



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

06/30/2009

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Fossil Plan Amendment
DLCD File Number 001-09

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: Monday, July 13, 2009

This amendment was submitted to DLCD for review 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 THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Teresa Hunt, City of Fossil
Gloria Gardiner, DLCD Urban Planning Specialist
Jon Jinings, DLCD Regional Representative

<paa> YA

Notice of Adoption

In person electronic mailed

DEPT OF

JUN 23 2009

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**

Jurisdiction: **City of Fossil**

Local file number: **001-09**

Date of Adoption: **06/09/2009**

Date Mailed: **06/22/2009**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Select one** Date: **04/16/2009**

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

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

Map amendment for Residential to Commercial to accommodate existing use.

Does the Adoption differ from proposal? Please select one

No

Plan Map Changed from: **R-2**

to: **C-1**

Zone Map Changed from: **R-2**

to: **C-1**

Location: **Central City**

Acres Involved: **1**

Specify Density: Previous:

New:

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

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

DLCD file No. 001-09 (17525) [15582]

Please list all 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**

Fax Number: - -

City: **Fossil**

Zip: **97830**

E-mail 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 Complete Copies** (documents and maps) 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. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, or by emailing **larry.french@state.or.us**.
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 now access these forms online at **<http://www.lcd.state.or.us/>**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **larry.french@state.or.us** - **Attention: Plan Amendment Specialist**.

City of Fossil

ORDINANCE NO. 435

AN ORDINANCE AMENDING ORDINANCE #417
TO REVISE THE CITY'S COMPREHENSIVE PLAN/
ZONING MAP AND DECLARING AN EMERGENCY

Whereas, the Asher Community Health Center seeks to expand its facilities in the City and;

Whereas, property is currently Planned and Zoned Residential and the use requires a Commercial Zoning designation and;

Whereas, the Clinic has filed for a Comprehensive Plan/Zoning Map amendment and;

Whereas, the Clinic submitted an application to the City for said amendment and;

Whereas, the City administration prepared notices that were sent to the affected property owners and notice was published in the local newspaper and;

Whereas, the City Council heard the matter on June 9, 2009, and;

Whereas, at the close of the hearing, the Council voted unanimously to approve said amendment.

Now therefore, the common council of the City of Fossil does hereby ordain

1. The Comprehensive Plan/Zoning Map is hereby amended to show lots 29, 30, 31, and 32 of the Original Town of Fossil to be designated as Commercial C-1.
2. The application submitted for the proposed amendment by Pillar Consulting Group and the City's Contract Planner's Staff Report are incorporated herein as part of the record.
3. Inasmuch as the health, safety, and welfare of the general population of the City of Fossil, is dependent upon the Clinical services if an emergency is deemed to exist and this Ordinance shall be in full force and effect upon its passage by the Common Council of the City of Fossil

APPROVED by the common council of the City of Fossil this 9th day of June 2009.

SIGNED:

William C. Brown
Mayor

ATTEST:

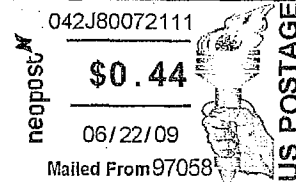
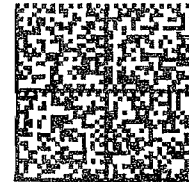
Tara Hunt
City Recorder



TE ESUN

ENGINEERING CORPORATION

3313 WEST SECOND STREET, SUITE 100
THE DALLES, OR 97058



PLAN AMENDMENT SPECIALIST
DLCD
635 CAPITOL STREET NE, SUITE 150
SALEM OR 97301

97301+2540

