Oregon

John A. Kitzhaber, M.D., Governor

**Department of Land Conservation and Development**

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[www.oregon.gov/LCD](http://www.oregon.gov/LCD)



## **NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION**

Date: July 10, 2015  
Jurisdiction: Marion County  
Local file no.: LA 15-01  
DLCD file no.: 001-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 07/08/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 48 days prior to the first evidentiary hearing.

### Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR chapter 661, division 10).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

### DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us)



# NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE  
**DEPT OF**  
File No.:  
Received: **JUL 09 2015**  
**LAND CONSERVATION  
AND DEVELOPMENT**

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See OAR 660-018-0040). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use Form 4 for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use Form 5 for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use Form 6 with submittal of an adopted periodic review task.

Jurisdiction: Marion County

Local file no.: **LA 15-1**

Date of adoption: 7/8/15

Date sent: 7/9/2015

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes Date (use the date of last revision if a revised Form 1 was submitted): 5/7/15

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes  No

If yes, describe how the adoption differs from the proposal:

Local contact (name and title): Brandon Reich

Phone: 503-566-4175

E-mail: breich@co.marion.or.us

Street address: 5155 Silvertown Road NE

City: Salem

Zip: 97305-

### PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY.

#### **For a change to comprehensive plan text:**

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

Concurred in and adopted amendments to the City of Mill City Comprehensive Plan

#### **For a change to a comprehensive plan map:**

Identify the former and new map designations and the area affected:

- Change from \_\_\_\_\_ to \_\_\_\_\_ acres. A goal exception was required for this change.
- Change from \_\_\_\_\_ to \_\_\_\_\_ acres. A goal exception was required for this change.
- Change from \_\_\_\_\_ to \_\_\_\_\_ acres. A goal exception was required for this change.
- Change from \_\_\_\_\_ to \_\_\_\_\_ acres. A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

**If the comprehensive plan map change is a UGB amendment** including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

**If the comprehensive plan map change is an urban reserve** amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

**For a change to the text of an ordinance or code:**

Identify the sections of the ordinance or code that were added or amended by title and number:

**For a change to a zoning map:**

Identify the former and new base zone designations and the area affected:

Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address):

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List affected state or federal agencies, local governments and special districts: City of Mill City, Linn County

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

County Ordinance concurring in and adopting amendments to the City of Mill City Comprehensive Plan

**BEFORE THE BOARD OF COMMISSIONERS  
FOR MARION COUNTY, OREGON**

In the matter of an Ordinance amending the ) LA 15-1  
Marion County Comprehensive Plan by adopting )  
amendments to the City of Mill City Comprehensive )  
Plan including a coordinated population forecast of )  
2,461 for the year 2035 and concurring in two )  
properties previously included in the urban growth )  
boundary of the city and declaring an emergency. )

**ORDINANCE NO. 1356**

THE MARION COUNTY BOARD OF COMMISSIONERS HEREBY ORDAINS AS FOLLOWS:

**SECTION I. Purpose**

This ordinance is enacted pursuant to the authority granted general law counties in the State of Oregon by Oregon Revised Statutes (ORS) Chapter 203, and the comprehensive land use planning and coordination with local government provisions under Chapters 195 and 197, by amending the Marion County Comprehensive Plan by adopting amendments to the City of Mill City Comprehensive Plan, a coordinated 2035 population forecast for the City of Mill City, and concurring in two properties previously included in the urban growth boundary of the city.

**SECTION II. Authorization**

The Marion County Board of Commissioners initiated a legislative amendment to the Marion County Comprehensive Plan by Resolution No. 14R-20 dated May 6, 2015. The legislative amendments came before the Board at the request of the City of Mill City for concurrence in and adoption of text and plan map amendments being considered by the City, pursuant to the planning coordination and concurrence provisions under ORS Chapters 195 and 197, and the provisions of the executed June 10, 1981 urban area management agreement between Marion County, Linn County and the City of Mill City that establishes procedures for addressing land use matters of mutual concern, including amendments to the comprehensive plan and urban growth boundary. The Board held a public hearing on June 24, 2015 for which proper public notice and advertisement was given. The Board closed the hearing on June 24, 2015. All persons present during the public hearing and those provided notice of the hearing, were given the opportunity to speak or present written statements on the proposed amendments.

**SECTION III. Evidence and Findings**

The Board has reviewed the evidence and testimony in the record. Based on the facts and findings in the record, as contained in Exhibits A and B, which are incorporated herein by this reference, the Board determines that the updated City of Mill City Comprehensive Plan conforms with the requirements under ORS Chapter 197 and the Statewide Land Use Planning Goals and Administrative Rules for the development and revision of comprehensive plans, with ORS Chapter 195 for county coordination with local comprehensive plan activities, and the Marion County

Comprehensive Plan Urbanization Element on coordination with cities on growth management policies and guidelines.

The City of Mill City Comprehensive Plan amendments adopt a coordinated population forecast of 2,461 for the 20-year planning period of the plan (2015 to 2035). The Mill City Comprehensive Plan amendment includes updates to its Citizen Involvement, Population and Demographics, Land Use, Natural Resources and Economy elements of its comprehensive plan. The plan also acknowledges the inclusion of two properties that were previously added to the urban growth boundary in 2005, the Runyon Property because of a failing septic system and the city's north water storage reservoir, so that the facility would be inside the city and subject to the city's urban zoning.

The Board finds that adoption of the amendments is consistent with the provisions of the intergovernmental coordination agreement between Marion County and the City of Mill City. The Board further finds that the amendments are in compliance with Statewide Land Use Planning Goals and Administrative Rules, ORS Chapters 195 and 197, and applicable provisions of the Urbanization Element of the Marion County Comprehensive Plan.

**SECTION IV. Amendments to Marion County Comprehensive Plan**

The Marion County Comprehensive Plan is amended to include the adoption of an updated City of Mill City Comprehensive Plan for application in the area within the urban growth boundary that lies outside the city limits. The Marion County Comprehensive Plan is amended to include the adoption of a new coordinated 2035 population forecast of 2,461 persons for the City of Mill City Comprehensive Plan, amendments to the Citizen Involvement, Population and Demographics, Land Use, Natural Resources and Economy elements of the Mill City Comprehensive Plan, and concurring in the inclusion of two properties that were previously added to the urban growth boundary in 2005.

**SECTION V. Repeal Of Portions Of Existing Ordinances**

Those portions of Marion County Ordinance No. 585 adopting a City of Mill City Urban Growth Boundary and a Comprehensive Plan for the area outside the city but within the growth boundary or amendments pertaining to the City of Mill City, are hereby repealed or amended as set forth in this ordinance through the adoption of the City of Mill City Comprehensive Plan updates and amendments, which by reference are incorporated into this Ordinance.

**SECTION VI. Severability**

Should any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance or any policy, provision, findings, statement, conclusion, or designation to a particular land use or area of land, or any other portion, segment or element of this Ordinance or of any amendments thereto and adopted hereunder, be declared invalid for any reason, such declaration shall not affect the validity and continued application of any other portion or element of this Ordinance or amendments to the Comprehensive Plan, as amended herein; and if this Ordinance or any portion thereof should be held to be invalid on one ground, but valid on another, it shall be construed that the valid ground is the one upon which this Ordinance of any portion thereof was enacted.

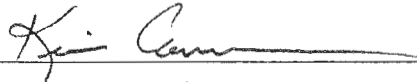
**SECTION VII.**

**Effective Date**

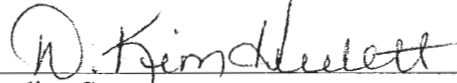
This Ordinance amending the Marion County Comprehensive Plan by adopting amendments to the City of Mill City Comprehensive Plan, a 2035 coordinated population forecast, and inclusion of two properties that were previously added to the urban growth boundary in 2005, being necessary to protect the public health, safety, and welfare, an emergency is declared to exist and this Ordinance shall become effective upon its passage.

SIGNED and FINALIZED this 24<sup>th</sup> day of July, 2015 at Salem, Oregon.

MARION COUNTY BOARD OF COMMISSIONERS

  
\_\_\_\_\_

Chair

  
\_\_\_\_\_

Recording Secretary

**JUDICIAL NOTICE**

Oregon Revised Statutes (ORS) Chapter 197.830 provides that land use decisions may be reviewed by the Land Use Board of Appeals (LUBA) by filing a notice of intent to appeal within 21 days from the date this ordinance becomes final.

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DENNIS KOENIG  
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AAC 3

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AAC 4

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AAC 5

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OCCPANT  
367 NE CLERRY  
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TONY TROUT  
171 SE KINGWOOD  
MILL CITY OR 97360

OCCUPANT  
171 SW CEDAR  
MILL CITY OR 97360

DAUN & DAVID PLOTTS  
333 SW LINN PL  
MILL CITY OR 97360

GENE & DIANA SLYE  
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OCCUPANT  
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DAVE & ANITA LEACH  
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MILL CITY OF 97360

GAY STUUTZNER  
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MILL CITY OR 97360

DAVID HINLEY  
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OCCPANT  
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OCCUPANT  
510 SANTIAM POINTE LP  
MILL CITY OR 97360

NANCY KELLE  
40079 SW 11<sup>TH</sup>  
MILL CITY OF 97360

RUEL & CHERYL LUNDQUIST  
735 SE LIND BLVD  
MILL CITY OR 97360

OCCUPANT  
188 NE SANTIAM BLVD  
MILL CITY OR 97360

DAN CUNDERMAN  
563 SW PARKSIDE DR  
MILL CITY OF 97360

# Council Meeting Sign-In

DATE: 3-24-15

Page 1

	Name	Address
1.	Ann Carey	1046 SW 1st MC
2.	Mary Fleming	250 SE Myrtle, MC
3.	Jan Kellwood	367. NE Cherry MC
4.	Tom Trout	171 SE Kingwood
5.	Tom Honyak	427 SW Cedar
6.	Dawn/David Plott	333 SW Linn Place M.C.
7.	Yvonne + Diana Slege (Poppa Al's)	198 NE SANTIAM BLVD.
8.	Chris Eno	110 SE Kingwood Ave.
9.	Dennis Chamberlin	28222 NW River Rd.
10.	Ardis Sabo	545 SE Grove St.
11.	DAVE + ANITA Leach	542 E HAZEL
12.	Gay Stutzner	1290 SW, 1st Ave.
13.	DAVID G. Hinkley	365 SE MYRTLE ST
14.	Josephine L Reid	633 NE Alder
15.	Clarence R. Thomas	510 Santiam Pointe Loop

# Council Meeting Sign-In

DATE: 3-24-15

PAGE 2

Name

Address

✓ 1. Nancy Kelle

40079 SW 11<sup>th</sup> M.C.

✓ 2. ROEC & CHERYL LUNDAVIST

735 SW LIND BLVD M.C.  
Business Address

3. ~~David & Diana Sly (Paper Mill)~~

188 NE Santiam Blvd. M.C.

✓ 4. Dan Cudemmer

563 SW Parkside Dr M.C.

✓ 5. Linni Stafford

6.

7.

8.

9.

10.

11.

12.

13.

14.

15.

## **Facts and Findings**

This matter comes before the Marion County Board of Commissioners at the request of the City of Mill City for concurrence in and adoption of amendments to the Mill City Comprehensive Plan (Attachment A). The city has held public hearings on the amendments to its plan and has approved an ordinance on the amendments that would become effective following concurrence and adoption of the city's proposed amendments by Marion County.

The City of Mill City first adopted its Comprehensive Plan in 1980. The Marion County Board of Commissioners adopted the Mill City Urban Growth Boundary and Comprehensive Plan for the area outside the city but within the boundary on June 30, 1980 (Ordinance No. 585). The Land Conservation and Development Commission (LCDC) acknowledged the City of Mill City Comprehensive Plan on February 4, 1982. There do not appear to have been any significant amendments to the plan since its original adoption.

Marion County, Linn County and the City of Mill City entered into an urban growth boundary management agreement on June 10, 1981. The agreement established procedures for coordinating land use matters of mutual concern. The agreement provides for the county to concur in the city's comprehensive plan and to adopt those provisions for application within the urban growth area (the area within the urban growth boundary outside the city limits). Such provisions include urbanization policy changes, plan map amendments affecting properties in the urban growth area, and urban growth boundary changes.

During the city's public hearings process on the current amendments to its plan, county planning staff participated in conversations with the city's planning consultant for this proposal. The city has addressed the issues identified by staff.

On May 6, 2015, the Board of Commissioners approved Resolution 15R-20 initiating the review process to amend the Marion County Comprehensive Plan by adopting the City of Mill City Comprehensive Plan amendments and scheduling a public hearing for June 24, 2015 to receive testimony on the proposed amendments.

### **CITY OF MILL CITY COMPREHENSIVE PLAN AMENDMENTS**

The City of Mill City Comprehensive Plan amendments involve coordinating a population forecast for the year 2035 for the city and updating various components of its plan.

#### **Population Coordination**

Oregon Revised Statute (ORS) 195.025 tasks the county with coordinating comprehensive planning among the cities in the county. Oregon Administrative Rule (OAR) 660-032 provides a means to coordinate a population forecast for a city. In order to determine a forecast for 2035, Mill City used a method that takes into account the city's split between Marion and Linn Counties. By looking at the city's share of population in both counties, and extending that forecast into the future to 2035, the city determined a future population of 2,461. This is consistent with the requirements in state law.

## **Comprehensive Plan Update**

### **Oregon Revised Statutes, Oregon Administrative Rules and Statewide Land Use Planning Goals**

The City of Mill City is not proposing to expand its urban growth boundary (UGB). The city determined there is enough land within its existing UGB to accommodate 20 years of residential and employment growth. Along with adopting the amendments to its comprehensive plan, the city is asking the county to concur in two additions to the UGB that previously took place in 2005. The first, the Runyon Property, is 0.86 acres of land that was added to the city in 2005 in order that the city could provide the property sewer because the septic system on the property was failing. The property was included in the UGB at that time and annexed in to the city limits. The second, the city's north water storage reservoir, is 2.84 acres of land brought into the UGB and city limits in 2005 in order that this portion of the city's water system would be inside the city and zoned with a city urban zoning.

In updating the Citizen Involvement, Population and Demographics, Land Use, Natural Resources and Economy elements of its comprehensive plan, the city demonstrated compliance with applicable Oregon Revised Statutes, Oregon Administrative Rules and Statewide Land Use Planning Goals.

### **Marion County Comprehensive Plan**

The Urban Growth policies contained in the Urbanization section of the Marion County Comprehensive Plan must also be reviewed against the proposal. In this case, no further urbanization of land would be caused by the city's comprehensive plan amendments. The city demonstrated that it is able to provide adequate residential, commercial and industrial lands to meet the needs of the city for the next 20 years. The city also considered the impact of nearby natural areas on the city's growth and development and identified unique economic goals based on the city's resources and desires for its future. The city's proposal is consistent with the Urban Growth policies and growth management framework goals in the Urbanization Element of the Marion County Comprehensive Plan.

## **DECISION**

The Board concurs in the City of Mill City Comprehensive Plan amendments by approving amendments to the Marion County Comprehensive Plan by adopting the amendments to the City of Mill City Comprehensive Plan including a coordinated 2035 population projection for the City of Mill City of 2,461 and concurring in the additions of the Runyon Property and North Water Storage Reservoir to the urban growth boundary.

## ORDINANCE NO. **XXX**

### AN ORDINANCE TO ADOPT PART 1 OF THE 2015 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 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 technical planning studies 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 parts:

Part 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 February 16, 2015.

Part 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 June 2016.

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, the Linn County Geographic Information Systems Department, and the Linn County Planning Department; and

WHEREAS, the City has coordinated the preparation and review the 2015 City of Mill City Comprehensive Plan Update – Part 1 with the Linn County Planning Department, the Marion County Planning Department and with the Department of Land Conservation and Development. Representatives of each agency were given an opportunity during 2014 and 2015 to review and recommend changes to the proposed plan update prior to the preparation of the final public hearing draft of the plan update; and

WHEREAS, on February 16, 2015 the City submitted the public hearing draft of the 2015 City of Mill City Comprehensive Plan Update – Part 1 and all of the attachments referenced in this ordinance 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 March 19, 2015; and

WHEREAS, the city's planning consultant reviewed agency comments in March 2015 and made technical 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 prior to the public hearing to share the plan update with 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 of and asking questions about the proposed comprehensive plan update and buildable lands analysis; 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 and recommended several modifications to the plan; and

WHEREAS, on March 27, 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 14, 2015, the City Council received the Planning Commission recommendation and 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, attached as Exhibit A and incorporated herein by reference, are hereby adopted as the findings and conclusion for the 2015 City of Mill City Comprehensive Plan Update – Part 1. The Findings of Fact demonstrate the comprehensive plan update complies with the State of Oregon land use planning requirements, statewide planning goals and



applicable Oregon Administrative Rules and serve as a basis for the adoption of the amendments to the 2015 City of Mill City Comprehensive Plan Update – Part 1, attached as 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 as Map LU-1 in the 2015 City of Mill City Comprehensive Plan 2015 Update – Part 1 and incorporated herein by reference, is adopted by the City of Mill City.

**Section 4. Buildable Lands Analysis Adoption.** The Mill City Buildable Lands Analysis Update dated February 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. Repeal.**

- a. Ordinance 251 enacted on January 25, 1994 is hereby repealed.<sup>1</sup>
- b. Ordinance 343 enacted on January 9, 2007 is hereby repealed.<sup>2</sup>
- c. Ordinance 348 enacted on December 11, 2007 and executed by the Mayor on January 8, 2008 is hereby repealed.<sup>3</sup>
- d. Ordinance No. 355 enacted by the City on July 14, 2009 is hereby repealed.<sup>4</sup>

<sup>1</sup> Ordinance 363, adopted on April 12, 2012, approved amendments to Title 17 of the Mill City Municipal Code. Chapter 17.06 “Comprehensive Plan” was added. It supersedes Ordinance 251. Repeal of Ordinance 251 is a housekeeping measure to eliminate an unneeded ordinance.

<sup>2</sup> Ordinance 343, adopted on January 9, 2007, was not signed by city officials or submitted to the Department of Land Conservation and Development or Oregon Department of Revenue. The ordinance approved a Comprehensive Plan map amendment and Zone Change for two publicly owned parcels east of Kimmel Park and annexed the properties into the City of Mill City. The 2015 Comprehensive Plan Map, Map LU-1, shows these two parcels as Public. Map LU-3 shows they retain Linn County UGA-RR 2.5 zoning since the properties are not inside the City. Repeal of Ordinance 343 is a housekeeping measure.

<sup>3</sup> Ordinance 348, adopted on December 11, 2007, approved a UGB Amendment, Comprehensive Plan map amendment and Zone Change for the Robert and Vickie Ward property at the west end of SW Spring Street. The ordinance stipulated that Linn County must also approve the proposal. Linn County did not concur. Linn County approved a small UGB amendment to include the Ward’s home inside the Mill City UGB. Linn County Ordinance 2008-490 enacted on December 23, 2008 approved a small UGB amendment. A property line adjustment was approved on February 19, 2014 to consolidate the Ward’s home site into one parcel. The Goal 14 findings in Exhibit “A” describe these actions in more detail. The 2015 Comprehensive Map, Map LU-1, concurs with the Linn County decisions and extends the UGB line to include the Ward’s home within the Mill City UGB. Repeal of Ordinance 348 is a housekeeping measure.

<sup>4</sup> Ordinance 355, adopted on July 14, 2009, approved a UGB Amendment and Comprehensive Plan map amendment for Donald and Carol Cree for property on Lyons-Mill City Drive. The ordinance stipulated that Linn County must concur with the proposal. The applicants filed an application with Linn County but withdrew their proposal before Linn County took any action. Repeal of Ordinance 355 is a housekeeping measure.

**Section 7. 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 8. Effective Date.** This ordinance shall be effective thirty days after adoption and execution by the Mayor.

**Section 9. Notification to DLCD, Marion County and Linn County.** The City Recorder will provide notification of the City's adoption of this ordinance to the Oregon Department of Land Conservation and Development, Marion County and Linn County as a post-acknowledgement plan amendment.

This Ordinance read for the first time by title only on 14<sup>th</sup> day of April 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*

Exhibit "C" - *Mill City Buildable Lands Analysis Update* dated February 2015

Exhibit "A"

*City of Mill City Comprehensive Plan 2015 Update – Part 1*

*Findings*

## Exhibit A

### FINDINGS IN SUPPORT OF THE 2015 MILL CITY COMPREHENSIVE PLAN UPDATE – PART 1

The proposed 2015 Mill City Comprehensive Plan Update – Part 1 including updated comprehensive plan background information, goals, policies and maps are in conformance with the following Statewide Planning Goals and Comprehensive Plan Policies:

#### STATEWIDE PLANNING GOALS

**GOAL 1: CITIZEN INVOLVEMENT: TO DEVELOP A CITIZEN INVOLVEMENT PROGRAM THAT INSURES THE OPPORTUNITY FOR CITIZENS TO BE INVOLVED IN ALL PHASES OF THE PLANNING PROCESS.**

The proposed 2015 Mill City Comprehensive Plan Update – Part 1 was developed to replace an outdated version of the Mill City Comprehensive Plan. The Mill City Planning Commission serves as the City's appointed Citizen Involvement Committee to review and update the existing comprehensive plan. The Planning Commission's annual work program recommends the City complete the update of the Comprehensive Plan in two phases. The Planning Commission work plan anticipates Part 1 of the plan update will be completed and adopted by June 30, 2015 and Part 2 of the plan update will be drafted and adopted by June 30, 2016.

The 2015 Mill City Comprehensive Plan - 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 proposed Plan Amendment is the result of a multijurisdictional effort to develop local wetland and riparian inventories, reports, and Goal 5 program for protection of wetland and riparian resources. Wetland consultants conducted the inventory and developed reports determining locally significant natural resources. As part of the process letters to property owners, where wetlands were suspected, were mailed asking permission to access properties along with the following subsequent citizen involvement efforts in the development of the proposed Plan Amendment Ordinance:

The 2015 Mill City Comprehensive Plan Update - Part 2 will include chapters on Historic and Cultural Resources, Parks and Open Space, Housing, Public Facilities, Transportation, and Urban Growth Boundary. Upon completion of both phases, the City staff will compile the plan in a final acknowledged plan document.

#### Agency Coordination

The City involved the following state, county and local agency representatives while the plan was being developed.

1. Department of Land Conservation and Development (DLCD): Ed Moore, DLCD's South Willamette Valley Regional Representative, and the City's Planning Consultant David Kinney met periodically from August to November 2014 to discuss the DRAFT plan update. Mr. Moore reviewed various working drafts and suggested revisions to address statewide planning goals and administrative rules. The City and DLCD agreed that the 2015 Mill City Comprehensive Plan Update would be developed in two parts and would follow the post-acknowledgment plan amendment process.
2. Oregon Employment Department: Will Summers, Workforce Analyst, in the Employment Department's Albany office provided economic and demographic data for inclusion in Chapter 3 "Demographics" and Chapter 6 "Economy".
3. Mid-Willamette Valley Council of Governments: Renata Wakely provided economic and land use data for the North Santiam Canyon region.
4. Marion County Planning Department: Brandon Reich, Senior Planner, reviewed early drafts of the plan amendments related to demographics, land use and the economy. He also reviewed the DRAFT findings and the Mill City Buildable Lands Analysis Update. He added several constructive suggestions and edited each document to add clarity.
5. Linn County Geographic Information System (GIS) Department: Linn County GIS staff updated the land use data for vacant land, infill, constrained land (steep slopes, wetlands, non-buildable areas). Steve Barnett, GIS Director, and Scott Valentine, GIS Analyst, completed a review of all buildable lands in January 2015 and generated new data tables and maps for inclusion in the comprehensive plan document.
6. Linn County Planning Department: Linn County Planning Director Robert Wheeldon and Planner Olivia Glantz reviewed the completed DRAFT of the Comprehensive Plan and provided technical information on natural resources lands. Mr. Wheeldon also discussed coordination of the Comprehensive Plan map and concluded Linn County did not need to take any additional action to concur with the Mill City Comprehensive Plan map or UGB location, since it was consistent with prior actions taken by Linn County.
7. GROW Santiam: Allison McKenzie, Executive Director of GROW Santiam of the North Santiam Economic Development Corporation provided resource information for Chapter 6 "Economy".

The City emailed .pdf copies of the *2015 Mill City Comprehensive Plan Update – Part 1* to various local, county, regional and state agencies for revisions and suggestions. A Form 1 Notice of Proposed Plan Amendment was provided to DLCD on February 16, 2015.

**Local Citizen Involvement:**

Copies of Phase 1 of the *2015 Mill City Comprehensive Plan Update – Part 1* were made 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. A public hearing DRAFT of the staff report, findings document and *2015 Mill City Comprehensive Plan Update – Part 1* was available for public review at City Hall in Mill City on March 1, 2015.

As part of the post acknowledgment plan amendment process, the City provided the community with the following notices of the plan update process:

1. The City included information on the 2015 Comprehensive Plan Update in the City newsletter mailed to all utility customers in February 2015.
2. The City provided information about the 2015 Mill City Comprehensive Plan Update to the Canyon Weekly, the local Mill City newspaper, in February 2015. The City published a Notice of Public Hearing for the joint public hearing in the February 27<sup>th</sup> edition of the Canyon Weekly.
3. The Mill City Planning Commission discussed the proposed 2015 Mill City Comprehensive Plan Update, goals, policies and draft chapters at almost all of the regularly scheduled meetings of the Commission from May 2014 through March 2015.
4. A public Open House was held by the City to inform community residents of the plan update on March 24, 2015 from 5:00 to 6:30 p.m. at the City Hall, 444 S. First Avenue, Mill City.
5. The Mill City Planning Commission and City Council held a joint public hearing on March 24, 2014 as part of a regularly scheduled city council meeting to consider the 2015 Mill City Comprehensive Plan Update – Part I.

At the March 24, 2015 public hearing, approximately 30 citizens attended the open house and 10 citizens attended the public hearing following the open house. The City received public testimony regarding industrial lands, future economic development opportunities, zoning of particular parcels in the multi-family residential zone, zoning of the 1<sup>st</sup>-4<sup>th</sup>/Fairview to Kingwood area as multi-family residential land, redesignation and rezoning of the Trio Tavern to Commercial use, and the addition of language regarding the Oregon Connections Academy, an on-line elementary and secondary education program. The Planning Commission deliberated on each item at their March 27, 2015 meeting and included their findings and conclusions in a written recommendation to the City Council.

6. The Mill City Planning Commission deliberated on the proposal at a special meeting on March 27, 2015 and recommended that the City Council adopt the 2015 Mill City Comprehensive Plan Update – Part I.

***GOAL 2: LAND USE PLANNING: TO ESTABLISH A LAND USE PLANNING PROCESS AND POLICY FRAMEWORK AS A BASIS FOR ALL DECISIONS AND ACTIONS RELATED TO THE USE OF LAND AND TO ASSURE AN ADEQUATE FACTUAL BASE FOR SUCH DECISIONS AND ACTIONS.***

The proposed Plan Amendment Ordinance is consistent with Goal 2 because the Comprehensive Plan Amendment followed the land use planning process established by the existing Mill City Code, Chapter 17.06 and OAR 660-018 regarding post-acknowledgment plan amendments.

OAR 660-018 Post Acknowledgment Plan Amendments

660-018-0020 Notice of a proposed change to a Comprehensive Plan

The City submitted the 2015 Mill City Comprehensive Plan Update – Part I to DLCD in compliance with OAR 660-018-0020. The City's submittal included (1) the proposed text of the comprehensive plan update, (2) a summary of the proposal, (3) a draft notice of public hearing and (4) draft findings demonstrating compliance with statewide planning goals, guidelines and administrative rules.



*660-018-0021 Joint submittal of Notices by affected local governments*

The proposed 2015 Mill City Comprehensive Plan Update – Part 1 were jointly submitted by the City of Mill City, Linn County Planning Department and Marion County Planning Department. The proposed amendments require concurrence from both Linn County and Marion County because there are minor adjustments to the Mill City Urban Growth Boundary (UGB).

*660-018-0035 DLCD Participation*

The City of Mill City solicited comments from DLCD during the preparation of the comprehensive plan update. Ed Moore, DLCD representative, provided advisory recommendations to assist the City in complying with statewide planning goals, state statute and Oregon Administrative Rules.

ORS 197.296, OAR 660-008 and OAR 660-024 Buildable Lands and Allocation of Housing Mix

The City of Mill City prepared the Mill City Buildable Lands Analysis Update, dated September 2014 to provide accurate data for the 20-year planning period from 2014 to 2035. This 2014 buildable lands analysis update will be a technical amendment to the Mill City Comprehensive Plan and will be adopted concurrently with the 2015 comprehensive plan update.

The Mill City Buildable Lands Analysis Update identifies suitable and available buildable residential lands in compliance with ORS 197.296, OAR 660-008, 660-009 and 660-024. See Goal 9 below for findings related to Economic Development and employment lands.

The analysis satisfies the inventory requirements in ORS 197.296 (3)(a) and (3)(b), through its inventory of the supply of buildable lands within the Mill City UGB, analysis of the capacity of the buildable lands to provide for housing need by type and density range. The Linn County's Geographic Information Systems (GIS) Department inventoried all land inside the Mill City UGB utilizing real property data from Linn County and Marion County.

For residential properties buildable land included:

- (1) All vacant lands planned and zoned for residential use.
- (2) Partially vacant lands planned and zoned for residential use. This includes infill lots which are partially developed but may be divided to create additional building lots on the vacant portion of the parcel meeting the minimum lot sizes in the R-1 and R-2 residential zones.
- (3) Redevelopable land. Redevelopable land is defined as low value properties where the improvement value of existing structures is less than 33% of the 2014 assessed land value.
- (4) Infill land. Infill land is defined as the undeveloped portion of a developed property that could be partitioned or subdivided into one or more building lots meeting the minimum lot requirements of Mill City's residential zoning code. Existing residential lots of 0.50 acres or smaller were generally considered fully developed.

Constrained lands, complying with definitions in OAR 660-008-0005 (2), were identified and mapped and then subtracted from to arrive at a net buildable land total. Constrained lands deemed unavailable for development included:

1. Locally significant wetlands identified in the City of Mill City Local Wetlands Inventory (2011).
2. Slopes 25% or greater
3. North Santiam River Floodway

4. Bonneville Power Administration easement

The *Mill City Buildable Lands Analysis Update* provides the City with a factual basis for determining whether or not the City of Mill City has an adequate supply of land inside the Mill City UGB to provide for residential and employment needs over the next 20 years. It includes an analysis of housing mix and densities (OAR 660.008.0010), an analysis of employment land needs (OAR 660.009.0015) and addresses whether or not there is an adequate supply of buildable residential and employment lands inside the UGB (OAR 660.024.0040 and 660.024.0050).

The *Mill City Buildable Lands Analysis Update* concludes Mill City has a 20-year supply of available land that can be developed for residential, commercial, industrial, and public uses and complies with OAR 660.024.0040. The buildable lands analysis and the *2015 Mill City Comprehensive Plan Update* comply with Goal 2 requirements to serve as the factual basis for decisions and actions related to the use of land within the Mill City UGB. Chapter 4 summarizes the findings of the updated buildable lands analysis and concludes the City has sufficient land available for both residential and employment lands.

ORS 195.025, ORS 195.033 and ORS 195.034(2) Population Forecast

The state requires each county to coordinate planning activities and establish a population forecast for the entire county and to coordinate this forecast with the local governments within its boundary. (OAR 195.025 and 195.033).

Marion County prepared a coordinated population forecast for the County and its twenty incorporated cities in 2009. The last time Linn County prepared a coordinated population forecast that included Mill City was 1999 which forecast population only to 2020. Since Linn County's population forecast does not cover the entire 20-year planning period, a city is allowed to use an alternate population forecast. Therefore Mill City has used an alternative population forecast for the plan period as provided for ORS 195.034 (2).

Chapter 3 – “Demographics” includes the methodology used to update the City's population forecast. The City's 2013 certified population estimate of 1,870 people was 0.424% of the total certified population estimate of 441,535 for both counties. The City assumes the City's share of the combined population of the two counties will remain at 0.424% over the next forty years. Mill City's population is estimated to increase from 1,870 people in 2013 to 2,461 people in 2035 at the end of the 20-year planning period. The average annual growth rate from 2013 to 2035 is estimated to be 1.25% annually. The Linn County and Marion County population forecasts will be updated by Portland State University's Center for Population Research in 2016-2017. The population forecast complies with state statute and Goal 2.

*COMPREHENSIVE PLAN MAP AMENDMENTS:*

As part of the *2015 Mill City Comprehensive Plan Update – Part 1* the City reviewed the Mill City Comprehensive Plan map and the Mill City UGB boundary to determine if all of the comprehensive plan map amendments approved since 1990 were included on the Comprehensive Plan maps on file with Linn County, Marion County, the City of Mill City and DLCD. Based on that review, the City discovered some discrepancies between the City of Mill City, Marion County and Linn County versions of the Mill City UGB and Comprehensive Plan maps.<sup>1</sup>

<sup>1</sup> The City of Mill City lost most of its land use files in a September 2010 fire at the City Hall. The City has worked with Linn County, Marion County and DLCD to recompile and reconstruct the records of all post-acknowledgment plan amendments since 1990. There are records of several Comprehensive Plan amendments which could not be reconstructed.



In order to rectify any past administrative errors, mapping errors or omissions, the City and both counties will readopt the Mill City Comprehensive Plan map and the Mill City UGB as part of the 2015 Mill City Comprehensive Plan Update. In addition to the map corrections, the Mill City Planning Commission identified several city-owned parcels which should be redesignated from Residential to Public on the Comprehensive Plan map.

Map LU-1, the Mill City Comprehensive Plan map, is amended as part of the 2015 Mill City Comprehensive Plan Update – Part 1 to reflect the following changes to the plan designations and the Mill City Urban Growth Boundary. Table 1 “Linn County” and Table 2 “Marion County” list the Comprehensive Map and UGB amendments in each county. After the tables are maps showing the specific parcels.

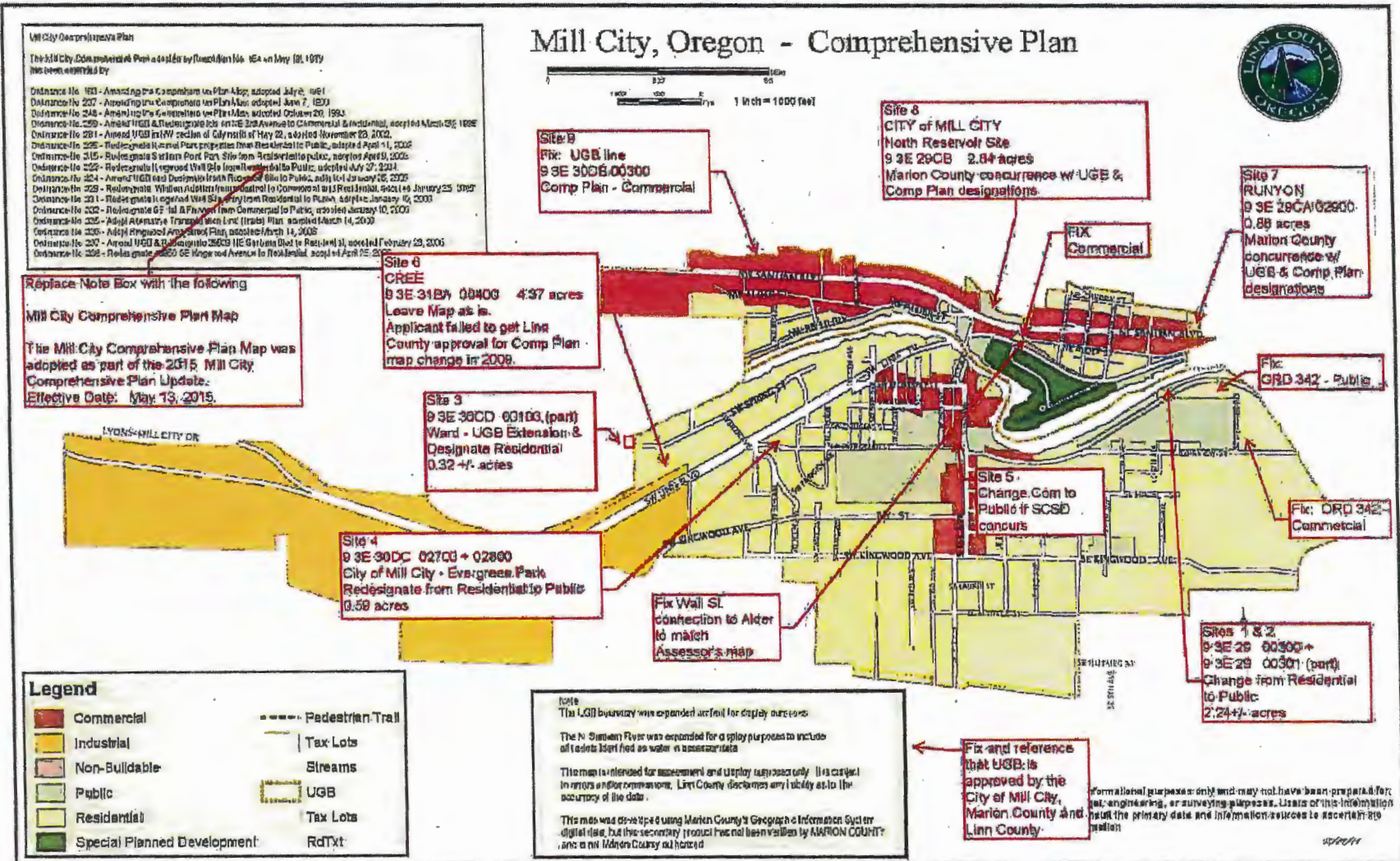


Table 1  
**Mill City Comprehensive Plan Map Amendments  
 In Linn County.**

<i>Mill City Comprehensive Plan Map Amendments</i>						<i>Comprehensive Plan Designation</i>		<i>UGB Modification</i>
#	<i>Assessor's Map</i>	<i>Tax Lot</i>	<i>Acres</i>	<i>Added to UGB</i>	<i>Owner</i>	<i>From</i>	<i>To</i>	
<b>Linn County</b>								
1	09S03E 29	00300	1.84		City of Mill City	Residential	Public	No <sup>2</sup>
2	09S03E 29	00301 (part)	0.50		Mill City Volunteer FD	Residential	Public	No <sup>3</sup>
						<b>Ordinance 343 – CP/ZC &amp; Annexation of City properties east of Kimmel Park Adopted 1-09-2007. Not signed or submitted to Linn County or the Oregon Dept. of Revenue for the annexation. Repeal Ordinance 343. Include these parcels on Comp Plan map as 2015 amendment.</b>		
3	09S03E 30CD	00103 (part)	0.32	.32	Ward	LC RR-2.5	Residential	Yes <sup>4</sup>
						<b>City is concurring w/ Linn County UGB amendment for Ward</b>		
4	09S03E 30DC	02700 02800	0.22 0.37		City of Mill City	Residential	Public	No
5	09S03E 30DD	07350 07700 07701 07799 07800 07801 07900 07901 08000	0.32 0.09 0.03 0.01 0.11 0.02 0.27 0.05 0.06		Santiam Canyon School District (0.86 acres)  and the  City of Mill City (0.10 acres)	Commercial	Public	No
6	09S03E 31BA	00400	4.37		Cree	Check w/ Linn County if they ever did anything with this parcel.		Repeal Ord 355
						<b>Ordinance 355 adopted 7/14/2009 subject to Linn County concurrence with the UGB amendment. Verified with County that no final action was taken by Linn County. Repeal Ordinance 355.</b>		
<b>Linn County Totals</b>				<b>.32</b>				

<sup>2</sup> City File 2005-01-03. Ordinance 343 adopted on January 9, 2007 approved this Comprehensive Plan map amendment from Linn County UGA RR-2.5 to Public (P) to add a city-owned parcel at the east end of Kimmel Park adjacent to the N. Santiam River. The City of Mill City does not have a copy of the signed Ordinance 343 nor evidence that Ordinance 343 was submitted to DLCD after adoption. Ordinance 343 will be repealed by the City and superseded by this Comprehensive Plan Map update.

<sup>3</sup> Ibid. City File 2005-01-03. Ordinance 343 adopted on January 9, 2007 approved this Comprehensive Plan map amendment from Linn County UGA RR-2.5 to Public (P) to add 0.50 acre portion of a Mill City Volunteer Fire Dept parcel (Boy Scout cabin site), next to site 1 above. The City of Mill City does not have a copy of the signed Ordinance 343 nor evidence that Ordinance 343 was submitted to DLCD after adoption. Ordinance 343 will be repealed by the City and superseded by this Comprehensive Plan Map update.

<sup>4</sup> City File 2007-07-09 - Ward UGB Amendment. Adds 0.32+/- acres to the Mill City UGB to include the Ward home which was previously ½ inside the UGB and ½ outside the UGB line. In January 2009, City Ordinance 347 approved a 10+ acre UGB expansion. Linn County did not concur. The updated Mill City UGB map concurs with Linn County's approval of a .32+/- acre UGB extension, Linn County Ordinance B008-0001 enacted on December 23, 2008 and finalized by Linn County on February 19, 2014 with a property line adjustment to consolidate parcels. See Linn County's findings are in their Land Use file. See later Goal 14 Findings in this document.

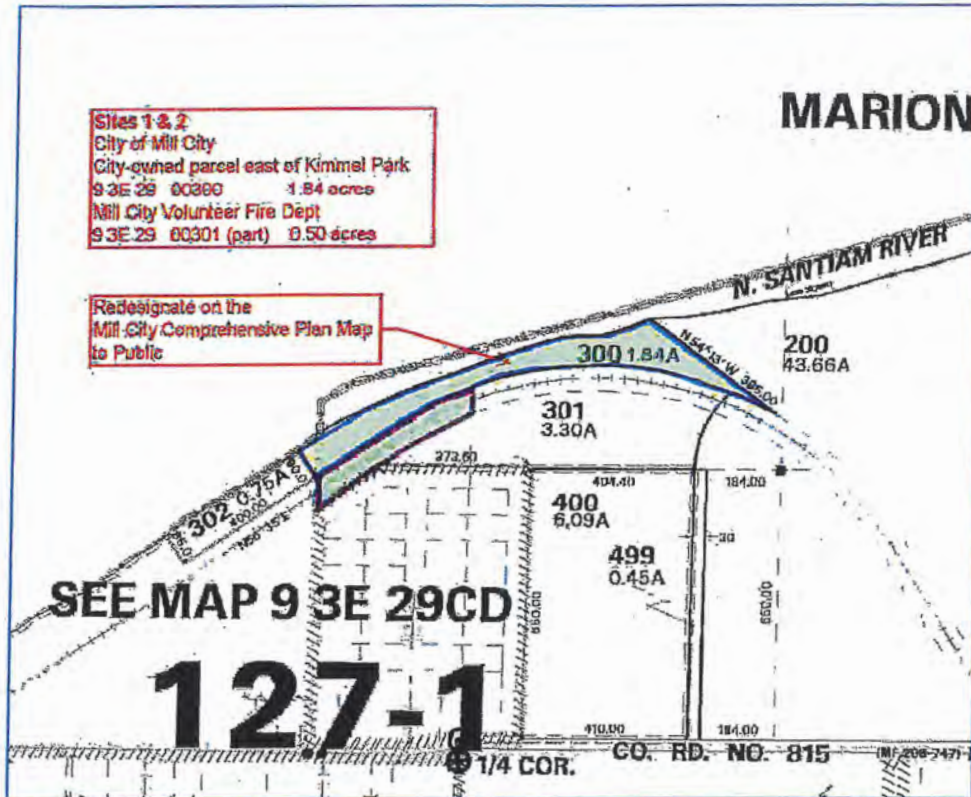


## Descriptions of Comprehensive Map Amendments in Linn County

### Sites 1 and 2 Publicly Owned Parcels East of Kimmel Park along the N. Santiam River

T9S R3E, Section 29	00300	City of Mill City	1.84 acres, 1.76 outside city limits
	00301	Mill City Volunteers	0.50 acres, part of existing parcel

Proposed Plan Designation on 2015 Comprehensive Plan Map: Public



#### Summary of Prior Land Use Actions:

In 2005 the City initiated, but did not complete, a land use action to:

- (1) Redesignate on the Comp Plan map from Residential to Public a city-owned 1.84 acre parcel and a 0.50 acre parcel owned by the Mill City Volunteer Firefighters.
- (2) Rezone the properties from Linn County RR-2.5 to Public (P), and
- (3) Annex the properties to the City of Mill City

The City of Mill City adopted Ordinance 343 on January 9, 2007. There is no signed ordinance and the City did not send a Notice of Adoption to DLCDC or an approved map or legal description to the Oregon Department of Revenue to complete the annexation of the parcel.

The two parcels are publicly owned sites.

TL 300: This 1.84 acre parcel is owned by the City of Mill City. It is an undeveloped site east of Kimmel Park and north of the City's wastewater treatment facility. The majority of the site is a steep bank along the North Santiam River. The Mill City Master Park Plan (2014) identifies the site as part open space area of Kimmel Park.

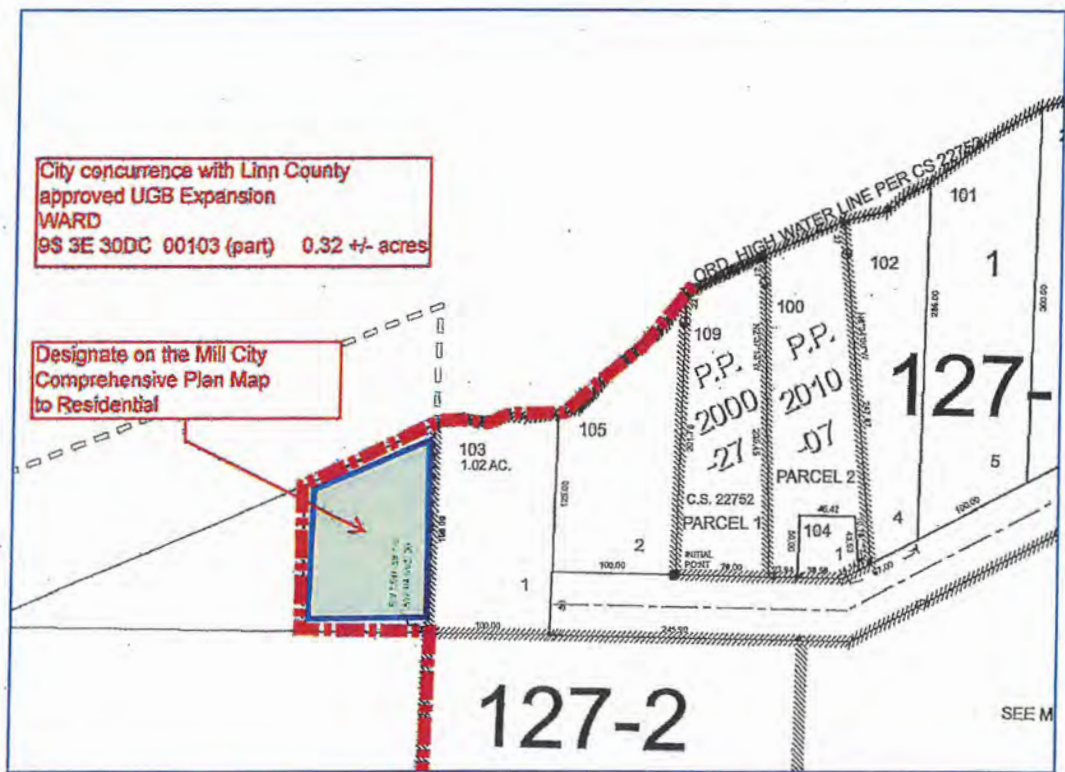
TL 301: This 0.50 acre site owned by the Mill City Volunteer Fire Department is part of the old railroad right-of-way that ran through this area. It is part of a larger 3.30 acre parcel that has already be designated Public on the Comprehensive Plan map.

The City concludes this map amendment is a housekeeping measure. Ordinance 343 will be repealed.

### Site 3 Ward – Add 0.32 acres to Mill City UGB

Robert and Vickie Ward  
T9S R3E, Section 30CD, Tax Lot 00103 0.32+/- acres

Proposed Plan Designation on 2015 Comprehensive Plan Map: Residential



**Summary of Prior Land Use Actions:**

In 2007, the property owners Robert and Vickie Ward submitted an application to the City of Mill City to:

- (1) Extend the UGB to add the 9.35 acres to the Mill City UGB,
- (2) Redesignate the property on the Mill City Comprehensive Plan map to Residential
- (3) Leave 9.16 +/- acres as Linn County RR-2.5 zoning.
- (4) Rezone a 0.19 acre piece of the property that included the west half of the applicant's home site at 1395 SW Spring St. to Single Family Residential (R-1), and
- (5) Annex the 0.19 acre property to the City of Mill City

On December 11, 2007, the City of Mill City approved Ordinance 348, approving all elements of the proposal as submitted by the applicant. The City adopted findings justifying the UGB amendment, plan redesignation and zone change. The City's approval was subject to concurrence by Linn County.

After consideration of the proposal, the Linn County Board of Commissioners did not approve the UGB amendment for the entire 9.35 acres. Instead, the Commissioners approved a UGB amendment for a 0.62 acre parcel to include the applicant's home in the Mill City UGB.

On December 23, 2008 the Linn County Board of Commissioners approved Ordinance No. 2008-490 to remove approximately 0.62 acres from the Linn County Comprehensive Plan map and add it to the Mill City UGB. The findings in support of the ordinance were approved as part of Resolution and Order No. 2008-479, Linn County File BC-008-0001. Notice of Adoption was provided to DLCD on December 24, 2008.

The applicant's completed a property line adjustment approved by Linn County on February 14, 2014 to consolidate their home in one 0.62 acre parcel. The UGB line is modified to include all of Parcel 1, Partition Plat 2014-37 as shown on CS 25487, as recorded with the Linn County Surveyor.

As part of the *2015 Mill City Comprehensive Plan Update – Part 1*, the City of Mill City repeals Ordinance 348 and adopts Map LU-1, the 2015 Mill City Comprehensive Plan map that shows the modified Mill City UGB boundary as approved by Linn County and shown on CS 25487. The City adopts the Linn County findings by reference.

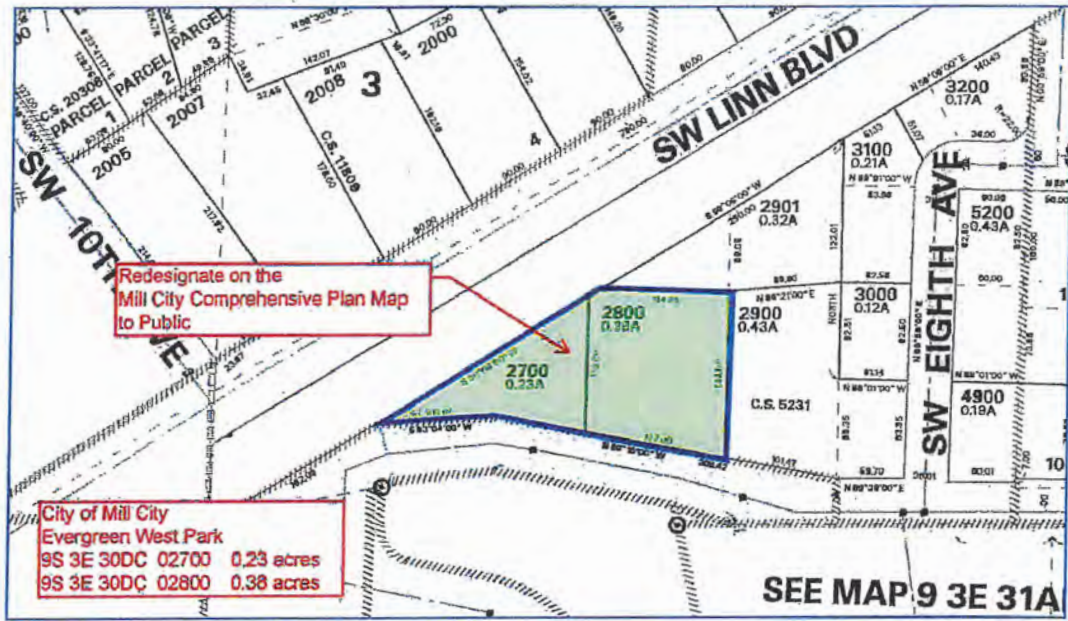
The City concludes this map amendment is a housekeeping measure. The 2015 Comprehensive Plan Map update will concur with Linn County's approval of this UGB amendment. City Ordinance No. 348 will be repealed.

The City will provide DLCD with an updated Notice of Adoption of the PAPA including the new City ordinance concurring with Linn County's prior approval and including a map showing the new UGB line based on Partition Plat 2014-37.

**Site 4 Evergreen Wayside Park**

T9S R3E, Section 30DC	02700	City of Mill City	0.22 acres
	02800	City of Mill City	0.37 acres

Proposed Plan Designation on 2015 Comprehensive Plan Map: Public



**Summary of Prior Land Use Actions:**

These two small parcels comprise Evergreen West neighborhood park adjacent to the recreation trail west of SW 8<sup>th</sup> Avenue. TL 2800 was the site of the old “Circle Sewer” a septic system that served homes on Parkside Drive. The system was abandoned when the City constructed its wastewater collection system in the mid-1990s. TL 2700 was donated to the City.

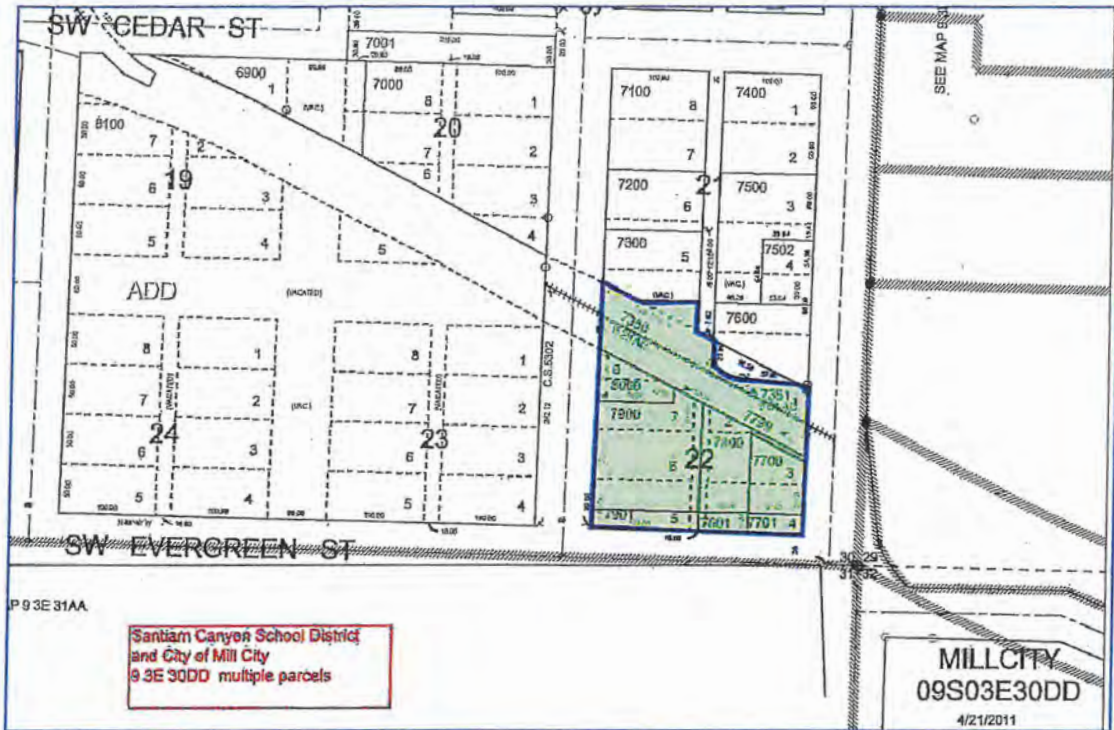
The Evergreen West park is identified in the *Mill City Park Master Plan* as a neighborhood park/green space with minimal improvements. It will include trail connections, grassy area and a picnic table or two. The City concludes this map amendment is a housekeeping measure to redesignate the parcels to Public (P) on the plan map since they are already committed to public use.



**Site 5 Santiam Canyon School District Properties (SW Evergreen St.)**

T9S R3E, Section 30DD    6 Parcels    Santiam Canyon School District    0.86 acres  
3 Parcels    City of Mill City    0.10 acres

Proposed Plan Designation on 2015 Comprehensive Plan Map:    Public



**Summary of Proposal:**

The Santiam Canyon School District acquired six small parcels totaling 0.86 acres. The property is located on SW Evergreen Street across from the High School gymnasium (west) and the District Office (south). The School District has used a small house on the site for special district programs. The site was acquired for future school uses, but no specific plans have presented to the City. The City of Mill City also owns three slivers of property totaling 0.10 acres abutting the SW Evergreen Street right-of-way.

The Santiam Canyon School District has notified the City that it wants these properties redesignated and rezoned for public use. Superintendent Todd Miller notified the City that the District concurs with the redesignation and rezoning. The City will include this change on Map LU-1.

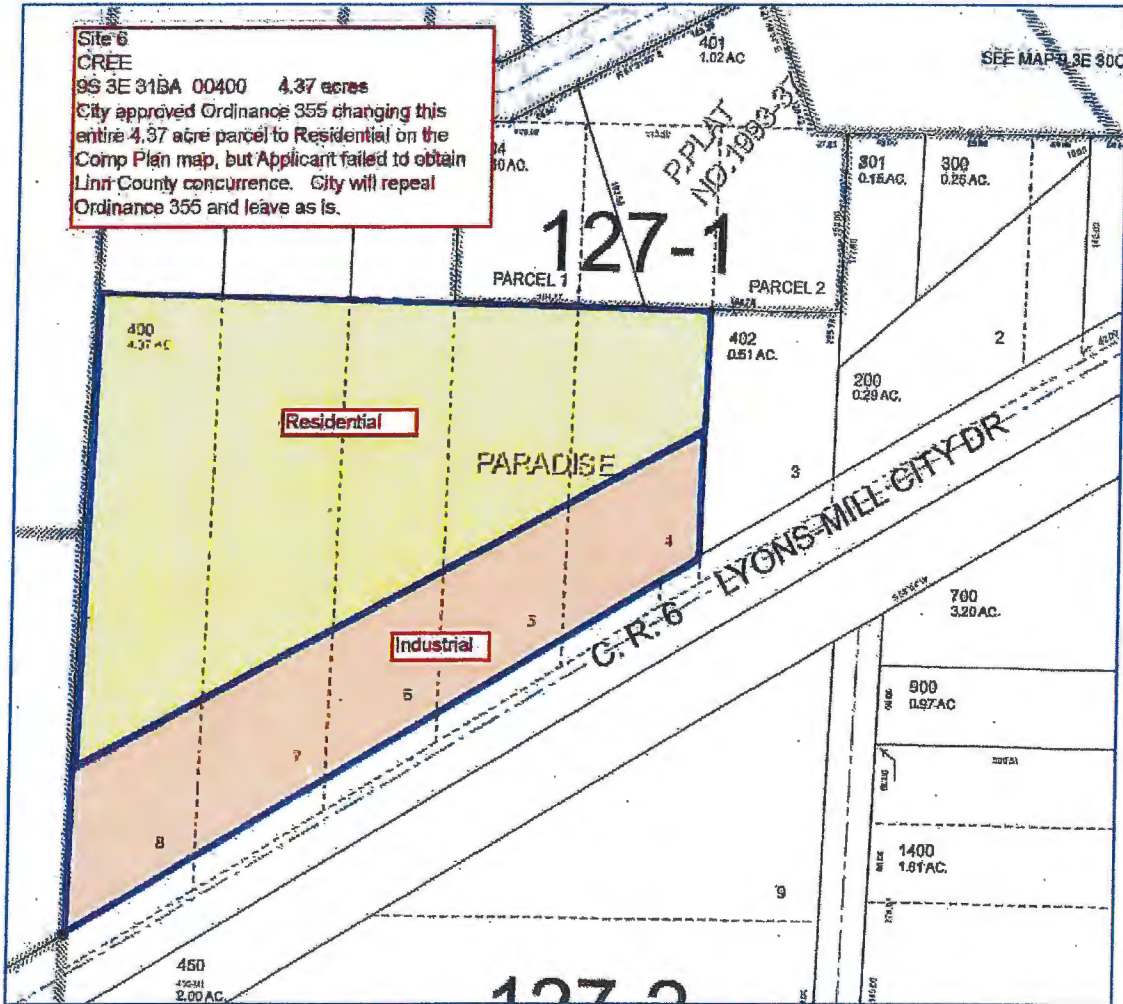
The City concludes this map amendment is a housekeeping measure to redesignate the parcels to Public (P) on the plan map since they are already committed to public use.



**Site 6 Cree (Lyons-Mill City Drive)**

T9S R3E, Section 31AB 00400 4.37 acres Donald and Carol Cree

Proposed Plan Designation on 2015 Comprehensive Plan Map: Split – Residential & Industrial



**Summary of Proposal:**

On July 14, 2009 the City of Mill City approved Ordinance 355 to the 4.37 acre parcel on the Mill City Comprehensive Plan map from a split designation (Industrial & Residential) to Residential and to rezone the entire 4.37 acre parcel to Linn County UGA-RR. The City's decision was subject to the applicant obtaining approval from the Linn County Planning Department.

Linn County Planning Department has confirmed in February 2015 that the applicant failed to obtain Linn County approval for the changes. The City will repeal Ordinance 355.

The City concludes this is a housekeeping measure to verify the Comprehensive Plan map for this site has not been changed.

Table 2  
**Mill City Comprehensive Plan Map Amendments  
 In Marion County**

<b>Mill City Comprehensive Plan Map Amendments</b>					<b>Comprehensive Plan Designation</b>		<b>UGB Modification</b>	
<b>#</b>	<b>Assessor's Map</b>	<b>Tax Lot</b>	<b>Acres</b>	<b>Added to UGB</b>	<b>Owner</b>	<b>From</b>		<b>To</b>
<b>Marion County</b>			<b>Obtain Marion County concurrence w/ UGB boundary amendments &amp; CP changes</b>					
7	09S03E 29CA	02900	0.86	.86	Runyon	MC Timber Conservation (TC)	Residential	Yes
8	09S03E 29CB	00500	2.84	2.84	City of Mill City	MC Timber Conservation (TC)	Public	Yes
9	09S03E 30DB	00300 (part)	0.19		Hoover	MC Timber Conservation (TC)	Residential	No
<b>Marion County Totals</b>			<b>3.89</b>	<b>3.70</b>				

**Site 7 Runyon – Add 0.86 acres to Mill City UGB<sup>5</sup>**

Gina Runyon  
 29509 NE Santiam Boulevard, Mill City, Oregon  
 T9S R3E, Section 29CA, Tax Lot 02900 0.86 acre parcel

City of Mill City File # 2005-12-27 Ordinance 337 adopted February 28, 2006.

Proposed Plan Designation on 2015 Comprehensive Plan Map: Residential & UGB

**Summary of Prior Land Use Actions:**

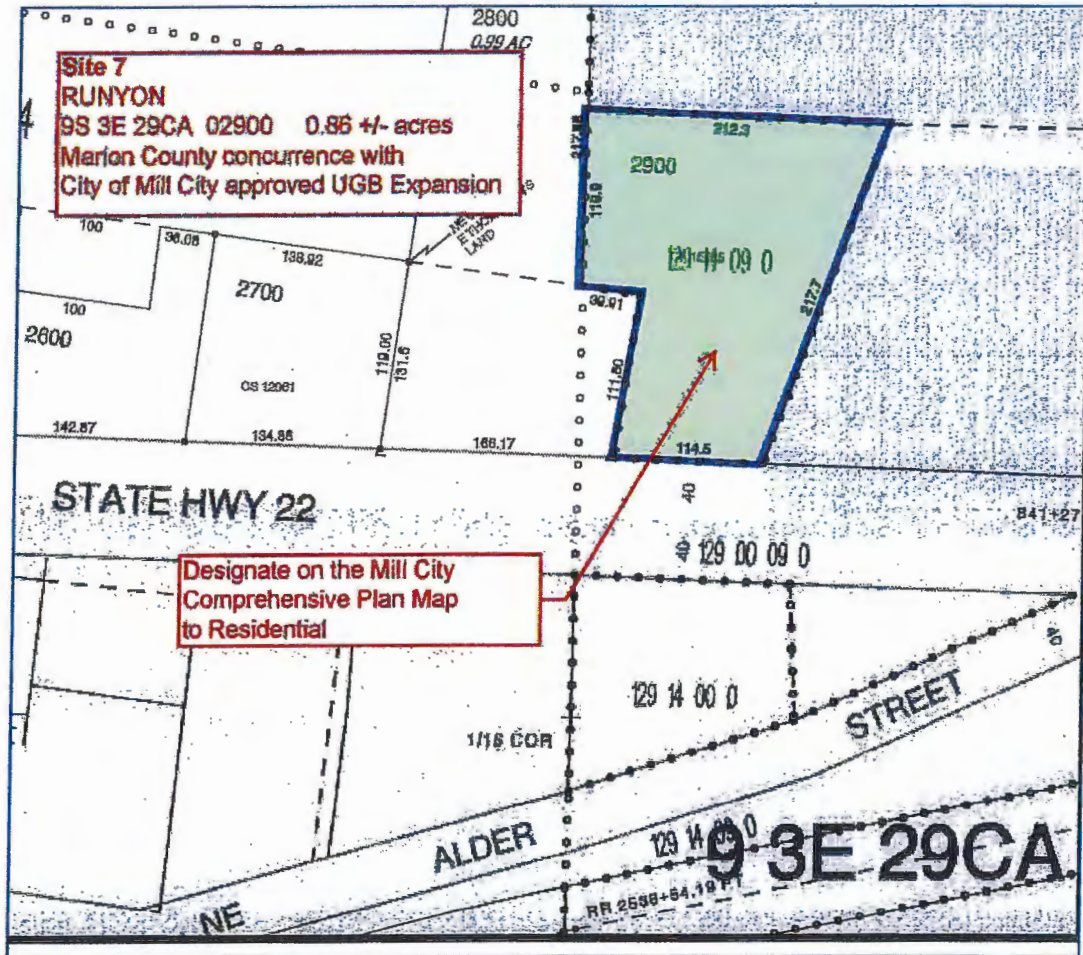
In 2005, the applicant's septic system failed. Marion County approved an extraterritorial extension of the sewer line and the home was connected to the City of Mill City sewer system. The extraterritorial sewer extension was granted and the home was connected to the City sewer system. Marion County's approval of the extraterritorial extension was granted subject to the City proceeding with a land use application to:

- (1) Extend the UGB to add the 0.86 acre parcel to the Mill City UGB,
- (2) Redesignate the property on the Mill City Comprehensive Plan map to Residential
- (3) Rezone the property to Single Family Residential (R-1), and
- (4) Annex the property to the City of Mill City

On February 28, 2006 the City approved Ordinance 337 approving the application as proposed and annexing the property to the City of Mill City. The City adopted findings justifying the UGB amendment, plan redesignation and zone change. The City notified the Oregon Department of Revenue and Marion County of the annexation and on March 6, 2006, the City sent a Notice of Adoption to DLCD.

<sup>5</sup> *City File 2005-12-27 - Runyon UGB Amendment.* Adds 0.86 acres to the Mill City UGB to include an existing home site at 29509 NE Santiam Boulevard. The City's land use file addresses all four land use proposals concurrently. The City adopted Ordinance 337 on February 28, 2006 and the property is annexed to the City. The City's Goal 14 Findings are in the City's land use file. The purpose of including the parcel in 2015 is to get county concurrence on the Mill City UGB boundary. The City of Mill City findings of fact and conclusions that were approved as part of City of Mill City File 2005-12-27 are adopted by reference as part of these findings.





In 2006 the City did not send a copy of the Notice of Adoption to Marion County for the planning decision and Marion County did not take any action to concur with the UGB expansion and Mill City Comprehensive Plan map amendment.

Marion County Concurrence:

1. Marion County has agreed to concur with the City's UGB amendment and designation of the site as Residential as part of its approval of the *2015 Mill City Comprehensive Plan Update*.
2. The City will provide DLCD with an updated Notice of Adoption of the PAPA including copies of the City Ordinance 337, the original city findings and Marion County's 2015 concurrence.

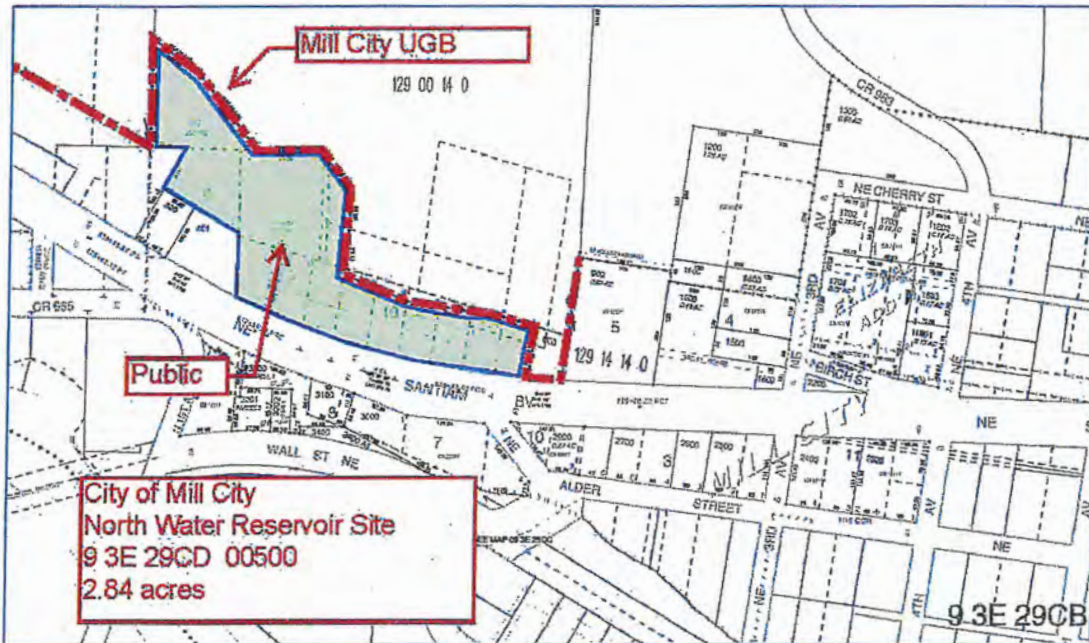
The City concludes this map amendment is a housekeeping measure to ensure the City of Mill City and both counties concur with the UGB Boundary and the Residential plan designation.

**Site 8 City of Mill City North Water Storage Reservoir – Add 2.84 acres to Mill City UGB<sup>6</sup>**

City of Mill City North Reservoir Site  
T9S R3E, Section 29CB, Tax Lot 00500 2.84 acres

City of Mill City File # 2004-03-04 Ordinance 324 adopted January 25, 2005.

Plan Designation: Public  
Zoning: Public



**Summary of Prior Land Use Actions:**

In 2005, the City acquired 3.50+/- acres of land to construct a 1.0 million gallon water storage reservoir north of Hwy 22 in Mill City. A 2.84 portion of the 3.50 acres was located outside the city limits and Mill City UGB.

<sup>6</sup> *City File 2004-03-04 – City of Mill City North Water Reservoir UGB Amendment.* Adds 2.84 acres to the Mill City UGB to include the City's 1.0 MG water storage reservoir site. The City notified DLCD 45-days prior to the initial public hearing of the proposed amendment. The City adopted Ordinance 324 on January 25, 2005, but did not submit the adopted ordinance to either DLCD or Marion County. See DLCD File 003-04. The City's Goal 14 Findings are in the City's land use file. The City of Mill City findings of fact and conclusions that were approved as part of City of Mill City File 2005-12-27 are adopted by reference as part of these findings. Marion County has not concurred with the UGB amendment. The purpose of including the parcel in 2015 is to get county concurrence on the Mill City UGB boundary and the Public plan designation.



The City initiated a land use action to:

- (1) Extend the UGB to add the 2.84 acre portion of the parcel to the Mill City UGB,
- (2) Redesignate the property on the Mill City Comprehensive Plan map to Public
- (3) Rezone the property to Public (P), and
- (4) Annex the property to the City of Mill City

On January 25, 2005 the City approved Ordinance 324 approving the application and annexing the property to the City of Mill City. The City adopted findings justifying the UGB amendment, plan redesignation and zone change. The City notified the Oregon Department of Revenue and Marion County of the annexation.

The City did not send a Notice of Adoption to DLCD and Marion County for the planning decision and Marion County did not take final action to concur with the UGB modification by the City.

Marion County Concurrence:

1. Marion County has agreed to concur with the City's UGB amendment and designation of the site as Residential as part of its approval of the 2015 Mill City Comprehensive Plan Update.
2. The City will provide DLCD with an updated Notice of Adoption of the PAPA including copies of the City Ordinance 324, the original city findings and Marion County's 2015 concurrence.

The City concludes this map amendment is a housekeeping measure to ensure the City of Mill City and both counties concur with the UGB Boundary and the Public plan designation.

#### **Site 9 Hoover - Correct UGB Line to Correspond with Prior City and County Decisions<sup>7</sup>**

City of Mill City -- NW Edge of UGB Amendments  
T9S R3E, Section 30DB, 00300 (part) 0.19 acres

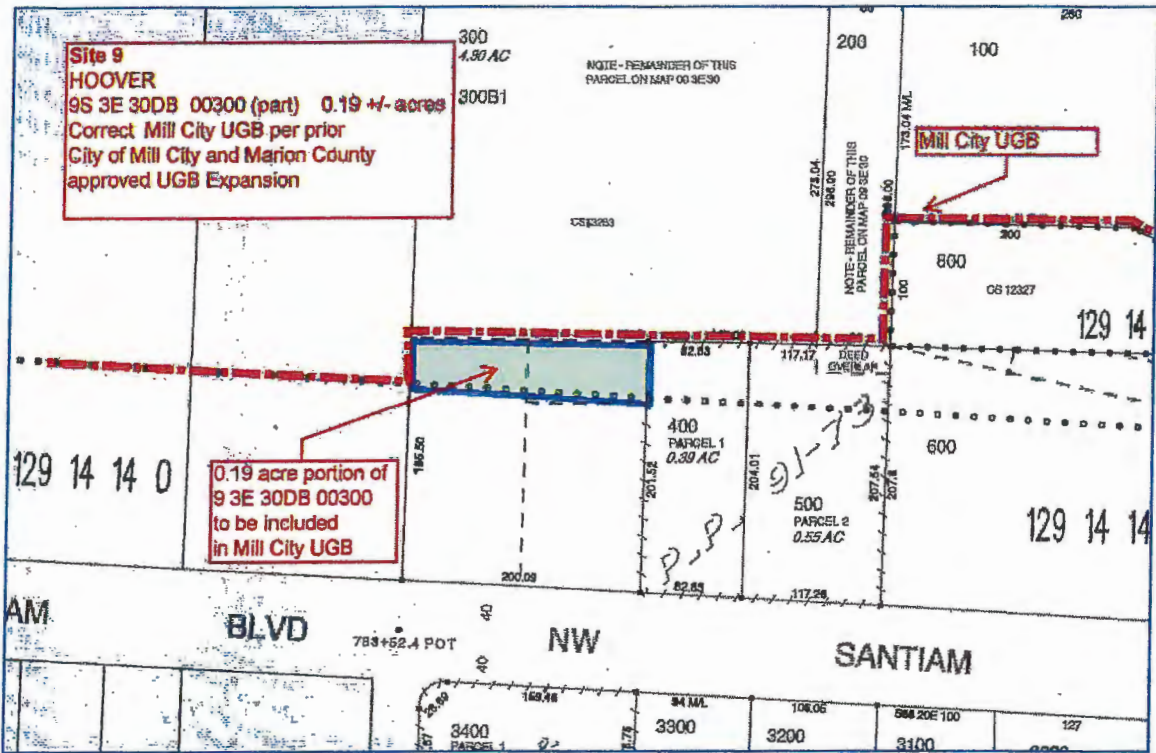
City of Mill City File # 2000-04-04 Mill City Ordinance 281 adopted December 7, 2000  
Marion County Ordinance 1136 adopted. November 21, 2000

#### **Summary of Prior Land Use Actions:**

In 2000, the City of Mill City identified several discrepancies in the Mill City UGB at the northwest edge of the Mill City UGB. Planning Consultant Marvin Gloege worked with the Marion County Planning Department to identify the discrepancies and then draft ordinances to correct the errors. The City of Mill City and Marion County both adopted ordinances.

In January 2015, the City staff noted that Marion County's on-line map of the Mill City UGB does not include a 0.19 acre portion of one parcel, Marion County Assessor's Map 9S 3E 30DB, Tax Lot 00300.

<sup>7</sup> City File 2000-04-04 - NW UGB Amendment. City Ordinance 281, adopted 12/07/2000 and Marion County Ordinance 1136, adopted 11/21/2000. The updated map rectifies a mapping error on the Marion County map of the Mill City UGB to include all areas noted in the approved ordinances. The adopted UGB ordinances were received by DLCD on 12-18-2000, See DLCD Mill City PAPA File #002-00.



The City concludes this map amendment is a housekeeping measure. The 2015 Comprehensive Plan Map update will concur with the City of Mill City and Marion County's 2000 decision related to the UGB in the NW section of Mill City north of Hwy 22.

*SUMMARY OF COMPREHENSIVE PLAN MAP AMENDMENTS:*

Table 3 summarizes all of the Comprehensive Plan map amendments listed above. It shows 4.02 acres have been added to the Mill City UGB since 1992.

Table 3  
Mill City Comprehensive Plan Amendments Summary

Site #	Owner	Residential	Commercial	Public	Total	Acreage Added to UGB
1	City of Mill City			1.84	1.84	
2	Mill City Volunteer RFPD.			0.50	0.50	
3	Ward	0.32			0.32	0.32
4	City of Mill City			0.59	0.59	
5	Santiam Canyon SD & City			0.96	0.96	
6	Cree				No change	
7	Runyon	0.86			0.86	0.86
8	City of Mill City			2.84	2.84	2.84
9	Hoover		0.19		0.19	0.19
	<b>Totals</b>	<b>1.18</b>	<b>0.19</b>	<b>6.73</b>	<b>8.10</b>	<b>4.21</b>

ZONING MAP AMENDMENTS:

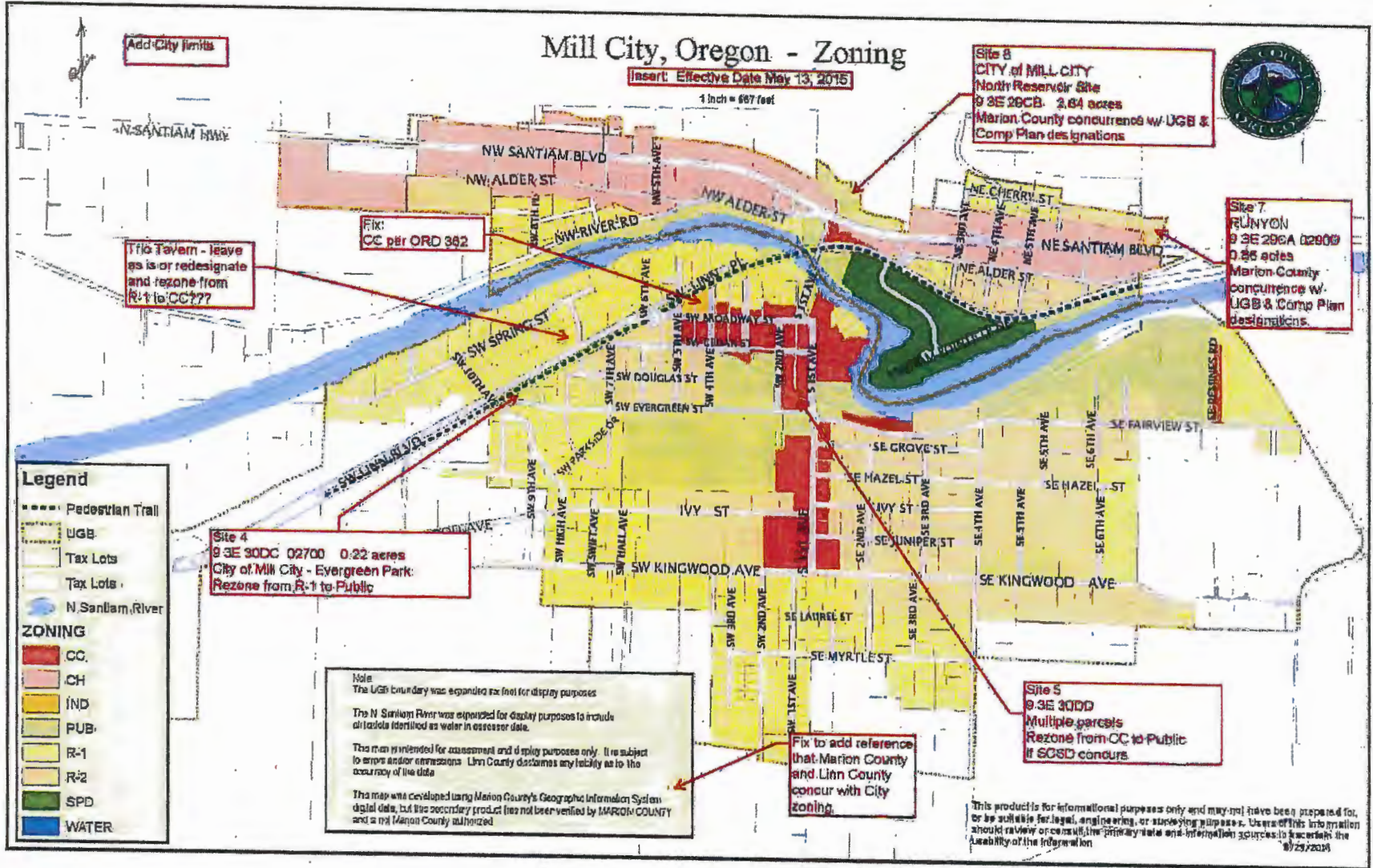
The Mill City Zoning Map is amended as part of the 2015 Mill City Comprehensive Plan Update – Part 1 to reflect the following changes.

Table 2  
Mill City Zoning Map Amendments

<i>Mill City Zoning Map Amendments</i>					<i>Zoning Map Change</i>	
#	<i>Assessor's Map</i>	<i>Tax Lot</i>	<i>Acres</i>	<i>Owner</i>	<i>From</i>	<i>To</i>
<b>Linn County</b>						
4	09S03E 30DC	02700	0.22	City of Mill City	Single Family Residential (R-1)	Public
5	09S03E 30DD	07350	0.32	Santiam Canyon School District (0.86 acres)	Central Commercial (CC)	Public
		07700	0.09			
		07701	0.03			
		07799	0.01	and the		
		07800	0.11			
		07801	0.02	City of Mill City (0.10 acres)		
		07900	0.27			
07901	0.05					
		08000	0.06			
<b>Linn County Totals</b>			<b>1.18</b>			
<b>Marion County</b>						
7	09S03E 29CA	02900	0.86	Runyon	MC Timber Conservation (TC)	Residential
8	09S03E 29CB	00500	2.84	City of Mill City	MC Timber Conservation (TC)	Public
<b>Marion County Totals</b>			<b>3.70</b>			
<b>Totals</b>			<b>4.88</b>			

Findings and supporting documents for each of these zone changes are included in the City of Mill City land use files referenced early in these findings for each of the sites.







**GOAL 3: AGRICULTURAL LANDS: TO PRESERVE AND MAINTAIN AGRICULTURAL LANDS.**

Chapter 4 “Land Use” includes an inventory of existing land uses. According to the Linn County GIS Department, as of September 2014 there were 25.6 acres of land inside the Mill City UGB in agricultural and forest use. Section 5.4 in Chapter 5 “Natural Resources” identifies existing Class I to VI lands and the agricultural suitability of soils inside the Mill City UGB. The City of Mill City, Linn County and Marion County do not have any agricultural zoning districts inside the Mill City UGB. Goal 3 does not apply within adopted, acknowledged urban growth boundaries.

**GOAL 4: FOREST LANDS: TO CONSERVE FOREST LANDS BY MAINTAINING THE FOREST LAND BASE AND TO PROTECT THE STATE’S FOREST ECONOMY BY MAKING POSSIBLE ECONOMICALLY EFFICIENT FOREST PRACTICES THAT ASSURE THE CONTINUOUS GROWING AND HARVESTING OF FOREST TREES SPECIES AS THE LEADING USE ON FORESTLAND CONSISTENT WITH SOUND MANAGEMENT OF SOIL, AIR, WATER, AND FISH AND WILDLIFE RESOURCES AND TO PROVIDE FOR RECREATIONAL OPPORTUNITIES AND AGRICULTURE.**

As noted above, there were 25.6 acres of land inside the Mill City UGB in agricultural and forest use in September 2014. Section 5.11 in Chapter 5 “Natural Resources” inventories Forest Lands inside the Mill City UGB. The City of Mill City, Linn County and Marion County do not have any forest land zones inside the Mill City UGB. Goal 4 does not apply within adopted, acknowledged urban growth boundaries.

**GOAL 5: OPEN SPACES, SCENIC AND HISTORIC AREAS, AND NATURAL RESOURCES: TO PROTECT NATURAL RESOURCES AND CONSERVE SCENIC AND HISTORIC AREAS AND OPEN SPACES.**

The *2015 Mill City Comprehensive Plan Update – Part 1* does include any new inventories or protection measures for Goal 5 resources. The City has previously completed Goal 5 inventories and adopted appropriate protection measures for historic landmarks and significant local wetlands.

Table LU-13 in Chapter 5 “Land Use” includes a list of previously adopted post-acknowledgment plan amendments including special ordinances, land use implementation measures and plans to protect natural resources, manage flood hazards, inventory and preserve historic resources. It shows the historic and cultural resources inventory and a historic preservation ordinance were adopted as part of the City’s periodic review in 1990. In 2011, the City participated in a multi-jurisdictional wetlands project (MCWRAP) led by the Lane Council of Governments. SWCA, the project’s wetlands consultant, completed a local wetlands inventory and assessment of locally significant wetlands in compliance with Goal 5 requirements. SWCA prepared and the City of Mill City adopted the *City of Mill City Local Wetland Inventory Report* and accompanying wetlands protection measures that are included in Chapter 17.72 of the Mill City Zoning Code. The plan update summarizes information for the wetlands report, lists the locally significant wetlands and includes policies requiring compliance with the approved local wetlands inventory report.

Chapter 5 “Natural Resources” updates basic information on several other Goal 5 resources by using inventory information generated by a variety of natural resource agencies, Linn County and Marion County including:

- (1) Riparian corridors. References the *DeFord Creek Restoration and Assessment Design Concepts Plan* (2010) prepared for the North Santiam Watershed Council. The report includes a riparian corridor study and watershed restoration plan for the reaches of DeFord Creek and Snake Creek that are located inside the Mill City UGB.

- (2) Wetlands. Summarizes the 2011 *City of Mill City Local Wetlands Inventory* (2011) and includes a list and map of significant local wetlands. Updates four Natural Resource Policies on wetlands.
- (3) Groundwater. Updates groundwater information in Mill City. Specific information is added about the City of Mill City's municipal wells which were developed in 2003. The City stopped using the North Santiam River as its drinking water source and drilled two new municipal wells.

The City did not complete any other Goal 5 inventories in preparing the *2015 Mill City Comprehensive Plan Update – Part 1*. Chapter 5 “Natural Resources” include updated policies, the City adds NR Policy 7 to identify funding and partner agencies to complete a Goal 5 inventory and adopt protection measures for riparian areas along the North Santiam River and its tributaries.

The *2015 Mill City Comprehensive Plan Update – Part 1* is consistent with Goal 5 and the post acknowledgment plan amendment (PAPA) is consistent with *OAR 660-023-0250 (3)*. The City finds it is not required to comply with the Goal 5 inventory process, significance determination and preparation of new Goal 5 protection measures because the plan update does not:

- (1) amend a Goal 5 resource list, update the plan in order to protect a Goal 5 resource or address specific requirements of Goal 5; or
- (2) allow new uses that conflict with a significant Goal 5 resource site or resource list; and
- (3) there is no new information showing a significant Goal 5 resource site is included in the UGB.

The City concludes the plan update complies with Goal 5.

***GOAL 6: AIR, WATER AND LAND RESOURCES QUALITY: TO MAINTAIN AND IMPROVE THE QUALITY OF THE AIR, WATER, AND LAND RESOURCES OF THE STATE.***

The *2015 Mill City Comprehensive Plan Update – Part 1* complies with Goal 6 planning requirements for air, water and land resources. Chapter 5 updates basic background information and planning maps related to air, water and land resources in the following sections:

- 5.2 Air Quality
- 5.3 Geology
- 5.4 Soils
- 5.6 Water including groundwater and surface water
- 5.7 Wetlands
- 5.9 Fish and Wildlife
- 5.10 Water Quality and Watershed Protection, Restoration and Enhancement
- 5.11 Forest Lands
- 5.12 Aggregate Resources

The update draws heavily on existing data available from the Oregon Department of Environmental Quality for air quality, the North Santiam River watershed and the Willamette Basin TMDL Plan. Additional background information was obtained from the US Geological Survey Natural Resource Conservation Service (NRCS), the U. S. Federal Emergency Management Agency, the Oregon Department of Geology and Mineral Resources (DOGAMI), the Oregon Department of Forestry, the Oregon Department of Water Resources, the Oregon State University Institute for Natural Resources, the North Santiam Watershed Council, Linn County, Marion County. The City concludes the plan update complies with Goal 6.

***GOAL 7 - AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS: TO PROTECT LIFE AND PROPERTY FROM NATURAL DISASTERS AND HAZARDS.***

The 2015 Mill City Comprehensive Plan Update – Part 1 complies Goal 7 planning requirements for natural hazards. Chapter 5, Section 5.5 updates basic information on natural and geologic hazards in the community, evaluates potential risk and identifies hazard protection measures already adopted by the City of Mill City, Linn County and Marion County. Chapter 5 also includes updated natural hazard policies.

Within the Mill City Planning Area natural and geologic hazards are present. Potential hazards include dam failure, drought, earthquake, flooding, landslide, volcanic action, wildfire, windstorms and winter storms.

The Linn County Natural Hazard Mitigation Plan, the county-wide natural hazards assessment and mitigation plan, was updated in 2010. The Marion County Multi-Jurisdictional Natural Hazards Mitigation Plan was updated in 2011. Both county plans include the three phases of hazard assessment: 1) hazard identification; 2) vulnerability assessment and 3) risk analysis. Each plan recommends hazard mitigation strategies the County and communities can take to reduce the impacts on private property, public infrastructure, critical facilities and the public if a natural hazard event occurs.

Chapter 5, Section 5.5 provides a brief narrative and maps of existing and potential natural hazards in the City and surrounding planning area in the North Santiam Canyon. The narrative is based on data gleaned from the two county-wide hazard mitigation plans. Mapping was prepared by the Linn County GIS Department based on data obtained from DOGAMI and FEMA. The City concludes the plan update complies with Goal 7.

***GOAL 8 - RECREATIONAL NEEDS: TO SATISFY THE RECREATIONAL NEEDS OF THE CITIZENS OF THE STATE AND VISITORS AND, WHERE APPROPRIATE, TO PROVIDE FOR THE SITING OF NECESSARY RECREATIONAL FACILITIES INCLUDING DESTINATION RESORTS.***

The 2015 Mill City Comprehensive Plan Update – Part 1 does not address Goal 8 issues, except as part of the Buildable Lands Inventory in Chapter 4 Land Use. The City finds it has adequate land available to provide for planned public facilities, parks and open space.

In 2014, the City adopted the Mill City Parks Master Plan to address parks and recreation needs of the community. The plan document inventories the existing the City of Mill City parks facilities and nearby county, regional and federal recreational sites in the North Santiam Canyon. It is consistent with the adopted county parks and recreation plans for Linn County and Marion County. The plan includes data from a community survey on parks and recreation needs in Mill City and summarizes survey data in the Oregon Statewide Comprehensive Outdoor Recreation Plan (SCORP). The Mill City Parks Master Plan recommends for park improvements and future park facilities to serve Mill City over the 20-year planning period through 2035. Chapter 4 “Land Use” includes updated public facility policies for parks and recreation that are recommended in the Mill City Parks Master Plan document.

The Public Facilities chapter of the Comprehensive Plan will be updated later in 2015. It will include excerpts from the Mill City Parks Master Plan and will move the parks and recreation policies from Chapter 4 to the updated Public Facilities chapter. The City concludes the plan update complies with Goal 8.<sup>8</sup>

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<sup>8</sup> The City of Mill City will submit the Mill City Park Master Plan (2014) and the City of Mill City Water Master Plan (2003) when the City completes Part 2 of the Mill City Comprehensive Plan update in late 2015.

***GOAL 9 - ECONOMIC DEVELOPMENT: TO PROVIDE ADEQUATE OPPORTUNITIES THROUGHOUT THE STATE FOR A VARIETY OF ECONOMIC ACTIVITIES VITAL TO THE HEALTH, WELFARE AND PROSPERITY OF OREGON'S CITIZENS.***

Chapter 6 "Economy" and the Mill City Buildable Lands Analysis were updated to address Goal 9 planning requirements. The buildable lands analysis update utilizes data from the September 2014 Linn County and Marion County property assessment records. Linn County's GIS staff updated maps and tables identifying all developed, vacant, infill and redevelopable sites inside the Mill City UGB. The City staff analyzed parcels to identify Brownfields, constrained areas and public facility issues on vacant, redevelopable and infill lots.

*OAR 660-009-0015 Economic Opportunity Analysis*

Chapter 6 includes an economic opportunity analysis that complies with OAR 660-0015. The analysis was prepared by the City as part of the plan update. It includes (1) a review of local, regional, state and national trends that impact the local economy, (2) an estimate of anticipated employment growth by job sector, (3) an estimate of employment land needs, (4) an inventory and maps of available industrial and commercial sites available in the Mill City UGB area and (5) an assessment of community economic potential.

The adopting ordinance with the 2015 Mill City Comprehensive Plan Update – Part 1 adopts the Mill City Buildable Lands Analysis Update by reference. The buildable lands analysis update includes a detailed analysis of the commercial and industrial sites readily available for development. It identifies industrial and commercial sites that are available and can be serviced by public facilities. The site analysis removes areas with development constraints including steep slope, wetlands, BPA power line easements and floodway hazards that limit the available buildable acreage on each site.

The City coordinated the preparation of Chapter 6 with DLCDD staff, the Oregon Employment Department and Marion County officials. The City utilized data from a variety of sources including the 2010 Census, 2014 employment data from the State of Oregon and a 2014 Economic Opportunity Study update for the North Santiam Canyon prepared by the Mid-Willamette Valley Council of Governments for Marion County. The combined documents of Chapter 6 "Economy" of the 2015 Mill City Comprehensive Plan Update coupled with the 2015 update of the Mill City Buildable Lands Analysis and the MWVCOG Economic Opportunity Study update for the North Santiam Canyon comply with the economic opportunity analysis requirements of OAR 660-009-0015.

*OAR 660-009-0020 Employment and Industrial Development Policies*

The plan includes updated economic development policies for the City of Mill City that are consistent with the City's assessment of local economic development potential and are consistent with existing economic development plans and policies for rural communities within the North Santiam Canyon. The proposed policies in Chapter 6 recognize the economic constraints caused by the decline of the timber industry in the North Santiam Canyon during the past thirty years, the proximity and accessibility of Mill City to the mid-Willamette Valley via Hwy 22 and the potential opportunities for development of expanded recreation/hospitality based businesses and industries in the North Santiam Canyon.

*OAR 660-009-0025 Designation of Employment Lands*

Section 6.6 of Chapter 6 includes a summary of buildable and available employment lands in compliance with OAR 660-009-0025. Employment lands in Mill City are in three zones: Industrial (I), Central Commercial (CC) and Highway Commercial (CH). The Mill City Buildable Lands Analysis Update

shown on Map LU-1, the Mill City Comprehensive Plan Map, that is included on page 16 of Chapter 4 "Land Use" in the 2015 Mill City Comprehensive Plan Update – Part 1.

Findings addressing Goal 14 requirements are included in the individual staff report and findings documents approved by the City for each file. These findings are adopted and incorporated by reference as if they were set forth herein.

OAR 660-024 Amendment to an Urban Growth Boundary

Amendments to an Urban Growth Boundary must comply with Oregon Administrative Rules in Chapter 660-024.

*660-024-0020 Population Forecast*

Chapter 3 of the 2015 Mill City Comprehensive Plan Update includes an updated population forecast complying with state requirements. The updated population forecast for the City of Mill City utilizes safe harbor provisions and has been coordinated with Marion County and Linn County. See Goal 2 Findings above. The City concludes the proposal complies with OAR 660-024-0020.

*660-024-0040 and 660-024-0050 Land Need and Land Inventory*

Chapter 4 of the 2015 Mill City Comprehensive Plan Update includes an updated Buildable Lands Analysis for the City of Mill City. The City worked with Linn County GIS to update the inventory with 2014 parcel data from the assessors' offices in Linn County and Marion County. The buildable lands analysis identifies all developed and constrained land in the Mill City UGB and then totals the amount of net buildable land in the UGB.

The City utilized the updated population forecast and a 2014 economic opportunity analysis to estimate land needs for the 20-year planning period for future housing and employment lands. The buildable lands analysis concludes the City has an adequate supply of net buildable residential, commercial, industrial and public lands to meet the projected needs of the community to the year 2035. See Goal 2 and Goal 9 Findings above. The City concludes the proposal complies with OAR 660-024-0040.

*660-024-0070 UGB Adjustments*

OAR 660-024-0070 and ORS 197.296 197.298 establish requirements for the review and analysis of UGB adjustments. They require an analysis of land need and establishment of priorities when considering the addition of land to a UGB.

Map LU-1, the Mill City Comprehensive Plan map and Table 5 above show the City has made several minor adjustments to the Mill City UGB since 1992. A detailed discussion of each of the Comprehensive Plan Map and UGB amendments are included the Goal 2 findings beginning on page 5 above.

The UGB and Comprehensive Plan map amendments have added 4.21 acres to the City of Mill City UGB in the following plan designations:

1. Residential 1.18 acres on two parcels.
2. Commercial 0.19 acres on one parcel.
3. Industrial None
4. Public 2.84 acres on one parcel.

One of the purposes of the 2015 Mill City Comprehensive Plan Update is to ensure the Mill City UGB boundary has been adopted by the City of Mill City, Linn County and Marion County.

Residential Land Additions:

The two UGB adjustments that added residential land were approved to address split jurisdiction issue and a public facility (sewer) deficiency. Each created a hardship for the property owner that was rectified by the UGB amendment.

- Ward Site 3 (Page 9 above) 9S 3E 30CD 00103 0.32+/- acres

The existing home straddled the UGB boundary. The land is fully committed to an urban residential use. In order to include the entire home inside the Mill City UGB, Linn County approved a UGB amendment in 2008 to add 0.32+/- acres and approved a lot line adjustment in 2014 to consolidate the 0.62 acre home site on one parcel. The site is included as a developed residential parcel in the 2015 update of the Mill City Buildable Lands Analysis. No additional building lot was created and no net buildable land was added to the UGB. The City's adoption of the updated plan map concurs with the County action.

- Runyon Site 7 (See Page 14 above) 9S 3E 29CA 02900 0.86 acres

The septic system for the existing home failed in 2005. The Marion County Environmental Health Department could not approve an on-site sewer system repair permit because the house was located within 300' of a city sewer line. LCDC administrative rules on Goal 11 - Public Facilities [OAR 660.015.000 (11)] and DEQ rules [OAR 371.071.160 (4)(F)] require connection to an available public sewer system when the public system is a practicable and accessible alternative and is legally available to serve the property.<sup>9</sup> The City of Mill City Comprehensive Plan Land Use Policy #19 states the City cannot extend sewer service outside the city limits. Marion County granted an extra-territorial extension of the sewer line contingent upon the City of Mill City completing a land use action to expand the Mill City UGB, a Comprehensive Plan Map and Zone Change to Residential (R-2) zone, and annexation of the property to the City of Mill City. The City completed its land use action in 2006, but did not notify Marion County of the decision and the County did not concur with the City's actions. The site is included as a developed residential parcel in the 2015 update of the Mill City Buildable Lands Analysis. No net buildable land was added because the existing parcel includes the home site, plus unbuildable steep slope area. City and Marion County's adoption of the updated plan map concurs with the prior City action.

Commercial Land Addition:

The 0.19 acre UGB amendment for the Hoover property is a map correction. In 2000, the City of Mill City and Marion County approved a UGB map amendment for the NW sector the Mill City UGB. The City and County discovered that the current Marion County UGB map does not show the UGB line consistent with the 2000 UGB amendment.

- Hoover Site 9 (Page 17 above) 9S 3E 30CD 00300 (part) 0.19+/- acres

<sup>9</sup> OAR 660.015.000(11) states that "Local governments shall not allow the establishment or extension of sewer systems outside urban growth boundaries or unincorporated community boundaries, or allow extensions of sewer lines from within urban growth boundaries or unincorporated community boundaries to serve land outside those boundaries, except where the new or extended system is the only practicable alternative to mitigate a public health hazard and will not adversely affect farm or forest land"

A sliver of the property along the north edge of the UGB will be shown correctly as being inside the Mill City UGB. The 0.19 acre site is vacant and is included in the 2015 Update of the Mill City Buildable Lands Analysis as buildable commercial land. Since this is a map correction, the parcel was already included in the City's prior buildable lands inventory. No net buildable land is added. The City and Marion County's adoption of the updated plan map concurs with the prior City and Marion County decisions.

Public Land Addition:

The 2.84 acre UGB amendment adds the City of Mill City North Water Storage Reservoir site to the Mill City UGB. In 1999 the City completed the Mill City Water System Master Plan. The plan recommended the City acquire land and construct a new water storage reservoir on the north side of the City. The City acquired the land and obtained financing to construct the storage reservoir. In 2004, the City approved an Ordinance annexing the property to the City, amending the Comprehensive Plan and Zoning Ordinance to designate and zone the property for public use and modified the Mill City UGB. Notice of the City's adoption of the ordinance was not provided to DLCD and Marion County. The inclusion of the site on the 2015 Comprehensive Plan map corrects the differences in the Marion County and City of Mill City UGB boundary and plan designations.

- City of Mill City            Site 8 (Page 16 above)    9S 3E 29CD 00500            2.84 acres

The 2.84 acre site is located on a steep slope area on the north side of Hwy 22. The site includes a 1.0 MG water storage reservoir, a high level booster pump station and access road to the reservoir site. The site is fully committed to the public use and is included in the inventory of developed public land in the 2015 Update of the City of Mill City Buildable Lands Analysis. City and Marion County's adoption of the updated plan map concurs with the prior City action.

The City concludes the UGB amendments are consistent with OAR 660-024-0070 and ORS 197.296 and 197.298 because the amendments are minor adjustments to the UGB and do not add any net buildable land to the Mill City UGB.



Exhibit "C"

**Mill City Buildable Lands Analysis – 2015 Update**

The Mill City Buildable Lands Analysis dated February 2015, attached hereto, is adopted as a technical amendment to the Mill City Comprehensive Plan.