



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



March 21, 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 005-05

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: April 6, 2006

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the 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). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Doug White, DLCD Community Services Specialist
Bob Cortright, DLCD Transportation & Growth Management Coordinator
Marguerite Nabeta, DLCD Regional Representative
David Kinney, City of Mill City

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FORM 2

DLCD NOTICE OF ADOPTION

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)

DEPT OF
MAR 17 2006
LAND CONSERVATION
AND DEVELOPMENT

Jurisdiction: CITY OF MILL CITY Local File No.: 2005.07.16
(If no number, use none)

Date of Adoption: March 14, 2006 Date Mailed: March 15, 2006
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 10-24-2005

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

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

Neighborhood Street Plan for area south of
SE Kingwood Avenue and inside the Mill City U9B

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."

Addition of bike/ped trail at south end of U9B near Snake Creek
Minor modifications to internal street layouts.

Plan Map Changed from : _____ to _____

Zone Map Changed from: _____ to _____

Location: SE Kingwood Ave, Mill City Acres Involved: 200+

Specify Density: Previous: _____ New: _____

Applicable Statewide Planning Goals: Goal 2, 12

Was an Exception Adopted? Yes: _____ No:

DLCD File No.: 005-05 (14761)

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: _____

Winn County Planning + Roads, ODET

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

Address: PO Box 256 City: Mill City

Zip Code+4: 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. 336

AN ORDINANCE AMENDING THE MILL CITY COMPREHENSIVE PLAN MAP TO ADOPT TRANSPORTATION POLICIES RELATED TO THE KINGWOOD AREA LOCAL STREET PLAN.

WHEREAS, the City of Mill City has reviewed several land use proposals south of Kingwood Avenue in 2004 and 2005 and one of the issues discussed during the review of these applications was the proposed location of local streets and connecting streets; and

WHEREAS, the Planning Commission concluded that it was appropriate for the City to adopt a local street plan for the area south of Kingwood Avenue from SE Fourth Avenue to the west edge of the Urban Growth Boundary to provide property owners and developers with some certainty about the location of new streets; and

WHEREAS, the Planning Commission held a public hearing on December 9, 2005 to consider proposed Kingwood Area Street Plan and heard testimony in favor and against the proposed plan; and

WHEREAS, the Planning Commission proposed a series of modifications to the proposed plan and has recommended the City Council approve the proposal to adopt an amendment to Transportation Policy #2 thereby enacting the "South of Kingwood Avenue Area Street Plan".

WHEREAS, the City Council held a public hearing on January 24, 2006 and at the close of the hearing the City Council held the record open for additional comments; and

WHEREAS, on February 14, 2006 the City Council deliberated about the proposal and concurred with the Planning Commission recommendations,

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

Section 1: The Mill City Comprehensive Plan shall be amended to amend the following Transportation policies related to area street plans including the "South of Kingwood Avenue Area Street Plan", including the maps attached hereto as Figures 23 and 24.

Transportation Policy # 2: The City shall adopt a street plan which includes existing streets, showing those streets which will be extended and addresses how new streets will be incorporated into the streets network.

The plan will consist of a map showing existing streets by function and an explanation of those streets to be extended and those which are proposed, including the following maps:

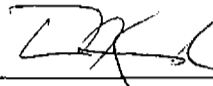
- i. Figure 23 -- Mill City Comprehensive Plan "Streets Classified by Function"
- ii. Figure 24 -- South of Kingwood Avenue Neighborhood Street Plan

This Ordinance read for the first time by title only on 28th day of February 2006.

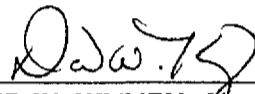
This Ordinance read by title only for the second time on 14th of March 2006.

This Ordinance passed on the 14th day of March 2006 by the city council and executed by the mayor this _____ day of March 2006.

Date: 3-15-06

By: 
TIM KIRSCH, Mayor

Date: 3-15-06

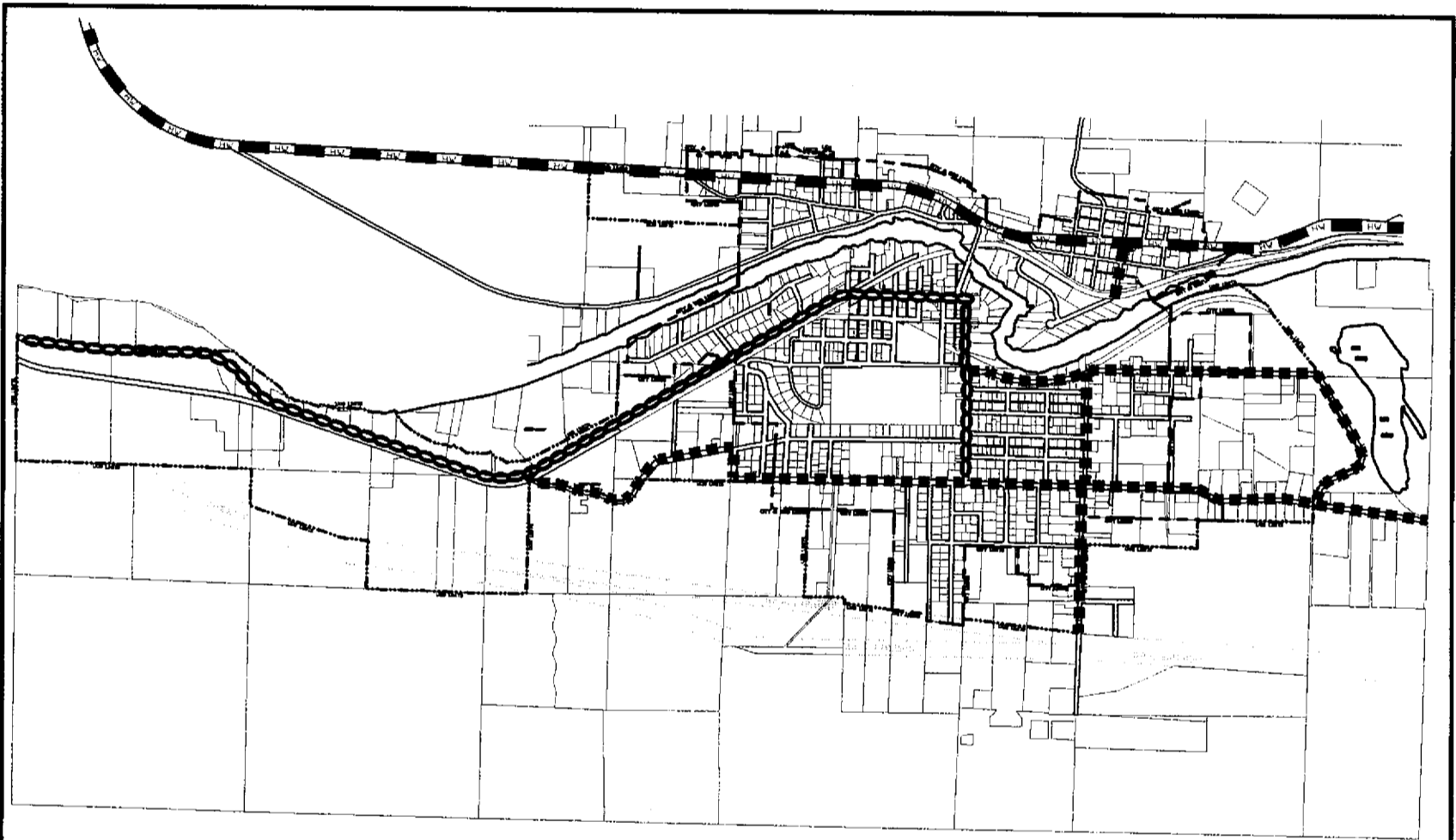
Attest: 
DAVID W. KINNEY, City Administrator

APPROVED AS TO FORM

Date: _____

JAMES L. McGEHEE, City Attorney

\\MILLCITY\City of Mill City Files\Ordinances\336 CP - Kingwood St. Plan.wpd



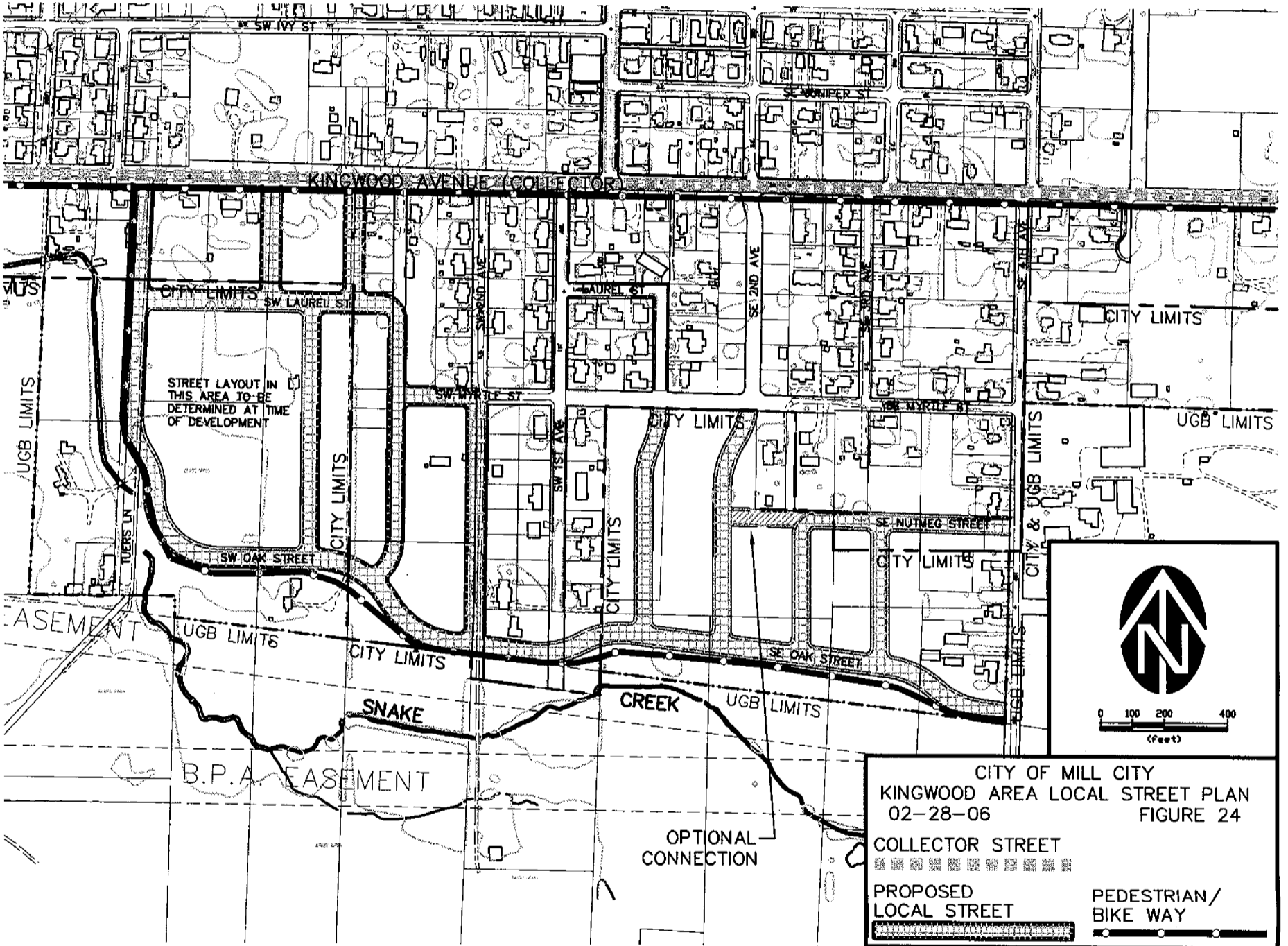
MILL CITY
 PLANNING AREA
 STREETS CLASSIFIED BY FUNCTION
 FIGURE 23



0 440 880 1760
 (feet)

LEGEND

- STATE HIGHWAY
- ARTERIAL
- COLLECTOR



CITY OF MILL CITY
 KINGWOOD AREA LOCAL STREET PLAN
 02-28-06
 FIGURE 24
 COLLECTOR STREET
 PROPOSED LOCAL STREET
 PEDESTRIAN/BIKE WAY