



# Oregon

Theodore R. Kulongoski, Governor

**Department of Land Conservation and Development**

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## NOTICE OF ADOPTED AMENDMENT

January 31, 2007



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Dunes City Plan Amendment  
DLCD File Number 001-07

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.

Appeal Procedures\*

### **DLCD ACKNOWLEDGMENT OR DEADLINE TO APPEAL: February 14, 2007**

This amendment was not submitted to DLCD for review prior to adoption. Pursuant to OAR 660-18-060, the Director or any person is eligible to appeal this action to LUBA under ORS 197.830 to 197.845.

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 DATE SPECIFIED ABOVE.**

Cc: Teri Tinker, City of Dunes City

<paa>

**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

Jurisdiction: Dunes City Local File No.: 2007 N/A  
(If no number, use none)  
Date of Adoption: 1/18/07 Date Mailed: 1/24/07  
(Must be filled in) (Date mailed or sent to DLCD)  
Date the Notice of Proposed Amendment was mailed to DLCD: N/A

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

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

Amending resolution 10-13-05 to allow recovering expenses incurred for expert testimony.

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."

N/A

Plan Map Changed from : \_\_\_\_\_ to \_\_\_\_\_  
Zone Map Changed from: \_\_\_\_\_ to \_\_\_\_\_  
Location: \_\_\_\_\_ Acres Involved: \_\_\_\_\_  
Specify Density: Previous: \_\_\_\_\_ New: \_\_\_\_\_  
Applicable Statewide Planning Goals: None  
Was an Exception Adopted? Yes: \_\_\_\_\_ No:

DLCD File No.: 001-01 (NOA)

CITY OF DUNES CITY  
LANE COUNTY, OREGON

RESOLUTION NO. 1-18-07

RESOLUTION ADOPTING AN AMENDED DUNES CITY FEE SCHEDULE FOR  
ACTIVITIES REQUIRING PERMITS

WHEREAS, Section 2 of Ordinance No. 179 provides that the fee schedule for land use applications that require permits may be modified by Council resolution; and

WHEREAS, Section 2 of Resolution No. 10-13-05 provides that land use application fees include the cost of recovering expenses incurred through the appropriate city staff including reviews by the City Engineer and the City Attorney; and

WHEREAS, land use application materials and supporting and opposing testimony often rely upon studies or expert testimony in topics that include, but are not limited to, soil science, limnology, hydrogeology, and geology, traffic engineering, etc. that exceed the ability of city staff to provide a knowledgeable review and therefore deny the city an independent and complete evaluation of the application; and

WHEREAS, the City Council recognizes that there are times that the city must engage the services of independent experts to assist the city in evaluating expert testimony.

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL OF THE  
CITY OF DUNES CITY, OREGON, DOES HEREBY CLARIFY THE MANNER IN  
WHICH IT CHARGES FOR APPLICATIONS OF LAND USE PERMITS:

Section 1. Section 2 of Resolution 10-13-05 is amended as follows:

“The Planning Secretary shall track expenditures, by application. Expenditures include, but are not limited to, mailing costs, newspaper notification costs, staff labor and costs associated with appropriate review by the City Engineer and the City Attorney. *When conditions exist that increase the risk of water quality degradation, such as through erosion or soil sedimentation, and in order to protect water quality and to comply with the city's ordinances and comprehensive plan, the Planning Secretary, with the consent of the Planning Commission, or if appealed, the City Council or Mayor, may engage the services of an independent expert to review and comment on studies or expert testimony not within the expertise of the City Engineer or other staff. Reasonable costs associated with the use of an independent expert will be considered expenditures associated with the application.* The Planning Secretary shall tally these costs on a monthly basis and shall notify the applicant of the balance of the application deposit no later than the 10<sup>th</sup> day of the month following the month for which the accounting is being made.

ADOPTED: January 18, 2007.

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Abstain: \_\_\_\_\_ Absent: \_\_\_\_\_

/s/ Sheldon Meyer

\_\_\_\_\_  
Sheldon Meyer, Mayor

ATTEST: /s/ Joanne Hickey

\_\_\_\_\_  
Joanne Hickey, City Recorder