



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

02/06/2012

TO: Subscribers to Notice of Adopted Plan

or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Halfway Plan Amendment

DLCD File Number 002-11

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: Tuesday, February 21, 2012

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 Acknowledgment or 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. No LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Page Frederickson, City of Halfway Angela Lazarean, DLCD Urban Planner Grant Young, DLCD Regional Representative



£2 DLCD

Notice of Adoption

This Form 2 must be mailed to DLCD within 5-Working Days after the Final Ordinance is signed by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

D	In person electronic mailed
ATE	DEPT OF
S T A	FEB 0 1 2012
M P	LAND CONSERVATION AND DEMELORMENT

Jurisdiction: City of Halfway Date of Adoption: Jan, 26, 2072 Was a Notice of Proposed Amendment (Form 1) mailed Comprehensive Plan Text Amendment Land Use Regulation Amendment New Land Use Regulation	Local file number: Date Mailed: SAN. 34, 2012 Ito DLCD? Yes No Date: Comprehensive Plan Map Amendment Zoning Map Amendment Other:
Summarize the adopted amendment. Do not use ter Rezone entire Lot # 2800 from Amend zoning map to reflect the c for Lot # 2800 (125E. Dawson & Lot and existing building to t Does the Adoption differ from proposal? Please solle Same	
Plan Map Changed from: "R" Residential Zone Map Changed from: "R" Residential Location: 125 E. Dawson St., Halfu Specify Density: Previous: Applicable statewide planning goals: 1 2 3 4 5 6 7 8 9 10 11	to: UCR' Commercial/Residential to: UCR' Commercial/Residential pay, OR. Acres Involved: 0.23 New: 12 13 14 15 16 17 18 19
Was an Exception Adopted? YES NO Did DLCD receive a Notice of Proposed Amendment 45-days prior to first evidentiary hearing? If no, do the statewide planning goals apply? If no, did Emergency Circumstances require immedia	Yes □ No Yes □ No

DLCD file No. 002-11 (19086) [16920]

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Baker County Planning Dept.

Oregon Dept. of Transportation

Local Contact: Page Frederickson Phone: (541)742 4741 Extension:

Address: City of Halfway Fax Number: 541 -742 - 4742

City: Halfway OR Zip: 97834 E-mail Address:

Thecity by page Apot mail Com

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18

- 1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
- 2. When submitting the adopted amendment, please print a completed copy of Form 2 on light green paper if available.
- 3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
- 4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
- 5. Deadline to appeals to LUBA is calculated **twenty-one** (21) days from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
- 6. In addition to sending the Form 2 Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
- 7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
- 8. Please mail the adopted amendment packet to:

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

9. Need More Copies? Please print forms on 8½ -1/2x11 green paper only if available. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

http://www.oregon.gov/LCD/forms.shtml

Updated April 22, 2011



ORDINANCE NO. 1-26-12

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF HALFWAY; REZONING LOT 2800 FROM RESIDENTIAL ZONE TO COMMERCIAL/RESIDENTIAL

THE CITY OF HALFWAY ORDAINS AS FOLLOWS:

SECTION 1: THE ZONING MAP WILL BE AMENDED BY REZONING THE ENTIRE LOT #2800 LOCATED AT 125 E. DAWSON ST., HALFWAY, OREGON, ON ASSESSOR'S MAP 08S-46E-17AA, FROM RESIDENTIAL ZONE TO COMMERCIAL/RESIDENTIAL ZONE.

EXHIBIT A. TAX ASSESSORS MAP SHOWING LOCATION OF LOT.

EXHIBIT B. THE ZONING MAP. REZONED PORTION IS OUTLINES IN RED.

EXHIBIT C. LEGAL DESCRIPTION AND TAX ACCOUNT NUMBER.

-READ FIRST IN FULL, AND THEN BY TITLE, THIS 26TH DAY OF JANUARY, 2012

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT IMMEDIATELY UPON SIGNING, AS DECLARED AN EMERGENCY BY THE CITY COUNCIL OF THE CITY OF HALFWAY.

-PASSED BY THE CITY COUNCIL OF THE CITY OF HALFWAY, THIS 26TH DAY OF JANUARY, 2012

-APPROVED BY THE MAYOR OF THE CITY OF HALFWAY,
THIS 26TH DAY OF JANUARY, 2012

APPROVED:

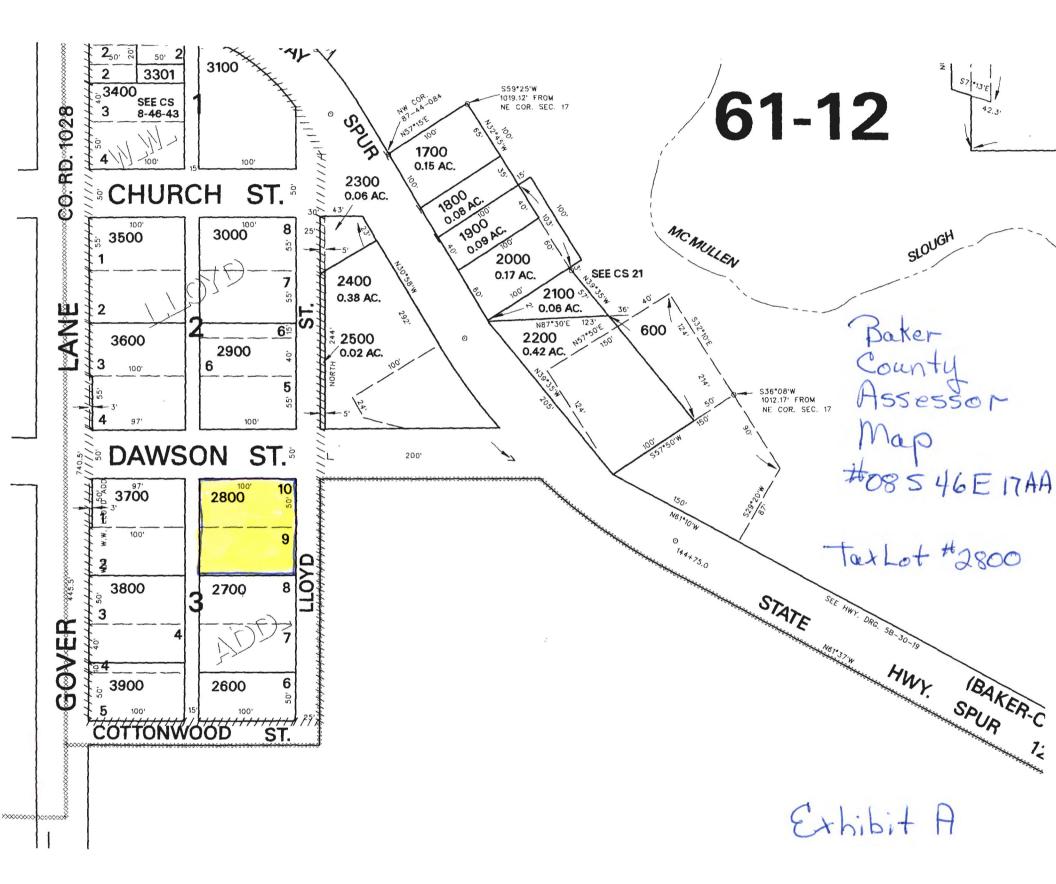
SHEILA FARWELL. MAYOR

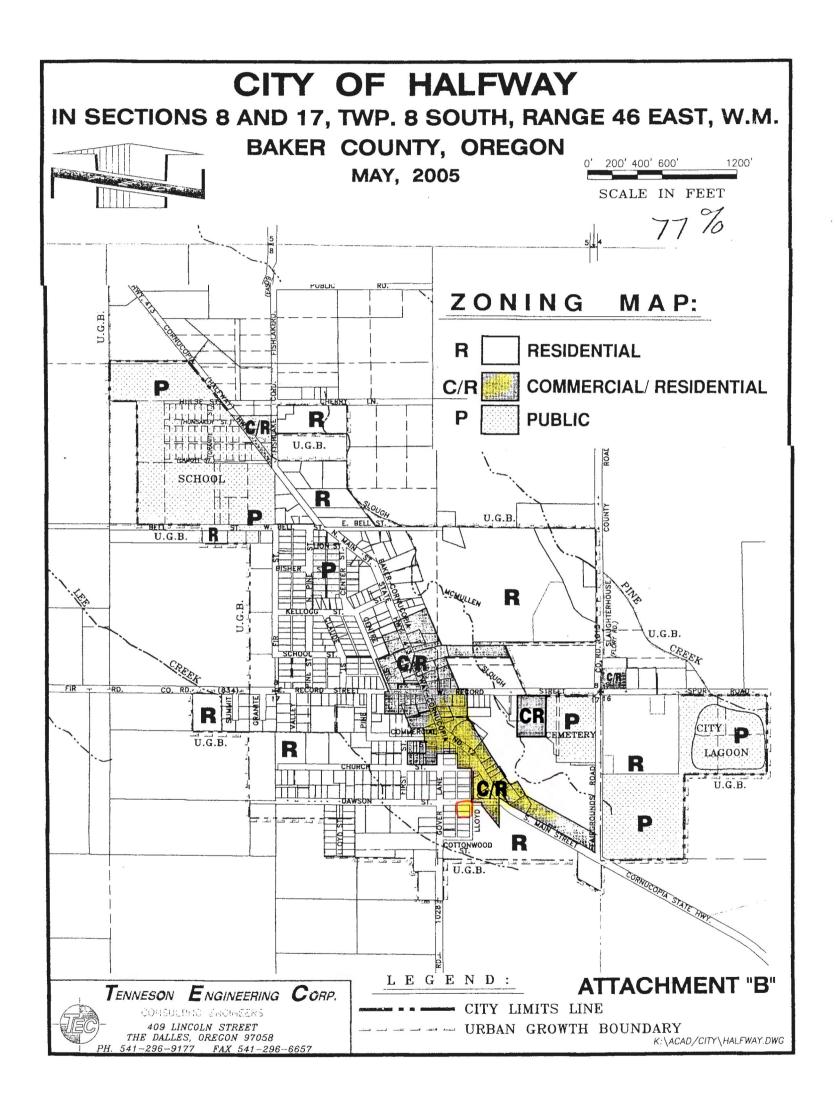
ATTEST

HEATHER FARLEY

CITY RECORDER/TREASURER

DATE: 1-26-12





12/06/11 1:57	TAX LOT/JOURNAL V	OUCHERS	UPDA	TE	Y2 A101V7
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	and other good and valuable consideration of North Police of the police	
	and addgm, all the following real property, with the tenements, he tenents by the ordinary, their bairs in the County of Bakar and State of Oregon, bounded and described a follows to make	1.
Other	Lots 9 and 10 in and of Block 3 in and of W. W. Lloyd's Addition to Helfway, Baker County, Oregon.	4
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	To Have end to Hold the above described and granted premiure unto the said grantee as tenants by the entirely, that heles and assigns forever.	
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	and that his will and his help, executors and administrators, shall warrant and locaver deland the above granted premises, and every year and permit these deland.	
	witness his hand and seed this 1974 day of March 1990	
	(Sei)	
	STATE OF OREGON.	
	County of Baker On this 1 day of MARCH 1500 before me, the undersigned, a Notary Public in and for each County and State, personally expected the within named JOSEPH SAMPLE, a wildown.	
	known to me to be the identical individual. described in and who escaled the within instrument, and acknowledged to me that. 0.8 executed the same treety and culturality. IN TESTIMONY WHEREOR, I have became out my hand and attitude my attituded.	
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Dear Editor:

More information regard ing the picture of Main Street on p. 4 of the December 28th Hells Canyon Journal would be welcome. Is there no date on the postcard nor any other information that came with TE TEN

There must be many people living in Halfway now who lived there in 1960 or 1970. I would be VERY interested to know what they think.

The reason I am so inter-

much, so I can't identify the date from them. I can only compare to my mother's 1943 car which is still being used in Baker City.

I am happy to see a picture of Webb's Super Service Station (identified under the picture as "a small two-story house",—which it was). I do not know when it was torn down. I wish I did. I think it was torn down to make room for the Three Color Building. In this picture I see the service ested is because I think the station and the gas pumps.

Color Building appears to stand on the former properties of both our home and our service station.

Also, I am unaware that the furniture store was ever in the Wild Bill's place. Billee Howard would be the authority on that since she ran the restaurant and bar there for many years. The furniture store was in the theater building when I bought the last foam rubber mattress to put on my bed.

Glenna Smith should be a good authority on Main Street and its many changes, since she and her husband ran the now empty garage just south of the Old Pine Market. .

In the picture, just left of the theater was a dress and fabric shop. Then the first building on the left of that was Doc Williams' dental office. South of that was the beautiful yard of Doc Williams and his wife, Eunice. The theater, dress and fabric shop, Doc. Williams, and Coffinberry properties are all now Terry Vaughan's Halfway Mercantile and gas station.

> Mardelle Ebell Baker City, Oregon

PUBLIC NOTICE Thursday, January 26, 2012 REQUEST FOR AMENDMENT TO ZONING MAP-ZONE REVISION

Notice of request for a Zone Change. A property owner is agent has made an application to the City for a request for a zone change for Lax Lot #2800 from Residential to Commercial/ Residential, Lot #2800 is within the limits of the City of Halfway and currently abuts Residential Zone on 4 sides of the property with commercial/residential zone diagonal approximately 50 feet from the northeast corner of the subject property. A zone revision may be initiated by a property owner or owner's agent, as indicated under SECTION 8.3(2) of the Halfway Land Use and Development Ordinance. The property owner is Scott and Michael McKimmy and the owner's representative/Agent is Sandy Brummett. The property owner agent intends to use this property for commercial business of retail sales. The property is identified as Tax Lot #2800, Tsp. BS, Range 46E W.M., Section 17, Lots 9 & 10 of the W.W. Lloyd Addition, located at 125 E. Dawson Street in Halfway, QR. ---A-notice--a map of the request area, and applicable review criteria

are being mailed to the applicants, and owners of property within 100 feet of the exterior property boundaries for which the application has been made at least 20 days prior to the public hearing. The public hearing for review of the application is scheduled for January 26, 2012, 5 00 p.m. at City Hall.

Witten testimony may be submitted to: City of Halfway, attn.: City, Council, PO Box 738, Halfway, OR 97834, prior to 4 p.m. on the date of the public hearing, Written or verbal testimony may be given at the public hearing

Failure of an issue to be raised in a hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the City Council opportunity to nespond to the issue, precludes appeal to the Land Use Board of Appeals (LUBA) on that issue.

A Copy of the application a fidall documents and evidence submitted by or on behalf of the applicant are available at City Hall for inspection at no cost. Copies will be provided at reasonable cost. Copies of City Ordinances are available for review and copies will be

orovided at a reasonable cost Halfway City Hall is handicapped accessible. If special accommodations or materials are needed for persons wishing to participate in the hearing, please contact City Hall-Office at (541) 742-4741 at least 24 hours prior to the hearing.

NOTICE TO MORTGAGE LIENHOLDER VENDOR OR SELLER ORS 21'S REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST PROMPTLY BE FORWARDED TO THE PURCHASER If you have any questions about this application; please callicity of Halfway at (541) 742-4741.

AGENDA

PINE EAGLE SCHOOL DISTRICT #61

Copper Lines Corrode

To the Editor:

Here's a heads up for those of you with a propane system involving a buried copper supply line. I just learned the hardway that copper can corrode rapidly in our soil types.

Beginning several years ago, our propane consumption started to creep upward I just whote it off as using the rangeovenorthebackhip fur nace more often. Each time werefilled I carefully checked every fitting from the tank to the appliances with soapy water. Each time the line was leak free. Finally after burning up the last fill faster than ever I was left with only the 1.7-year old copper tubing as the probable culprit. Sure enough, testing the line proved it leaked badly underground. In the month and a half since installingua new line things are back to normal with minischools in Hawaii has fo that a focused program build social, emotional character skills resulte significantly improved all quality of education evaluated by teachers, ents and students.

The concept include ganized activities to character that go be more traditional rule policies to control or p problem behaviors. still takes only abou hour a week away from ditional education, an yious research has mented much lower bers of suspensions absenteeism and reading and math scor standardized tests.

The latest study published by resea from Oregon State I sity in the Journal of Health, found for the time that teachers be this approach imp "overall school quali 21 percent, with parer students agreeing in s smaller numbers 1 based on findings fr cially and ethnically c schools, half using the gram and half that d

Improved social an acter skills leave mor for teachers to teach, dents to learn and motivated," said Bria

Sign-Up Steward

USDA's Natura sources Conservation (NRCS) has announ cut-off date for its tion Stewardship P (CSP) ranking period ary 13, 2012 Producterested in CSP show mit applications to line so their applicat be considered during ranking period of 20 CSP in Oregon co to be a very effecti to achieve their conse andmanagements

CITY OF HALFWAY 155B E. Record Street, PO Box 738 Halfway, OR 97834 Phone: (541)742-4741 Fax: (541)742-4742 TTY/Voice: 1-800-735-2900

NOTICE OF DECISION ORDER AND FINAL APPROVAL

On Thursday, January 26, 2012, the City of Halfway City Council and Planning Commission held a public hearing and meeting to review the application for a zone change from Residential to Commercial/Residential for tax lot #2800, owned by Scott and Michael McKimmy. The City of Halfway, City Council voted 5 to 1 to approve the zone change and voted 6 to 1 to enact Ordinance #1-26-12 amending the zoning map for lot #2800 from Residential to Commercial/Residential. Copies of this Order and Final approval along with additional information are available at the City of Halfway City Hall for Public review.

According to Oregon State law, any party of record may appeal this decision within 21 days of this Final Order approval date. This decision by the Halfway City Council may be appealed to the Land Use Board of Appeals (LUBA) in accordance with the Boards rules and procedures. The appeal period for this decision ends February 16, 2012. If no appeals have been filed by February 16, 2012 then the decision is final.

Copies of the approved Council minutes for the public hearing held on January 26, 2012 will be available after February 9, 2012.

Sheila Farwell – Honorable Mayor

/-27-/2 Date

This notice was posted on the door of City Hall, IS Bank Entrance, USPO inside bulletin board and the Public Sidewalk bulletin board at the Halfway Market on Friday January 27, 2012.

January 2012

Staff Report on a request to amend the zoning map/ zone change from Residential to Commercial/Residential.

An application was submitted to the City of Halfway on November 8, 2011 by the owner's agent, Sandy Brumnett. The owner is Scott McKimmy and a letter stating that Sandy Brumnett was to be the agent/ representative in this matter. (A copy is in the packets.) The City's Land Use Ordinances allows for an authorized agent to submit application on behalf of the owner. (See Section 8.3(2), Article 8(A).) A presentation of fact and reasons were also submitted with the application. A copy is in the packets.

Mailing Address of the Applicant/ Agent: Sandy Brumnett, P.O. Box 913, Halfway, Oregon 97834

Owners Address: Scott and Michael McKimmy, 102 SW Olive Court, Boardman, Or. 97818

Proposal: The property owner's Agent has requested to have the subject property rezoned from Residential (R), to Commercial/Residential (CR). The agent, Sandy Brumnett, intends to use the subject property as a retail store for local crafts. In the City's of Halfway Land Use Ordinances a retail trade and service establishments within an enclosed building is an outright permitted use in a Commercial/Residential zone.

Land Involved: 10,000 sq. ft. (100 ft. X 100 ft. lot) located at 125 E. Dawson St. in Halfway, Or. This property is shown on Baker County Assessor map #08,46E,17AA, in Section 8, Township 8S, Range 46E, WM.

The subject property is tax Lot #2800, and is in the city limits of Halfway, Or. also listed as located in the WW Lloyd Addition on the Baker County Assessor map..

See Attached copy of the legal description. (On record w/ Baker County.)

The subject property abuts Residential properties on all four sides of the property with Commercial/Residential Zoned property approximately 50 feet diagonally from the Northeast corner of the subject property. (Please review copy of the map enclosed in the packet.)

The subject property meets the minimum lot size for "CR" zone which is 5,000 sq. ft. The subject property is approximately 10,000 sq. ft. The intended use for the subject property is an outright use in a Commercial/Residential "CR" zone under Article 3, Section 3.2 (1), but is not an outright use in a Residential "R" zone. The subject property has an existing residential dwelling located on the lot, with additional garage and carport buildings located on the lot as well. The applicant submitted with the application a parking plan that meets the additional off street parking requirements for a retail establishment which states one parking space for every 300 sq. ft. of floor area. (See enclosed copy of Land Use Ordnance, Article 4, Section 4.6, (6) commercial.) This property already has sufficient off street parking for a residential use.

The subject property can also meet the sanitation requirements in Section 3.1(5) (A) and (6) of the City of Halfway Land Use Ordinance as the existing residence has existing water and sewer connections which are still connected to the City's water and sewer systems.

Notice of the proposed Zone Change was published in the Hells Canyon Journal on 1/4/12 and again on 1/12/12 this is at least 20 days prior to the hearing and this is in compliance with Section 8.5(2) of the City of Halfway Land Use Ordinance.

Notice of the proposed zone change with additional information regarding this matter were sent to property owners within 100 feet of the subject property on 12/20/11, which was at least 20 days prior to the hearing and this is in compliance with Section 8.5(4) of the City of Halfway Land Use Ordnance. A list of the property owners is in the packet of information.

The notice of proposed zone change with appropriate documentation and state forms, were mailed to LDCD on 12/6/11 which was at least 45 days prior to the public hearing. This is a required notice for a zone change under Article 8, Amendments, Section 8.5, Notices, (1).

Notice of the proposed zone change with additional information was also sent to the Baker County Planning Department and ODOT on 12/20/11.

(6) <u>SANITATION REGULATIONS</u>. Before any dwelling is occupied, it must be connected to an approved subsurface disposal system and, ultimately, to the city sewer system at such time as the city sewer system becomes available to the property on which the dwelling is located.

SECTION 3.2 - COMMERCIAL-RESIDENTIAL ZONE "CR".

USES. Buildings and structures hereafter erected, structurally altered, enlarged, or moved or land hereafter used in the "CR" Commercial-Residential Zone shall comply with the following regulations.

(1) PERMITTED USES.

- (A) Residential uses listed in Section 3.1 (1).
- (B) Retail trade and service establishments in which the operation takes place solely within an enclosed building.
- (C) Public buildings, structures, and services.
- (D) Retail trade establishments, personal, and business services in which the operation takes place solely within an enclosed building and the owner, operator or lessee of the business lives in an apartment on the premises.
- (E) Existing residential uses at the time of adoption of this Ordinance.
- (F) Utilities facilities necessary for public service.
- (G) Any commercial use according to this section shall be reasonably free of objectionable odor, noise, glare, heat, vibration or other adverse effect on neighboring property.
- (2) <u>CONDITIONAL USES</u>. Permitted with approval of the City Council in accordance with Article 5 of this ordinance.
 - (A) Churches.

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meeting room bench length, or one space for each 75 sq. ft. of floor area for assembly room not containing fixed seats. (5)Commercial Amusement (A) Stadium, arena, theater One space per four seats or eight feet of bench length (B) Bowling alley Five spaces per alley plus one space for two employees. (C) Dance hall, skating rink One space per 100 sq. ft. of floor area plus one space per two employees. (6) Commercial One space per 300 sq. ft. of floor area (A) Retail store except as provided in subsection designated for retail sales. (6)(B) of this section (B) Service or repair shop, One space per 600 sq. ft. of floor area. retail store handling, exclusively bulky merchandise such as automobiles and furniture One space per 600 sq. ft of floor area (C) Bank, office (except medical and dental) plus one space per two employees. One space per 300 sq. ft. of floor area (D) Medical and dental clinic plus one space per two employees. (E) Eating or drinking One space per 250 sq. ft. of floor area. establishment (F) Mortuaries One space per six seats or eight ft. of bench length in chapels. (7)Industrial. (A) Storage warehouse, One space per employee.

Dept. of Land Conservation

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