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## PLANNING COMMISSION ORDER NO. 2021-01

**WHEREAS**, the John Day/Canyon City Parks and Recreation District (the “Applicant”) filed an application for a Site Design Review and Conditional Use Permit, which was assigned Planning File No. CUP-21-05 (the “Application”); and

**WHEREAS**, in accordance with John Day Development Code Sections 5-4.2 and 5-4.4, the Planning Commission issues decisions on conditional use permits and site plan review applications through a consolidated Type III procedure; and

**WHEREAS**, a pre-application neighborhood meeting was held by the Parks District staff on August 11, 2021, as required by Section 5-4.1.080 Neighborhood Meetings of the Code; and

**WHEREAS**, a properly noticed November 9, 2021 public hearing on the Application was held at the John Day Fire Hall, 316 S. Canyon Boulevard; and

**WHEREAS**, City staff issued a staff report and supplemental staff report containing proposed findings of consistency with applicable approval criteria, which was available in advance of the public hearing; and

**WHEREAS**, findings contained within the staff report determined that the Application as proposed by the Applicant is consistent with applicable approval criteria; and

**WHEREAS**, at the November 9, 2021 public hearing, the Planning Commission closed the public hearing to oral testimony and written testimony; and

**WHEREAS**, after fully deliberating the matter, the Planning Commission voted to approve the proposed site plan and conditional use permit application.

**NOW, THEREFORE**, the John Day Planning Commission orders as follows:

1. **Findings.** The above-stated findings and those contained in the staff report for Planning File CUP-21-05 are hereby adopted;
2. **Approval of Conditional Use Permit.** The Planning Commission hereby approves CUP-21-05 subject to the conditions of approval contained in the staff report; Commissioner Aleman recommended but Commission did not require raised and/or elevated crosswalks at each crossing.

3. Severability; Effective Date. The provisions of this Order No. 2021-01 (this “Order”) are severable. If any section, subsection, sentence, clause, and/or portion of this Resolution is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of this Order. This Order will be in full force and effect from and after its approval and adoption.

**THE FOREGOING ORDER WAS ADOPTED ON NOVEMBER 9, 2021**

**Members of the Commission:** Boethin, Aleman, Brown, Ledgerwood, Unterwegner, Wilson, Rookstool (ex-officio), Holland (ex-officio)

**AYES:** Boethin, Aleman, Brown (3)  
**NAYES:** Ledgerwood (1)  
**ABSENT:** Unterwegner, Wilson, Holland (3)  
**ABSTAIN:** Rookstool (1)

**Signed:**



Ken Boethin, Chair

**Attest:**



Nicholas Green, Chief Planning Official