



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

03/12/2013

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

FROM: Plan Amendment Program Specialis

SUBJECT: City of Halsey Plan Amendment
DLCD File Number 001-05

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: Thursday, March 28, 2013

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: Michael Howard, City of Halsey
Gordon Howard, DLCD Urban Planning Specialist

<paa> YA



FORM 2

DLCD

Notice of Adoption

In person electronic mailed

DEPT OF

MAR 7 2013

**LAND CONSERVATION
AND DEVELOPMENT**

For Office Use Only

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

Jurisdiction: **Halsey**

Local file number: **CA-05-01**

Date of Adoption: **8/15/2005**

Date Mailed:

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date:

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".
Amend the development code to revise the residential front yard setback standards

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: **NA**

to: **NA**

Zone Map Changed from: **NA**

to: **NA**

Location: **Citywide**

Acres Involved: **0**

Specify Density: Previous: **NA**

New: **NA**

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 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 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"/>

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

35-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. 001-05 (14483) [17378]

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

DLCD

Local Contact: **Judy Cleeton**

Address: **PO Box 10**

City: **Halsey**

Phone: **(541) 369-2522** Extension:

Fax Number: **541-369-2521**

E-mail Address: **judy@cityofhalsey.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 December 30, 2011

CITY OF HALSEY
ORDINANCE # 2005-375

AN ORDINANCE AMENDING THE HALSEY DEVELOPMENT CODE TO REVISE RESIDENTIAL FRONT YARD SETBACK STANDARDS; DECLARING AN EMERGENCY; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Whereas, the City adopted a new Development Code in 2001 with new design standards for single family dwellings; and

Whereas, the current code includes residential front yard setback standards applicable to single family, duplex and triplex, and multi-family homes requiring a garage or carport entrance to be recessed behind the front building elevation by a minimum of five (5) feet, or alternatively, built flush with the front building elevation when the building is setback by at least twenty (20) feet, and

Whereas, numerous developers of single family homes have had difficulty meeting the standards; and

Whereas, the Council received a recommendation from the Halsey Planning Commission to encourage the development of "recessed" or "flush" garages or carports, however adding new language that will provide an alternative that will still need to meet the 20-foot minimum front yard setback standard of Section 2.1.120(A)(1)(a), but adjusting the standards to allow more flexibility in terms of design by adding an option for a garage to be built in the front of the front building elevation as site constraints dictate;

Whereas, the proposed amendments are found to be consistent with the Statewide Planning Goals and in the interest of the citizens of Halsey; and

Whereas, the Halsey City Council has considered these recommended development code amendments at a duly noticed public hearing on August 15, 2005 heard testimony on the matter, and deliberated on the issues;

NOW, THEREFORE,

THE CITY OF HALSEY ORDAINS AS FOLLOWS:

The Development Code of the City of Halsey is hereby amended as contained in the attached Exhibit "A."

Passed by the Halsey City Council this 15th day of August, 2005

Approval by the Mayor this 15th day of August, 2005

Larry Nelson
Larry Nelson, Mayor, City of Halsey

ATTEST:

Judy Cleeton
City Recorder

State of Oregon
County of Linn

This instrument was acknowledged before me on August 15, 2005 by the above named Larry Nelson, Mayor of Halsey.

Judy M. Cleeton
Notary Public for Oregon

My Commission expires: August 27, 2009

