



To: Nick Green, City of John Day
 Aaron Lieuallen, City of John Day
 Cheryl Jarvis-Smith, ODOT

Topic: DRAFT Technical Memo #8: Comprehensive Plan and Development Code Amendment Options

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From: Matt Hastie, APG

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 Basecamp

Technical Memo #8: Comprehensive Plan Policy and Development Code Section

This memorandum serves as the portion of Tech Memo #8 regarding potential amendments to the City of John Day's Comprehensive Plan and Development Code recommended to help implement the John Day Innovation Gateway Plan.

SECTION 1 Introduction

The project team has developed a proposed concept for the Innovation Gateway area in close coordination with City staff, advisory committees and other community members. The concept also reflects recent developments in city land acquisition and planned projects. The concept is guided by the overarching vision statement and guiding principles that emerged from community outreach during this planning effort.

As illustrated in Figures 1 and 2, key elements of the project include:

- Integrated system of parks, trails and natural areas, including:
 - Natural areas along both sides of the river for the length of the project area
 - Integration with new or existing developed park facilities on both sides, including Davis Creek Park, Hill Family Park, and others
- New facilities and amenities for community members and visitors, including:
 - Former mill structures will be renovated to host events such as farmers markets, classes, events as well as communicate the history and identity of John Day.
 - Use of water sourced from the new state-of-the-art wastewater treatment plant for a new water garden and hydroponic greenhouses.
 - Potential future office development, vendors in the Planer Shed Pavilion, greenhouse employees, and public works facilities
- Roads and trails providing access and circulation within the area and to other parts of the community
- Redesign and relocation of the City's wastewater treatment plant

Implementation of this Plan will require new development and redevelopment of properties within the planning area. It is important that the City's Comprehensive Plan and Development Code allow for and support these activities. Towards that end, this memorandum assesses the Comprehensive Plan and Development Code for

consistency with the Innovation Gateway Plan and recommends potential needed amendments to those documents. Because cities relatively infrequently update their Comprehensive Plan policies and Development Code provisions, this also is an important opportunity to update those documents to address other recent planning processes and issues, including the Grant County Economic Opportunities Analysis project.

SECTION 2

Comprehensive Plan Policy Amendments

Local Comprehensive Plans provide the policy foundation for current and future decisions related to land use, housing, economic development, parks and recreation and other activities within a city. As such, it is important that policies in John Day's Comprehensive Plan be consistent with and supportive of the goals of the Innovation Gateway Plan. Following is a list of existing relevant Comprehensive Plan policies:

General Land Use Policies

1. *All new developments should recognize and respect the particular character of established areas in which they locate.*
2. *Innovations in concepts and flexibility in design should be encouraged in new developments in those more undeveloped sections of the planning area where no particular urban character has been sufficiently established.*

These policies generally support the Innovation Gateway Plan and only the following modest revisions to them are recommended.

5. *To continue participation in the District OEDP Program and other state and regional economic partnerships to insure maximum opportunity for economic development assistance and financing.*

Economic Element Policies

Many of the existing Comprehensive Plan policies generally apply to and are consistent with and supportive of the Innovation Gateway Plan. The following additional policies are recommended to further support the Gateway Plan and to incorporate guidance from the Grant County Economic Opportunities Analysis project.

- XX. *To support continued development of the Innovation Gateway Area as a community destination and attraction that focuses on rural innovation, agri-tourism, and value creation.*
- XX. *To support investments in public and private infrastructure that will complement city-wide goals, as well as those for specific areas such as the Downtown and Innovation Gateway Area.*
- XX. *To adopt and regularly update a short list of clear, achievable economic development actions as a Community Investment Strategy that will further the economic goals of the community.*
- XX. *To support and participate in achieving the goals of the Grant County Digital Network Coalition.*
- XX. *To support facilities and programs for new home construction and urban renewal as the John Day Urban Renewal Agency.*

Public Facilities Element Policies

The following policy is recommended to be added to this section of the Comp Plan:

11. *Conservation, reclamation and re-use of water shall be a goal of the City and shall be incorporated in future planning for public and private development.*

Figure 1. Oregon Pine/Innovation Gateway Concept Plan

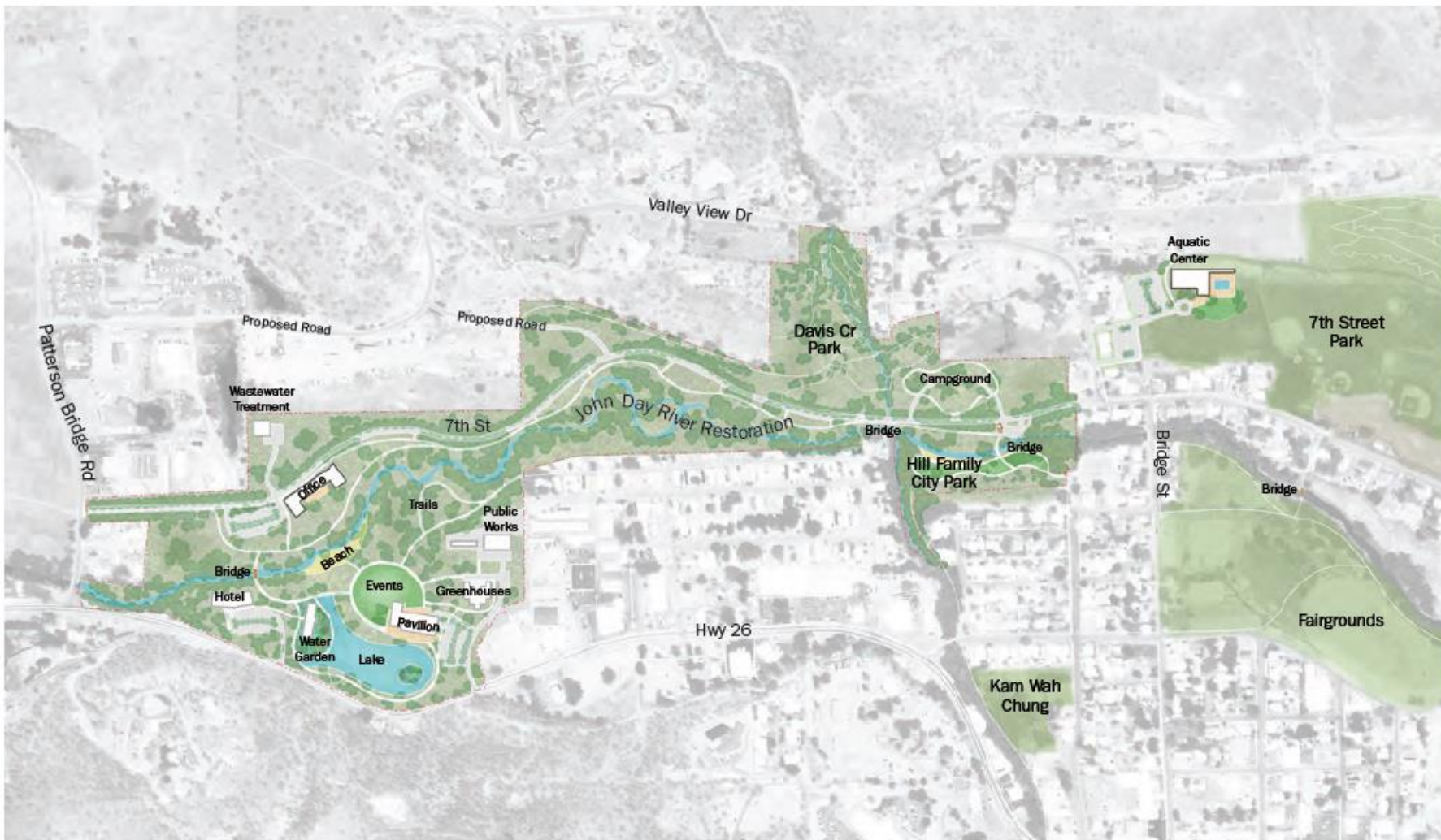


Figure 2. Detail of Oregon Pine/Innovation Gateway Concept Plan



**SECTION 3
Potential Development Code Amendments**

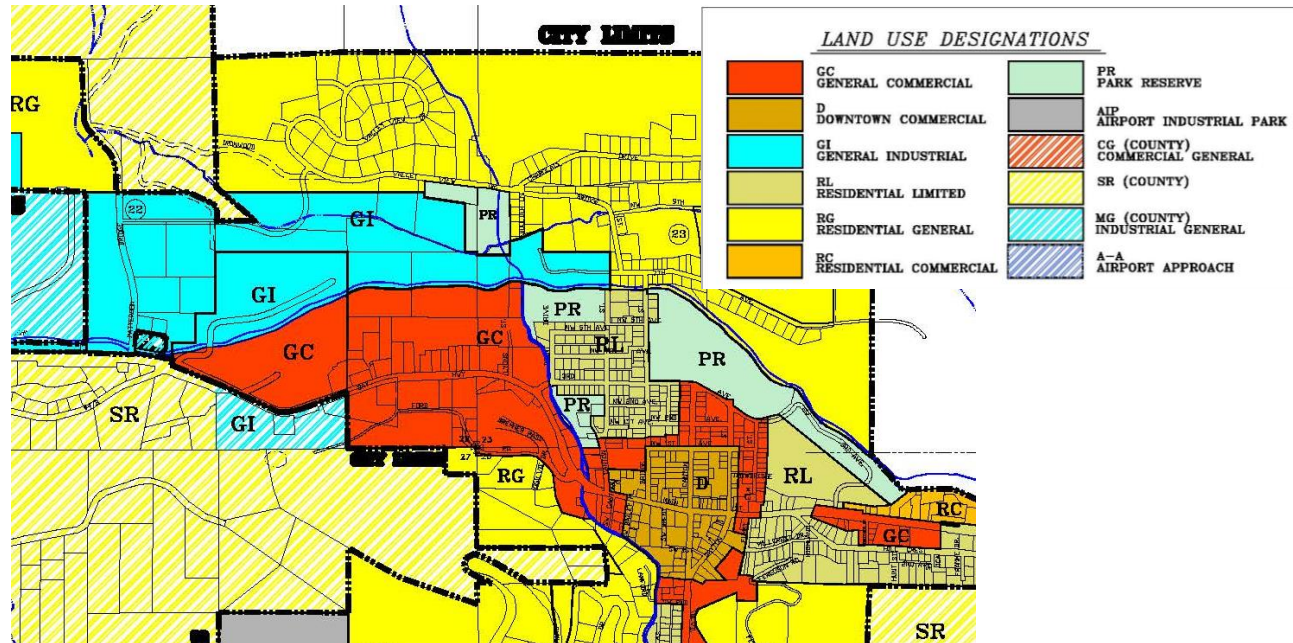
The study area is entirely within the city limits of John Day. A significant portion of the study area (primarily north of the John Day River) is zoned for industrial use. The majority of the project area south of the river, including a portion of the area recently annexed into the City, is zoned for general commercial use. The area southeast of the confluence of the John Day River and Canyon Creek (planned for future river recreation access) was recently rezoned to the City’s Park Reserve zone to ensure consistency with current use and future plans for the property. Existing zoning designations are shown in Figure 3 and allowed uses (permitted outright and conditionally) in the applicable industrial and commercial zones are summarized in Table 1.

In addition to establishing allowed uses in each zoning designation, the city and county development codes outline other design and development standards. In both the city and county industrial zones, development standards are generally limited to building setbacks and heights, and requirements associated with parking, landscaping fences, signs and stream setbacks. The city’s commercial zones include a variety of additional standards related to building orientation, block and lot layout, architectural design and pedestrian amenities.

Table 1:

Land Use Designation	Allowed Uses
General Industrial	<p><u>Residential</u>: Existing as of 11/24/2005</p> <p><u>Commercial</u>: Drive-Up/Drive-In/Drive-Through, Offices, Parking lot (CU), Vehicle servicing and repair, Retail sales under 10,000 sf, Self-service storage</p> <p><u>Industrial</u>: Industrial services, Manufacturing, Warehouse and freight movement, Waste-related (CU), Wholesale sales</p> <p><u>Institutional</u>: Utilities, Public safety facilities, Parks and open space (CU)</p> <p><u>Other</u>: Accessory structures, Agriculture (existing as of 11/24/2005 and as an accessory to a permitted industrial use), Mining (CU)</p>
General Commercial	<p><u>Residential</u>: Existing as of 11/24/2005 or not occupying a ground floor space on Main Street</p> <p><u>Commercial</u>: Drive-Up/Drive-In/Drive-Through (CU), Bed and breakfast inn, Educational services, not a school, Entertainment – major event (CU), Offices, Outdoor recreation (CU), Parking lot (CU), Vehicle servicing and repair – fully enclosed (CU), Retail sales and commercial services</p> <p><u>Industrial</u>: Industrial services – fully enclosed, Manufacturing – fully enclosed, Wholesale sales – fully enclosed and under 20,000 sf (CU)</p> <p><u>Institutional</u>: Utilities, Community service, Family day care, Adult day care, Day care subject to state licencing (CU), Parks and open space (P/CU), Religious institutions – new (CU), Schools – new (CU)</p> <p><u>Other</u>: Accessory structures, Radio frequency transmission facilities (CU), Utility corridors (CU), Temporary uses (P/CU), Transportation facilities</p>
Park Reserve Overlay	<p><u>Residential</u>: Single family dwelling, master planned development (CU)</p> <p><u>Commercial</u>: Commercial campground or recreation facility (CU)</p> <p><u>Industrial</u>: None</p> <p><u>Institutional</u>: Utilities, Public safety facilities, Parks and open space (CU)</p> <p><u>Other</u>: Farm use, public reserve areas of natural, historical or geological significance, public wildlife reserve, utility facility (CU), golf course (CU), public marina, recreation camp or resort (CU), public picnic grounds, parks, playgrounds, campgrounds or nature trails (CU), farm structures and permanent facilities (CU)</p>

Figure 3. Project Area Zoning



The primary remaining land use actions for the study area will be to review and adjust specific development code requirements that apply to the area. This may include changes to allowed uses, as well as standards for building height, setbacks, landscaping requirements, or architectural design standards. This can be done by amending the base zoning designations or by establishing an overlay zone or other mechanism that allows for variations in the standards applied within the study area. Following is a summary of potential changes to these elements of the code.

Allowed Land Uses

The proposed Innovation Gateway Plan calls for the following uses in the zones within the area:

General Industrial

- Wastewater treatment plant
- Park
- Open space, natural areas, trails
- Campground

General Commercial

- Office
- Hotel
- Parks, natural areas and trails
- Public works facility
- Greenhouses

Park Reserve

- Park and trails

For the most part, these uses are allowed in these areas by the City's Development Code, with the following exceptions:

- Campgrounds do not appear to be allowed within the General Industrial zone.
- Parks are allowed as a conditional use in all of the zones. While this may be generally appropriate in these zones, it will require much of the development identified in the Innovation Gateway Plan to go through a conditional use approval process.
- Public works facilities are not identified explicitly as an allowed use in the General Commercial (GC) zone. They do not appear to meet the definition of a “utility” but may fall under one of the other uses allowed in the zone.
- Hotels do not appear to be allowed in the GC zone.

City staff also note that the bulk of the area owned by the city and directly adjacent to the north side of the river is within a proposed riverfront restoration corridor. It includes the old and planned new wastewater treatment plant site, as well as proposed new road and network of trails and natural areas. Although they are not explicitly identified as a proposed use or activity on the north side of the river in the project area, it is possible that the community would want to see some type of small cafes or restaurants allowed and/or developed in that portion of the study area in the future. This area currently is zoned GI along with the surrounding area. Given the overarching vision and proposed set of land uses and activities in this area, the GI designation is likely not the most appropriate designation. For example, the GI zone permits a wide variety of industrial uses but does not allow for retail or commercial uses over 10,000 sf in size; it allows for retail and commercial uses smaller than 10,000 sf as conditional uses. It allows for parks and open spaces as conditional uses. Options to address these issues could include:

- Rezone the area as Park Reserve (PR), similar to the future city campground at the east end of the Gateway Innovation area. However, commercial and retail uses are not allowed in the Park Reserve zone, creating a potential conflict with that zoning designation which would need to be resolved through other code amendments.
- Create and apply a new zoning designation that better matches the Innovation Gateway area concept and allows for a mix or park, open space, restoration, and small-scale commercial uses, as well as institutional uses such as the new wastewater treatment facility.
- Create and apply an overlay zone which allows for or limits uses differently than the base zones and/or incorporates other specific development or design standards.

Recommendation: Create and apply an overlay zone which allows for or limits uses differently than the base zones and/or incorporates other specific development or design standards.

Site Development Standards

These standards typically include minimum or maximum requirements for lot size, lot coverage, building height, setbacks, landscaping percentage and/or other site planning elements. Following is a summary of these standards for the zones in the planning area, as well as in the Light Industrial zone.

Standard	General Commercial	Park Reserve	General Industrial	Light Industrial
Minimum lot size	2,000 sf	None	None	None
Maximum lot coverage	90%	90%	90%	80%
Minimum landscaping	10%	10%	10%	10%

Minimum setbacks				
Front	0'	20-60'	20'	10'
Side	0'	5-10'	20'	10'
Rear	0'	10'	20'	10'
Maximum setback (build-to line)	60'	NA	NA	NA
Maximum building height	45'	None	35'	35'

In general, most of these requirements appear to be reasonable and do not appear to represent a barrier to the types of uses and development proposed within the planning area, with just a couple of exceptions. The 60' maximum setback line could be problematic, given that the commercial area south of the river consists of a single-large site entirely owned by the City. As a result, several of the buildings proposed for the interior of the site would not meet this requirement. As currently formulated, the proposed concept includes several buildings which are located more than 60 feet away from the edge of the property. The possible exceptions are the greenhouses and public works facility.

In addition, the Parks Reserve zone does not include any maximum building height standard. This is not necessarily a problem or barrier for development in the Innovation Gateway area, but it could be a problem in the future for development in other areas with this designation.

Commercial District Standards – Block Layout, Orientation, and Architectural Design Standards

Sections 5-2.3.060 through 5-2.3.080 include a number of additional standards for development in commercial zones. The standards in these sections are oriented towards traditional commercial areas with a typical downtown or commercial area block layout and orientation of buildings and businesses to adjacent streets and sidewalks. The layout of these areas is expected to be based on a typical grid street layout similar to existing residential and commercial areas south of the river in John Day. However, the Innovation Gateway area will consist of a number of individual buildings or uses within a park-like setting. The area will contain roads and pathways but they do not conform to a typical layout commonly seen in commercial and residential areas in other parts of John Day. As a result, Block Layout standards (5-2.3.060.D.1 and 5-2.3.060.D.2) are not consistent with the Innovation Gateway Area concept.

Architectural design standards found in section 5-2.3.080 also are generally oriented to a traditional commercial area, including standards related to building entrances, windows and other features. It may be challenging for some of the specific buildings or uses proposed for the Innovation Gateway to meet these standards (e.g., the Public Works facility, Greenhouses, Hotel, etc.), given either the nature of those uses and/or their orientation to streets adjacent to or within the site. This could be the case for consistency with specific standards under the “Pedestrian Orientation,” “Compatibility,” and “Human Scale” provisions. However, the code language noting that “the approval body may approve a different design upon finding that the design contains an equally good or superior way of achieving the above standard” may be sufficient to address these potential challenges. Given the system of pathways, open areas and other pedestrian-oriented features envisioned for the Innovation Gateway area, standards found in section 5-2.3.090 (Pedestrian Amenities - Human Scale) are not likely to pose any significant constraints for future implementation of the concept.

Options to address these issues could include:

- Revise the potentially conflicting standards in the base zones, either as they apply to all development in the base zones or to apply specifically to the Innovation Gateway area
- Create an overlay zone which applies different standards to development in the Innovation Gateway area, in comparison to other areas in the City.

Recommendation: Create and apply an overlay zone which applies different standards to development in the Innovation Gateway area, in comparison to other areas in the City.

SECTION 4

Other Potential Zoning and Development Code Issues

Industrial Area Zoning, Northwest Corner of Project Area

City staff note that the City plans to acquire the approximately 14-acre property in the northwest corner of the project area from Iron Triangle. This area currently is zoned General Industrial (GI), similar to the rest of the surrounding area. Given its proximity to the riverfront and the residential areas, the City wants to ensure that future use or development of this area does not detract from the greenway along the riverfront and is not incompatible with future housing in the new development. Outdoor equipment storage or similar uses or activities should be avoided. Options to address this issue could include:

- Apply another zoning designation to this area. For example, city staff indicate that Light Industrial (LI) may be a more appropriate designation for this area if it is rezoned. The City has this designation in its development code, but it is not currently applied to any other property in the city limits.
- Limit specific uses or activities in the area through use of an overlay zone or other strategy.

Residential Uses in Commercial Zones

Currently, residential uses are allowed in the City's Downtown and General Commercial zones only if the housing existed as of November 4, 2005; or if the housing unit(s) does not occupy the ground floor facing Main Street. The City has previously interpreted this language to mean that most forms of housing cannot be developed in its commercial zones. However, housing has been developed in these areas (typically apartments) and it has been difficult to track whether -property owners have reverted from Commercial to Residential use after November 4, 2005. Several property owners within the GC zone have requested to convert their businesses back to residences due to market demand for rental properties and single-family housing but are unable to do so due to this code restriction.

City staff note that it may be appropriate to allow housing in commercial zones in the future as long as it does not occupy ground floor spaces on Main Street. Depending on the nature of changes to this aspect of the Development Code and the amount of community conversation desired on this topic, this issue potentially could be addressed as part of the Innovation Gateway project or it might better be addressed as part of a separate future code amendment process. This potential change to the code would have implications for the Gateway Innovation area because it could result in housing being allowed in the commercially zoned portion of the area. Options to address the issue could include the following:

- Allow all types of housing in the city's commercial zones as long as the housing does not occupy ground floor space on Main Street
- Allow only certain higher density forms of housing in commercial areas (e.g., townhouses and apartments or housing developed above a certain minimum residential density threshold), also with the Main Street ground floor restriction

Fairgrounds Site Planning and Zoning

The City has been approached about taking the lead on a planning effort for the County Fairgrounds and adjacent areas within John Day, east of downtown near the 3rd Street Extension. The area is currently zoned as Park Reserve (PR) and Residential Limited (RL). As part of that planning effort, the City will need to determine the most appropriate zoning designation for the area, depending on the mix of land uses envisioned there.

Recommendations

- Within the industrial area in the northwest corner of the project area, limit specific uses or activities in the area through use of an overlay zone,
- The following types of housing should be allowed in the City’s commercial zones:
 - New attached housing types (single-family attached housing with four or more units and multi-family housing)
 - Housing within buildings that were built or developed as residential structures prior to November 4, 2005, regardless of when the building was converted from a residential use to a non-residential use or was reconverted to a residential use
- The following types of housing should be prohibited in the City’s commercial zones:
 - Housing that occupies ground floor space on Main Street
 - New single-family detached housing, duplexes and triplexes
- Exceptions to the above standards could be allowed within the Gateway Innovation area if desired.
- Zoning and development requirements in the Fairgrounds/3rd Street Extension area will be addressed as part of a separate planning process.

**SECTION 5
Road and Trail Designations and Standards**

Proposed major new roads in the project area ultimately will need to be identified in the City’s Local Street Network Plan and/or Transportation System Plan. They will need to have designations (e.g., arterial, collector or local roads) that match their intended levels of traffic, design and use and be consistent with other related planning and/or funding efforts. For example, the City will benefit from classifying 7th Street as a Minor Arterial to ensure it can be competitive in pursuing a federal BUILD program grant. Proposed classifications for the proposed streets are shown in Table X. Similarly, to the extent that specific trails identified in the Innovation Gateway Area Plan are intended to be developed to specific standards, they also should receive the appropriate designations, with corresponding cross-sectional or construction standards identified in the City’s TSP, Public Works Design Standards or other appropriate document.

Project Number	Project Title	Reference Sheet(s)	Description
1	7 th Street West Extension	2-5	4,950-foot minor arterial that extends from Patterson Bridge Road at the west to Bridge Street on the east.
2	Government Entry Road	6	1,453-foot collector street that connecting the 7th Street extension via Gateway Drive
3	Gateway Drive	7	1,040-foot collector street between Government Entry Road and the 7th Street west extension
4	Johnson Drive	8	633-foot local street to provide public access to the Gateway via Hwy 26
5	Wastewater Treatment Plant Facility Access Road	5	351-foot local street will provide public access to the City’s new wastewater treatment plant

Project Number	Project Title	Reference Sheet(s)	Description
6	Charolais Heights Intersection Improvements	18	Reconstructs intersection to improve traffic flows to future residential areas for Ironwood Estates and the future Prospector Way development
7	Integrated Park System Transportation Infrastructure	17	Improves transportation infrastructure at the eastern edge of the Innovation Gateway to connect city parks via access parking and a new multi-modal bridge
8	Oregon Pine Bridge Improvements	Engineering Plans	Oregon Pine bridge rehabilitation restores a multi-modal bike/ped bridge for public access
9	7th Street East Extension	14	A 450-foot minor arterial extension to the east end of 7th Street will connect to the new Charolais Heights collector extension
10	3rd Avenue Bridge and Charolais Heights Extension	12-14	Builds new 130-foot span 3 rd Avenue bridge crossing and extends collector street north to complete Charolais Heights
11	Ironwood Estates Phase II Street Improvements	15-16	2,370-feet of new pavement in three local streets ending in cul-de-sacs, two accessed from the existing Valley View Drive and one from the Government Entry Road built in Phase One.
12	John Day Future Industrial Development	4-7 & MOU Map	City will acquire 14 acres of industrial land shown in part on sheets 4-7 and in the enclosed MOU map for future redevelopment
13	OTEC Power Upgrades	OTEC Addendum & MOU	OTEC has provided a system map and project description for proposed power upgrades
14	OTC Fiber Optic Network Infrastructure	OTC MOU	OTC Fiber will be installed on all Phase 1 and Phase 2 streets in conduit supplied by City – conduit is included in costs for each project
N/A	Prospector Way	9-11	Prospector Way is not included in the scope of the grant application nor is it included in the costs or benefits section of the benefit-cost analysis. It is shown to reference a future street development which the Charolais Heights intersection and extension projects will be designed to accommodate.

TIMELINE

The following timeline is recommended for preparation, review and adoption of proposed Comprehensive Plan and Development Code amendments.

- August 15 – Prepare draft Plan and Code amendments for review by City staff
- August 20 – Provide draft Plan and Code amendments to PAC, TAC, Planning Commission and City Council for review
- August 27 – Conduct PAC/TAC meeting #4 and joint Planning Commission/City Council work session to review draft Comp Plan and Code amendments
- September 2 – Provide 35-Day Notice of proposed Plan and Code amendments to Department of Land Conservation and Development

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- October 8 – Conduct joint Planning Commission/City Council hearing to adopt proposed Plan and Code amendments (first reading)