



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

June 26, 2006



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Fossil Plan Amendment
DLCD File Number 001-06

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: July 12, 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.

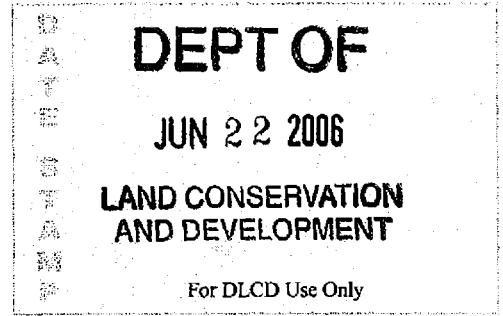
***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Doug White, DLCD Community Services Specialist
Jon Jinings, DLCD Regional Representative
Teresa Hunt, City of Fossil

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2 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



Jurisdiction: City of Fossil Local file number: 001-06

Date of Adoption: 6/19/2006 Date Mailed: 6/21/2006

Date original Notice of Proposed Amendment was mailed to DLCD: 4/12/2006

- Comprehensive Plan Text Amendment
Land Use Regulation Amendment
New Land Use Regulation
Comprehensive Plan Map Amendment
Zoning Map Amendment
Other:

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

Redesignate one block on Main Street from Residential to Commercial.

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".

SAME

Plan Map Changed from: Residential to: Commercial

Zone Map Changed from: Residential to: Commercial

Location: Main Street Acres Involved: 1 Block

Specify Density: Previous: 8 du/ac New: N/A

Applicable Statewide Planning Goals: 9

Was an Exception Adopted? YES NO

DLCD File No.: 001-06(15147)

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

Forty-five (45) days prior to first evidentiary hearing? Yes No

If no, do the statewide planning goals apply? Yes No

If no, did Emergency Circumstances require immediate adoption? Yes No

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

Local Contact: Teresa Hunt, City Recorder Phone: (541) 763-2698 Extension: _____

Address: P.O. Box 467 City: Fossil

Zip Code + 4: 97830-467 Email Address: _____

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. 430

**AN ORDINANCE AMENDING THE CITY'S COMPREHENSIVE PLAN/ZONE
MAP TO REDESIGNATE CERTAIN PROPERTY FROM RESIDENTIAL (R-1)
TO COMMERCIAL (C-1) AND DECLARING AN EMERGENCY**

FINDINGS

1. The applicant's, Mike and Lyn Craig submitted an application to the City for a Comprehensive Plan/Zone Map Amendment to redesignate their property from Residential (R-1) to Commercial (C-1).
2. The City Recorder's Office caused notices to be published in the local newspaper and mailed notices to all affected property owners as required by Ordinance.
3. A Staff Report was prepared and is hereby incorporated into the record.
4. The Planning Commission conducted a public hearing on May 31, 2006. At the close of the public hearing, the Planning Commission recommended approval to the Fossil City Council.
5. Under the City Zoning Ordinance, the City Council can review and accept the Planning Commission recommendation to amend the Comprehensive Plan/Zone Map without hearing further evidence.

NOW THEREFORE, the Common Council the City of Fossil Hereby ordains:

SECTION 1

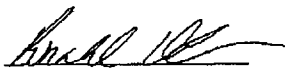
The following described property Lots 1, 2, 3, and 4 of the Thompson Brothers Addition to the town of Fossil is hereby redesignated from Residential (R-1) to Commercial (C-1) on the City's Comprehensive Plan/Zone Map.

SECTION 2

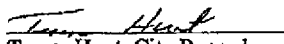
The city wishes to make economic development a focal point of its planning program. Therefore, an emergency is deemed to exist and this Ordinance shall be in full force and effect upon passage by the City Council.

APPROVED by the Common Council the City of Fossil this 19th day of June, 2006.

City of Fossil


Ron DeLuca, Mayor

Attest:


Teresa Hunt, City Recorder