



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Coastal Fax: (503) 378-6033

Second Floor/Director's Office: (503) 378-5518

Web Address: <http://www.oregon.gov/LCD>

NOTICE OF ADOPTED AMENDMENT



February 10, 2006

TO: Subscribers to Notice of Adopted Plan or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Mill City Plan Amendment
DLCD File Number 003-02

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office. This adoption was adopted by the City on April 8, 2003, and passed the 21-day appeal period from the date of the adoption.

Appeal Procedures*

DLCD DEADLINE TO APPEAL: Acknowledged under ORS 197.625 and ORS 197.830 (9)

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. Pursuant to ORS 197.625 if no notice of intent to appeal is filed within the 21-day period set out in ORS 197.830 (9), the amendment to the acknowledged comprehensive plan or land use regulation or the new land use regulation shall be considered acknowledged upon the expiration of the 21-day period.

Under ORS 197.830 (9) a notice of intent to appeal a land use decision or limited land use decision shall be filed not later than 21 days after the date the decision sought to be reviewed becomes final.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS ADOPTED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD.**

Cc: Doug White, DLCD Community Services Specialist
Marguerite Nabeta, DLCD Regional Representative
David W. Kinney, City of Mill City

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FORM 2

DEPT OF

FEB 07 2006

DLCD NOTICE OF ADOPTION

LAND CONSERVATION AND DEVELOPMENT

This form must be mailed to DLCD within 5 working days after the final decision per ORS 197.610, OAR Chapter 660 - Division 18

(See reverse side for submittal requirements)

Jurisdiction: City of Mill City Local File No.: 02.12.12
(If no number, use none)

Date of Adoption: 4-08-03 Date Mailed: 2-03-06
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 12-20-02

- Comprehensive Plan Text Amendment
- Comprehensive Plan Map Amendment
- Land Use Regulation Amendment
- Zoning Map Amendment
- New Land Use Regulation
- Other: _____
(Please Specify Type of Action)

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached."

Redesignate + Rezone one city-owned parcel
from R-1 Residential to Public (P)

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same." If you did not give notice for the proposed amendment, write "N/A."

City proped to redesignate + rezone two parcels as
Public for park use. only one lot was approved

Plan Map Changed from: Residential to Public

Zone Map Changed from: R-1 to Public

Location: 93E 29CD, Tax Lot 4200 (TRACT "A") Acres Involved: 0.53

Specify Density: Previous: ~ New: ~

Applicable Statewide Planning Goals: GOALS 5, 7, 10

Was an Exception Adopted? Yes: No:

DLCD File No.: 003-02 (12559)

Did the Department of Land Conservation and Development **receive** a notice of Proposed

Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes: No:

If no, do the Statewide Planning Goals apply. Yes: No:

If no, did The Emergency Circumstances Require immediate adoption. Yes: No:

Affected State or Federal Agencies, Local Governments or Special Districts: _____

city of mill city, DSL

Local Contact: David W. Kinney Area Code + Phone Number: 503.897.2302

Address: PO Box 256 City: mill city,

Zip Code+4: ~~97360~~ 97360 Email Address: millcity@wbcable.net

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the "Notice of Adoption" is sent to DLCD.
6. In addition to sending the "Notice of Adoption" to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only ; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to Mara.Ulloa@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE NO. 315

AN ORDINANCE AMENDING THE MILL CITY COMPREHENSIVE PLAN MAP AND MILL CITY ZONING MAP TO REDESIGNATE AND REZONE A CITY-OWNED PROPERTY WITHIN THE VILLAGE AT SANTIAM POINTE SUBDIVISION EAST OF NE 5TH AVENUE ADJACENT TO THE N. SANTIAM RIVER .

WHEREAS, the developer of the Village at Santiam Pointe subdivision donated a 0.53 acre parcel for park use to the City of Mill City, and

WHEREAS, the parcel is located east of NE 5th St. and next to the pedestrian/bike path and adjacent to the North Santiam River; and

WHEREAS, the Planning Commission recommends the city redesignate and rezone this parcel to from Special Planned Development Residential (SPD-R) to Public (P) so it can be developed in the future for park use;

WHEREAS, the Planning Commission held a public hearing on February 14, 2003 to consider the amendments and recommends the city adopt the proposed amendments; and

WHEREAS, the City Council held a public hearing on March 11, 2003 and at the close of the hearing the City Council concurred with the Planning Commission recommendation and adopted the findings of fact as recommended;

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

SECTION 1: The Mill City Comprehensive Plan Map shall be amended by re-designating the following properties from Residential to Public:

Township 9S, R3E, Assessors Map Section 29CD, Tax Lot 4200

Attached hereto is "Attachment A", which accurately portrays the property to be re-designated Public (P).

SECTION 2: The Mill City Zoning Map shall be amended by re-zoning the following properties from Special Planned Development Residential (SPD) to Public (P):

Township 9S, R3E, Assessors Map Section 29CD, Tax Lot 4200

Attached hereto is "Attachment A", which accurately portrays the property to be re-zoned to Public (P).

This Ordinance read for the first time by title only on 25th day of March, 2003.

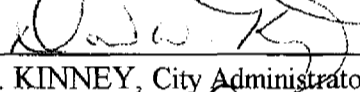
This Ordinance read by title only for the second time on 8th day of April, 2003.

This Ordinance passed on the 8th day of April, 2003 by the city council and executed by the mayor this 9th day of April, 2003.

Date: 4-9-03

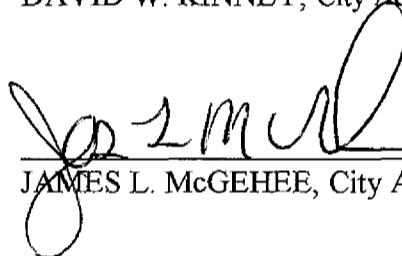
By: 
TIM KIRSCH, Mayor

Date: 4-09-03

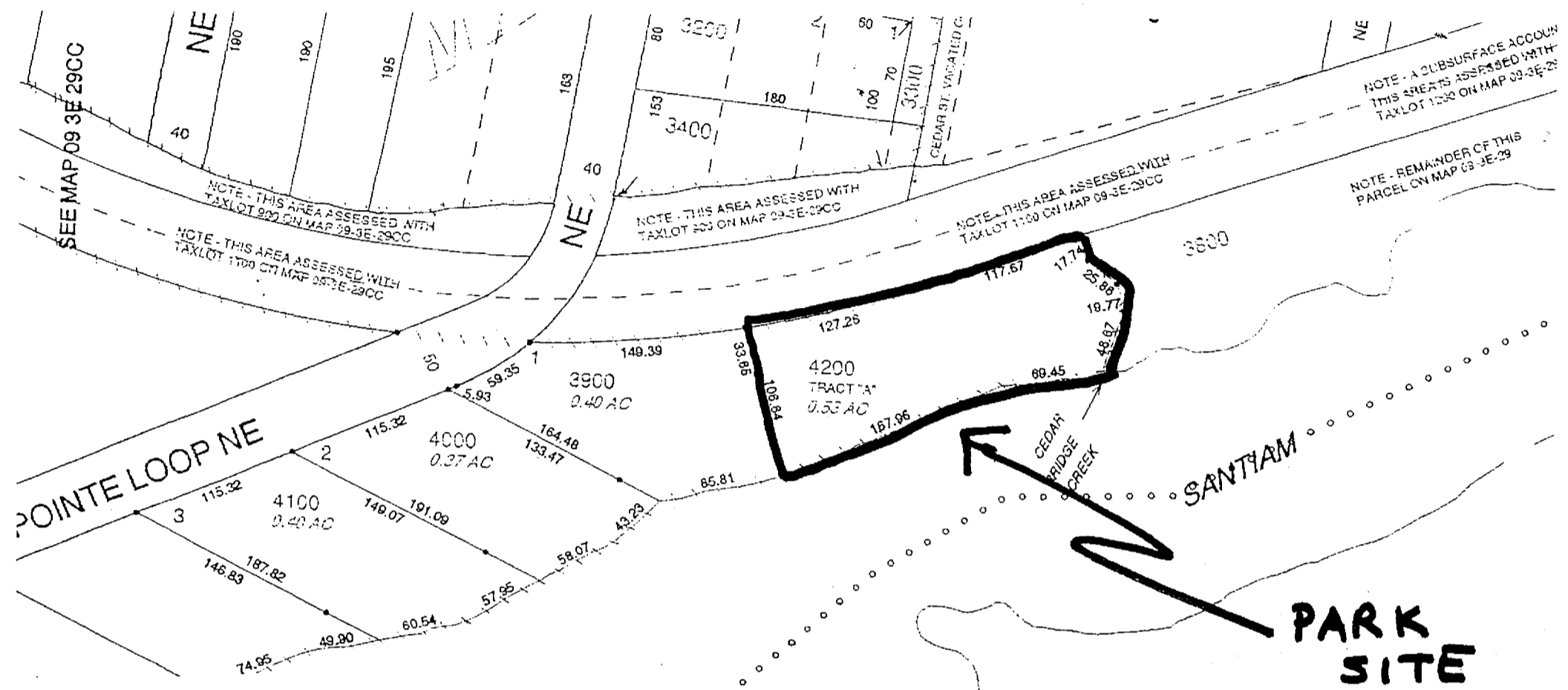
Attest: 
DAVID W. KINNEY, City Administrator

APPROVED AS TO FORM

Date: 5-12-03


JAMES L. McGEHEE, City Attorney

\\MILLCITY\City of Mill City Files\Ordinances\315-CP-ZC NE 5th Park.wpd



LINN COUNTY

**CITY OF MILL CITY
Park Site in
Village at Santiam Pointe Subdivision**

**Comp Plan & Zoning Map Amendments
SPD Residential (SPD) to Public (P)**

Marion County Assessor's Map
T9S R3E Section 29CD, Tax Lot 4200 - 0.53 acres
File No. 02.12.12

December, 2002

EXHIBIT "A"

93E 29