

ORDINANCE NO. 22-200-11

AN ORDINANCE AMENDING THE JOHN DAY DEVELOPMENT CODE AND COMPREHENSIVE PLAN LAND USE DISTRICT MAP TO REDESIGNATE CERTAIN PROPERTIES AS RESIDENTIAL COMMERCIAL (AMD-22-01) TYPE IV PROCEDURE

WHEREAS, the City of John Day “City”) adopted the John Day Development Code (the “Code) to regulate land use and development within the City within the framework of the John Day Comprehensive Plan; and

WHEREAS, the Code currently allows mixed-use development only through a comprehensive plan land use district map change and zoning map change; and

WHEREAS, the City determined that changing market conditions and the increased demand for workforce housing in close proximity to workplaces makes amending the code necessary; and

WHEREAS, the John Day Planning Commission, in a duly noticed public hearing on July 21, 2022, unanimously recommended that the City Council adopt the proposed code amendments as outlined in the Planning Commission’s Order and Decision for AMD-22-01; and

WHEREAS, the City Council has reviewed all evidence and testimony submitted on the matter;

NOW, THEREFORE, the City of John Day ordains as follows:

1. The findings contained in the recitals and those found in the Planning Commission’s Order and Decision for AMD-22-01, attached hereto as Exhibit A, are hereby adopted and incorporated herein by reference.
2. The Amendments to the Comprehensive Plan Land Use District Map and Zoning Map contained in the City Council’s Order and Decision, attached Exhibit B, are hereby adopted.

This Ordinance was PASSED by the City Council by a vote of ___ for and ___ against and APPROVED by the Mayor on this 23rd day of August, 2022.

Ron Lundbom, Mayor

ATTEST:

Corum Ketchum, Interim City Manager (Pro Tem)

Exhibit A. to Ordinance No. 22-200-11

Planning Commission Order & Decision for AMD-22-01

[enclosed]



450 E. Main Street
John Day, OR 97845
www.cityofjohnday.com
Tel: (541) 575-0028
Fax: (541) 575-3668

PLANNING COMMISSION ORDER & DECISION FOR AMD-22-01

WHEREAS, the City of John Day (the “Applicant”) filed an application for a Code Amendment, which was assigned Planning File No. AMD-22-01 (the “Application”); and

WHEREAS, in accordance with John Day Development Code (“JDCC”) Sections 5-4.2 and 5-4.4, the Planning Commission issues recommendations on code amendment applications through a Type IV procedure; and

WHEREAS, a properly noticed July 21, 2022, 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 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 July 21, 2022, 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 refer the Application to the John Day city council with a recommendation to approve;

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

1. **Findings.** The above-stated findings and those contained in the attached Exhibit A are hereby adopted;
2. **Recommendation for Approval.** The Planning Commission hereby recommends approval of AMD-22-01 subject to the findings and conditions of approval contained in Exhibit A, which was amended to include the recommendation to the city council that they direct staff to submit a subsequent application for a code amendment to adopt code language to allow for tiny homes in approved residential and residential-commercial zones;
3. **Severability; Effective Date.** The provisions of this Order for AMD-22-01 (this “Order”) are severable. If any section, subsection, sentence, clause, and/or portion of this Order 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 JULY 21, 2022

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

AYES: Boethin, Ledgerwood, Wilson, Brown, Randleas, Rookstool (6)

NAYES: None

ABSENT: Unterwegner, Aleman (2)

ABSTAIN: None

Signed:



Ken Boethin
Planning Commission Chair

Attest:



Nicholas Green
Chief Planning Official

EXHIBIT A
FINDINGS AND CONDITIONS OF APPROVAL

[attached]



CITY OF JOHN DAY

July 14, 2022

AMD-22-01 ZONE CHANGE (TYPE IV) RESIDENTIAL COMMERCIAL

Application Number:	AMD-22-01
Applicant:	City of John Day
Property Owner(s):	Multiple
Subject Property:	Multiple (see enclosed map)
Requested Action:	Land use district map amendment
Zoning:	General Commercial (GC) or Downtown (D) to Residential Commercial (RC)

PROJECT DESCRIPTION AND BACKGROUND

The City of John Day (the “City”) proposes a map amendment to the John Day Development Code (the Code) and the City’s land use district map in order to change the zoning designations for specific properties from their current designation as General Commercial (GC) to Residential Commercial (RC).

The purpose of this amendment is to facilitate housing improvements and streamline land use and development decisions within an area of John Day that has historically been used for both residential and commercial purposes. Under the current development code, properties zoned D or GC are not allowed to expand an existing residential use beyond their current footprint. Additionally, residential properties that are voluntarily destroyed or removed cannot be rebuilt or replaced.

The Residential-Commercial (RC) district is intended to encourage business formation, housing options, and transportation efficiency by combining a variety of housing, like that allowed in the Residential Limited (RL) district, with public and commercial services at an appropriate neighborhood scale. The proposed code amendment would adopt RC zoning to more accurately reflect current and anticipated use of these properties. Within the RC zone, both commercial and residential uses are permitted subject to standards defined in Code Chapter 5-2.2.

APPLICABLE CRITERIA

This request is for a map amendment. Map amendments are permitted under the City of John Day Development Code (the “Code”) and may be necessary from time to time to reflect changing community conditions, needs and desires, to correct mistakes, or to address changes in the law.

REVIEW PROCESS

This proposed amendment will be reviewed as a Type IV (Quasi-Judicial) Procedure pursuant to Code Section 5-4.1.050 and the decision-making criteria in Section 5-4.1.050(G).

The Planning Commission's review must focus on the relevant code criteria and follow the public hearing procedures for Quasi-Judicial review under Section 5-4.7.030. The Planning Commission should approve the request if it conforms to the approval criteria or if it can be made to conform to the criteria through the imposition of reasonable conditions.

Public Notification

The City of John Day mailed public hearing notices to the applicant and property owners within 100-feet of the subject properties, 20 days before the hearing date. Notice was also published in the Blue Mountain Eagle.

Application Completeness

The following plans, exhibits, and narrative submitted by the applicant are attached to this report and are hereby made part of the public hearing record:

- Affidavit of Publication (Exhibit A)
- Certification of Public Notice (Exhibit B)
- List of Affected Properties (Exhibit C)
- Existing Zoning (Exhibit D)
- Proposed Zoning (Exhibit E)

Staff has reviewed the application pursuant to the City of John Day Development Code and the requirements for Land Use District Map and Text Amendments. No responses were received from adjacent property owners following the public notice.

Burden of Proof

The applicant has the burden of demonstrating that the proposal meets all applicable Development Code requirements. The applicant is also responsible for complying with building code requirements and applicable state or federal requirements. It is the Planning Commission's responsibility to apply the code requirements and determine whether the applicant's proposal complies with based on findings of fact.

APPROVAL CRITERIA FOR QUASI-JUDICIAL AMENDMENTS

5-4.7.030(B) Quasi-Judicial Amendments - Criteria for Quasi-Judicial Amendments. A recommendation or a decision to approve, approve with conditions or to deny an application for a quasi-judicial amendment shall be based on all of the following criteria:

1. Approval of the request is consistent with the Statewide Planning Goals;
2. Approval of the request is consistent with the Comprehensive Plan;
3. The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided in the planning period; and
4. The change is in the public interest with regard to neighborhood or community conditions, or corrects a mistake or inconsistency in the comprehensive plan map or zoning map regarding the property which is the subject of the application; and
5. The amendment conforms to the Transportation Planning Rule provisions under Section 5-4.7.060.

The applicable code criteria are provided below in *italics* typeface; staff's findings follow each code provision in regular typeface. The findings, which are based on information submitted by the applicant, are preliminary.

The final decision notice will contain findings addressing the Planning Commission's deliberation, and any public testimony, including any additional agency comments received by the close of the hearing.

The application and staff report findings may be modified based on factual information entered into the public hearing record. Members of the public who have questions about the proposal or who would like to submit oral or written testimony testify in person at the public hearing or submit written testimony to the City of John Day before the close of the hearing. Testimony should respond directly to the applicable criteria.

5-4.7.030.B Quasi-Judicial Amendments

1) Approval of the request is consistent with the Statewide Planning Goals;

Findings: The foundation of statewide program for land use planning in Oregon is a set of 19 Statewide Land Use Planning Goals. The goals express the state's policies on land use and related topics, like citizen involvement, housing, and natural resources. Goal 10) Housing, specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing. It requires each city to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types. The GC zone is suitable for a wide variety of uses, but it does not allow for expansion of existing housing on lots used for residential purposes and it does not allow for replacement of aging housing on these lots. There is a strong demand in John Day for both rental properties and single-family housing. Homeowners who wish to improve or replace their existing homes, including replacing a manufactured home with a site-built dwelling, are constrained by the code from improving these properties located within the GC and D zones, which artificially restrict housing development in areas historically used for both commercial and residential purposes. Similarly, there has been an increase in conditional use permit requests for residences to be occupied as home-based businesses. These types of uses can be permitted within the Residential Commercial (RC) zone and provide for a wider range of uses for existing properties.

2) Approval of the request is consistent with the Comprehensive Plan;

Findings: Oregon's statewide goals are achieved through local comprehensive planning. State law requires each city and county to adopt a comprehensive plan and the zoning and land-division ordinances needed to put the plan into effect. The City of John Day Comprehensive Plan was adopted in 2003. This request is consistent with the intent of the Comprehensive Plan to provide adequate facilities for housing and commercial development. Use of the RC zone was contemplated in the code and is allowable with a code amendment.

3) The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided in the planning period;

Findings: The properties are currently served by the local street network and all have access to city utilities.

4) The change is in the public interest with regard to neighborhood or community conditions, or corrects a mistake or inconsistency in the comprehensive plan map or zoning map regarding the property which is the subject of the application; and

Findings: Zoning these properties as RC reflects their historic use for both commercial and residential purposes. The area includes churches, businesses, and single-family homes as well as homes occupied for business use under conditional use permits issued by the City.

5) The amendment conforms to the Transportation Planning Rule provisions under Section 5-4.7.060.

Findings: When a development application includes a proposed comprehensive plan amendment or land use district change, the proposal shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012- 0060 (Transportation Planning Rule - TPR) and the Traffic Impact Analysis provisions of Section 5-4.1.090. No increase in traffic is anticipated as a result of these code amendments. Rather, the proposal corrects a condition in the code to more accurately reflect the current and historic use of these properties.

CONCLUSION AND STAFF RECOMMENDATION

Based on the foregoing analysis and findings, and subject to public feedback, staff recommends approval of AMD-22-01 without conditions.

PLANNING COMMISSION MOTION

The planning commission unanimously approved AMD-22-01, with a recommendation to adopt the proposed ordinance amendment the John Day Development Code and Comprehensive Plan Map as discussed. Commission also recommended to the council to have planning staff prepare a model code amendment to allow for tiny homes within approved residential districts.

The staff report was amended during the course of the hearing to reflect the above motion.

Amended July 21, 2022.



Nicholas Green
City Planning Official
City of John Day

Enclosures

- Affidavit of Publication (Exhibit A)
- Certification of Public Notice (Exhibit B)
- List of Affected Properties (Exhibit C)
- Existing Zoning (Exhibit D)
- Proposed Zoning (Exhibit E)



-Ad Proof-

This is the proof of your ad, scheduled to run on the dates indicated below. Please proofread carefully, and if changes are needed, please contact Alix Perkins prior to deadline at or ahand@bluemountaineagle.com.

<p>Date: 7/1/2022 Account: EO10628 File#: Company Name: CITY OF JOHN DAY Contact: Address: 450 E MAIN ST JOHN DAY, OR 978451238 Telephone: 541-575-0028 Fax:</p>	<p>Ad ID: 306961 Start: 07/06/2022 Stop: 07/06/2022 Total Cost: \$441.00 Columns Wide: 3.00 # of Inserts: 1 Ad Class: Legal Notices Phone: Email: ahand@bluemountaineagle.com</p>
<p>Run Dates: Notice of Public Hearing</p>	
<p>Blue Mountain Eagle 07-06-22</p>	

NOTICE OF PUBLIC HEARING

Notice is hereby given that the John Day Planning Commission is considering the following planning actions:

SDR-22-03 SITE DESIGN REVIEW AND LAND PARTITION (TYPE III) 1188 DESTINATIONS

1188 Destinations proposes to build an eating and drinking establishment with entertainment, overnight accommodations, and related land uses categorized under Related Sales and Commercial Uses within the Innovation Gateway (IG) Northeast Subdistrict Overlay. These uses are permitted within this overlay zone subject to design standards. The application is subject to Code Section 5-4.2.040 Site Design Review due to the proposed use's estimated vehicle trip generation exceeding 100 average daily trips and to Section 5-4.3 Land Divisions And Property Line Adjustments due to the proposed land partition. This application shall be reviewed and considered for approval in accordance with Code Section 5-4.2.060 Site Design Review - Approval Criteria and 5-4.3.070 Approval Criteria: Preliminary Plat.

AMD-22-01 ZONE CHANGE (TYPE IV) RESIDENTIAL COMMERCIAL

In response to resident and property owner requests, the City of John Day submitted AMD-22-01 to rezone certain properties within the Downtown (D) and General Commercial (GC) zones as Residential Commercial (RC). This zone change will result in increased flexibility for property owners to use the land for both commercial and/or residential uses, as outlined in Code Section 5-2.2.020 Residential Districts - Allowed Land Uses. This proposed amendment will be reviewed as a Type IV (Legislative) Procedure pursuant to Code Section 5-4.1.050 and the decision-making criteria in Section 5-4.1.050(G).

AMD-22-02 PLAN AMENDMENT (TYPE IV) INDUSTRIAL ZONE RESIDENTIAL DWELLINGS ALLOWED WITH CONDITIONAL USE PERMITS

In response to resident and property owner requests, the City of John Day submitted AMD-22-02 to amend the allowed land uses within the Code's Industrial (I) Districts. These Comprehensive Plan and Code Text amendments shall allow for Residential Uses (Household Living and Group Living) subject to a Conditional Use Permit issued by the Planning Commission through a Type III (Quasi-Judicial) Review as outlined in Code Section 5-4.4 - Conditional Use Permits. This proposed amendment will be reviewed as a Type IV (Legislative) Procedure pursuant to Code Section 5-4.1.050 and the decision-making criteria in Section 5-4.1.050(G).

CI-22-01 CODE INTERPRETATION (TYPE II) SINGLE SECTION MANUFACTURED DWELLINGS ON THEIR OWN LOTS

Iron Triangle LLC has requested a Code Interpretation to request the Planning Commission's interpretation of Code Section 5-2.2.100.E.1 - Manufactured Homes – Floor Plan, which states: "The manufactured home shall be multi-sectional and have an enclosed floor area of not less than 1,000 square feet." The applicant is requesting an interpretation of the term "multi-sectional," which is not defined in Code Section 5-6.1030 – Definitions, and whether a modified manufactured home that has additions would be considered multi-sectional for purposes of allowing it to be relocated within an approved land use district. This application will be reviewed pursuant to Code Section 5-4.8.020 - Code Interpretation Procedure.

CUP-22-01 CONDITIONAL USE PERMIT (TYPE III) OREGON DEPARTMENT OF FORESTRY RESIDENTIAL DWELLING IN INDUSTRIAL ZONE

The Oregon Department of Forestry has requested to site residential dwelling units within a General Industrial (GI) zone. This action is currently prohibited but could be allowed if AMD-22-02 is approved. The applicant is requesting a Conditional Use Permit be issued by the Planning Commission through a Type III (Quasi-Judicial) Review as outlined in Code Section 5-4.4 - Conditional Use Permits contingent on approval of AMD-22-02.

CUP-22-02 CONDITIONAL USE PERMIT (TYPE III) HELIPAD OPERATIONS IN AIRPORT OVERLAY ZONE BY OREGON DEPARTMENT OF FORESTRY

The Oregon Department of Forestry has requested to conduct helipad operations within the Airport Industrial Park (AIP) and the Airport Safety and Compatibility (ASCC) overlay zone. The applicant is requesting a Conditional Use Permit be issued by the Planning Commission through a Type III (Quasi-Judicial) Review as outlined in Code Section 5-4.4 - Conditional Use Permits.

CUP-22-03 CONDITIONAL USE PERMIT, SITE DESIGN REVIEW, AND LAND PARTITION (TYPE III) AIRPORT INDUSTRIAL PARK LOT 30

The prospective owners of Airport Industrial Park Lot 30 have requested a Conditional Use Permit in conjunction with a Site Design Review and Land Partition for a mixed-use development. This application shall be reviewed and considered for approval in accordance with Code Section 5-4.2.060 Site Design Review - Approval Criteria and 5-4.3.070 Approval Criteria: Preliminary Plat. The applicant is also requesting a Conditional Use Permit be issued by the Planning Commission through a Type III (Quasi-Judicial) Review as outlined in Code Section 5-4.4 - Conditional Use Permits to allow for residential dwelling within the proposed mixed-use development, contingent on approval of AMD-22-02.

AMD-22-03 LAND USE DISTRICT TEXT AMENDMENT (TYPE IV) AIRPORT INDUSTRIAL PARK

In response to resident and property owner requests, the City of John Day submitted AMD-22-03 to amend the allowed land uses within the Airport Industrial Park (AIP) to include uses currently prohibited that are allowed within the Light Industrial (LI) zone, specifically the use of Self-Service Storage, which is not permitted in the AIP zone. This proposed amendment will be reviewed as a Type IV (Legislative) Procedure pursuant to Code Section 5-4.1.050 and the decision-making criteria in Section 5-4.1.050(G).

AMD-22-04 ANNEXATION OF UNINCORPORATED TERRITORY SURROUNDED BY CITY AND ZONE CHANGE (TYPE IV)

Per ORS 222.750(2), when territory not within a city is surrounded by the corporate boundaries of the city, the city may annex the territory pursuant to this section after holding at least one public hearing on the question for which notice has been mailed to each record owner of real property in the territory proposed to be annexed. Mr. Bob Pereira (373 Patterson Bridge Road) is the owner of a 1.08-acre parcel identified as Map Number 13S31E22C Tax Lot 200 in John Day. This parcel is subject to annexation under ORS 222.750(2). This proposed amendment will be reviewed as a Type IV (Legislative) Procedure pursuant to Code Section 5-4.1.050 and the decision-making criteria in Section 5-4.1.050(G) and the approval process in 5-4.1.050(H) and as required by ORS 222.750(2) prior to effecting the annexation. Upon annexation, there will be and corresponding Comprehensive Plan Map Change and Zone Change from County Industrial to General Industrial (GI).

PUBLIC HEARING DETAILS

When: THURSDAY, JULY 21, 2022

Where: JOHN DAY FIRE HALL, 316 S. CANYON BLVD., JOHN DAY, OR 97845

Details: 6:00 P.M. – The hearing will be held in person and via Go-to-Meeting: <https://global.gotomeeting.com/join/891173869>. You can also dial in by phone: United States: +1 (786) 535-3211; Access Code: 891-173-869. Seating preference will be given to the applicants and parties providing written comments.

Copies of the subject application(s), all documents, and evidence relied upon by the applicant(s) and applicable criteria are available for inspection at the John Day City Hall at no cost; copies will be provided upon request at a reasonable cost. Copies of the City Planning Staff Report on the subject application will be available for inspection no less than seven (7) days before the hearing at no cost; copies will be provided upon request at a reasonable cost.

If you would like to respond:

Written comments received or presented in person to Nicholas Green, contract Chief Planning Official, 450 East Main Street, John Day, before Wednesday, July 14, by 4:00 p.m. will be considered in rendering a decision. **Comments may be emailed to cityofjohnday@grantcounty-or.gov.**

Issues must be addressed with enough specificity based on criteria with the Code, upon which the Planning Official must base this decision. Failure to address the relevant approval criteria with enough detail may preclude you from appealing to the John Day City Council, Land Use Board of Appeals, or Circuit Court on that issue. Only comments on the relevant approval criteria are considered relevant evidence. All evidence relied upon by the planning staff to make this decision is in the public record and available for public review. Copies of this evidence can be obtained at a reasonable cost from the City of John Day, 450 East Main Street, John Day, OR 97845.

Any questions regarding the hearing should be directed to the City Manager at 450 E. Main, John Day, by email to cityofjohnday@grantcounty-or.gov, or phone 541-575-0028, Mon. – Thurs. from 8:00 a.m. to 4:00 p.m.

**CITY OF JOHN DAY
GRANT COUNTY, OREGON**

CERTIFICATION OF PUBLIC NOTICE

IN THE MATTER OF AN APPLICATION FOR LAND USE DISTRICT MAP AMENDMENT NO. AMD-22-01, BY: CITY OF JOHN DAY. I, Nicholas A. Green, City Planning Official, do hereby certify that a Public Notice in the matter of the subject land use application was sent first class mail or hand delivered on this 1st day of July 2022, to the person, parties and agencies listed below. A copy of said notice is attached hereto.

Map	Taxlot	Owner(s)	Mailing Address
13S31E23CD	6800	Chris and Shanna Northway	147 NW 1st Ave. John Day, OR 97845
13S31E23CD	7000	James & Angelica Carpenter	110 NW 2nd Ave. John Day, OR 97845
13S31E23CD	7800	Bay, James W & Sandra F	767 E Main St. John Day, OR 97845
13S31E23CD	7900	Bay, James W & Sandra F	767 E Main St. John Day, OR 97845
13S31E23CD	8000	Bay, James W & Sandra F	767 E Main St. John Day, OR 97845
13S31E23CD	8100	Hamel, Cristee Jeannine	308 N Canyon Blvd, John Day, OR 97845
13S31E23CD	8200	Canyon House, LLC	306 N Canyon Blvd. John Day, OR 97845
13S31E23CD	8300	Luttrell, Valerie L	101 NW 2nd Ave. John Day, OR 97845
13S31E23CD	9100	Dowdy, Leonard F & Sherri K	27664 W. Bench Rd. John Day, OR 97845
13S31E23CD	9200	Bennett, Valerie	303 N Canyon Blvd. John Day, OR 97845
13S31E23CD	9300	Stillwater, Leslie C	P O Box 905, John Day, OR 97845
13S31E23CD	9400	Stillwater, Leslie C	P O Box 905, John Day, OR 97845
13S31E23CD	9500	Hill Opportunities Inc	140 Main St. John Day, OR 97845
13S31E23CD	9600	Gardner Ent. Inc.	195 NE 2nd Ave. John Day, OR 97845
13S31E23CD	9800	Grant County Trans. District	PO Box 126 John Day, OR 97845
13S31E23CD	9801	Grant County Trans. District	PO Box 842 John Day, OR 97845
13S31E23CD	10000	Ruth Harris	PO Box 35 John Day, OR 97845
13S31E23CD	10100	First Christian Church	311 NE Dayton St. John Day, OR 97845
13S31E23CD	10200	Kowing, Kenneth D & Linda	220 NE Elm St. John Day, OR 97845
13S31E23CD	10300	Grant County	201 South Humbolt, Suite 280
13S31E23CD	10400	Cowboy Cottages, LLC	233 Valley View Dr. John Day, OR 97845
13S31E26AB	900	Jeffries, Danny R & Judy K	PO Box 247 Mt. Vernon, OR 97865

13S31E26AB	1100	Maple, James F - Trustee	PO Box 543 John Day, OR 97845
13S31E26AB	1200	Stiner, Nick R	PO Box 522 Mt. Vernon, OR 97865
13S31E26AB	1300	Montague, Michael	147 NE Elm St, John Day, OR 97845
13S31E26AB	1400	Farley, Alva & Phyllis J	149 NE Elm St. John Day, OR 97845
13S31E26AB	1500	Batley, Brent H - Etal	PO Box 945 John Day, OR 97845
13S31E26AB	1600	Pickle, Albert	153 NE Elm St. John Day, OR 97845
13S31E26AB	1700	Stoltz, Linda S	153 ½ NE Elm St. John Day, OR 97845
13S31E26AB	1701	Stoltz, Linda Sue - Etal	153 ½ NE Elm St. John Day, OR 97845
13S31E26AB	1800	Mantei, Nicole	P O Box 1991, Estacada, OR 97023
13S31E26AB	1900	Mckenna, Charles C & Tammy TTS	PO Box 369 Mt. Vernon, OR 97865
13S31E26AB	2000	Mckenna, Charles C & Tammy TTS	PO Box 369 Mt. Vernon, OR 97865
13S31E26AB	2100	Mckenna, Charles C & Tammy TTS	PO Box 369 Mt. Vernon, OR 97865
13S31E26AB	2300	Cameron, Malcom J & Glenna	200 NE Elm St. John Day, OR 97845
13S31E26AB	2400	Luttrell, Valerie L - ETAL	101 NW 2nd Ave. John Day, OR 97845
13S31E26AB	2501	Luttrell, Valerie L - ETAL	101 NW 2nd Ave. John Day, OR 97845
13S31E26AB	2600	Haney, Thomas O & Ginger W	152 NE Elm St. John Day, OR 97845
13S31E26AB	2701	Cox, Randall C	Address on file in utility accounts
13S31E26AB	2800	Patzer, Lou Ellen J	161 NE 1st Avenue, John Day, OR 97845
13S31E26AB	2900	Jensen, James & Mary Co-Ttees	PO Box 834, John Day, OR 97845
13S31E26AB	3000	Harris, Eva M-Ttee	25919 HWY 395S, Canyon City, OR 97820
13S31E26BA	100	Gerard, Thomas	160 NE Dayton Street, John Day, OR 97845
13S31E26BA	200	Warner, Mika	158 NE Dayton Street, John Day, OR 97845
13S31E26BA	300	Schmitz, Denine - Etal	154 NE Dayton Street, John Day, OR 97845
13S31E26BA	700	Gibson, George William - Etal	175 N Canyon Blvd #1, John Day, OR 97845
13S31E26BA	701	The East Oregonian Publishing Company	PO Box 2048, Salem, OR 97803
13S31E26BA	800	Mitchell-Huerta, Robert -Etux	173 N Canyon Blvd, John Day, OR 97845
13S31E26BA	1102	Elks Lodge #1824	140 NE Dayton Street, John Day, OR 97845
13S31E26BA	3000	Russ Young c/o King Williams	Iron Triangle LLC, PO Box 325, John Day, OR 97845
13S31E26BA	3100	Swank, Heather A & Carl V	PO Box 124, John Day, OR 97845

13S31E26BA	3200	Estes, Melissa Stoddard, Kody - Etal	170 N. Canyon Blvd, John Day, OR 97845
13S31E26BA	3300	Estes, Melissa Holland, Cory & Autumn	520 SW 2nd Avenue, John Day, OR 97845
13S31E26BA	3600	Nightingale Ventures LLC	109 N WATER ST #4, Silverton, OR 97381
13S31E26BA	3700	Mantei, Dennis & Nicolle	PO Box 1991, Estacada, OR 97023
13S31E26BA	3800	Escudero, Balbina	190 NW 1st Avenue, John Day, OR 97845
13S31E26BA	3801	Estes, Melissa Carey, Jeffrey - Etal	160 NW 1st Avenue, John Day, OR 97845
13S31E26BA	10800	Russ Young c/o King Williams	Iron Triangle LLC, PO Box 325, John Day, OR 97845
13S31E26CA	1200	Boring Properties, LLC	385 Robinhood Trail, Brandon, MS 39042
13S31E26CA	1201	Boring Properties, LLC	385 Robinhood Trail, Brandon, MS 39042
13S31E26DB	700	Dice Elkhorn Properties, LLC	P O Box 1521 Prineville, OR 97754
13S31E26DB	800	Wright, Amber	801 S Canyon Blvd, Apt 1, John Day, OR 97845
13S31E26DB	1000	Canyon Blvd Investments, LLC	100 Springhouse Dr, Suite 203, Collegeville, PA 19426
13S31E23CD	05502	Caughlin, Charles	155 NW 1st Avenue, John Day, OR 97845
13S31E23CD	05503	Biosmile Inc.	165 NW 1st Avenue, John Day, OR 97845
13S31E23CD	08400	Newman, Albert & Shirley	100 NW 2nd Avenue, John Day, OR 97845
13S31E23CD	08500	CenturyLink	N. Canyon Blvd, John Day, OR 97845
13S31E23CD	08600	Armstrong, Bob & Laurie	101 NE 1st Avenue, John Day, OR 97845
13S31E23CD	08700	Mosier, Dale Jr. Trustee	115 Skyline Drive, John Day, OR 97845
13S31E23CD	08800	Cernazanu Enterprises	350 Highland Place, John Day, OR 97845
13S31E23CD	08900	Cernazanu Enterprises	350 Highland Place, John Day, OR 97845
13S31E23CD	09000	Sloan, Ford A	PO Box 987, Elgin, OR 97827
13S31E23CD	09001	Newcomb, Dean & Linda	248 NE Dayton, John Day, OR 97845
13S31E23CD	09002	Bagett, Robert D & Delores A	217 N. Canyon Blvd, John Day, OR 97845
13S31E23CD	09004	Springer, Mike	PO Box 495, Prairie City, OR 97869

So certified this 1st day of July 2022,



Nicholas A. Green, Planning Official



CITY OF JOHN DAY

June 30, 2022

THIS IS TO NOTIFY YOU THAT THE CITY OF JOHN DAY HAS PROPOSED LAND USE REGULATIONS THAT MAY AFFECT THE PERMISSIBLE USES OF YOUR PROPERTY AND OTHER PROPERTIES.

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: ORS 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST PROMPTLY BE FORWARDED TO THE PURCHASER.

This notice is provided in order to comply with Ballot Measure 56 (M56) approved by Oregon voters on November 3, 1998. M56 requires the City to provide notice to property owners when a proposed land use regulation would change the zoning of their property or change existing land use regulations in a way that might limit or prohibit land uses previously allowed.

PROPOSED REGULATION: AMD-22-01 ZONE CHANGE (TYPE IV) RESIDENTIAL COMMERCIAL

A provision of the proposed ordinance may affect the use of the property as follows:

In response to resident and property owner requests, the City of John Day submitted AMD-22-01 to rezone certain properties within the Downtown (D) and General Commercial (GC) zones as Residential Commercial (RC). This zone change will result in increased flexibility for property owners to use the land for both commercial and/or residential uses, as outlined in Code Section 5-2.2.020 Residential Districts - Allowed Land Uses. This proposed amendment will be reviewed as a Type IV (Legislative) Procedure pursuant to Code Section 5-4.1.050 and the decision-making criteria in Section 5-4.1.050(G).

Ordinance No. 22-200-11 and the staff report for AMD-22-01 shall be available for inspection at City Hall located at 450 E. Main Street, John Day, OR 97845 at least seven days prior to the public hearing. A copy of Ordinance No. 22-200-11 shall also be available for purchase at a cost of 25 cents per page. For additional information concerning Ordinance No. 22-200-11, or to inspect the ordinance, you may contact the Planning Department at (541) 575-0028, Monday – Thursday, 8AM – 4PM, or by email to: cityofjohnday@grantcounty-or.gov.

PUBLIC HEARING INFORMATION

On Thursday, July 21, 2022, at 6:00 p.m. at the John Day Fire Hall, 316 S. Canyon Blvd, John Day, OR 97845, the John Day Planning Commission will hold the public hearing regarding Ordinance No. 22-200-11 (AMD-22-01) in person and virtually.

You are receiving this notice because the City has determined that adoption of this ordinance may affect the permissible uses of your property, and other properties in the affected zone, and may change the value of your property.

To facilitate social distancing, the hearing will be held virtually via Go-to-Meeting: <https://global.gotomeeting.com/join/891173869>. You can also dial in using your phone +1 (786) 535-3211 Access Code: 891-173-869. Accommodations to attend the meeting in person must be requested at least 24 hours in advance of the hearing.

Individuals are encouraged to submit written testimony or comments as early as possible to provide adequate time for review by the Planning Commission prior to the hearing. Oral testimony may be presented at the public hearing. Issues must be addressed with sufficient specificity based on criteria within the John Day Development Code, upon which the Planning Commission must base its decision. Failure to address the relevant approval criteria with enough detail may preclude you to appeal to the Land Use Board of Appeals or Circuit Court on that issue. Only comments on the relevant approval criteria are considered relevant evidence. All evidence relied upon by the Planning Commission to make this decision is in the public record, and available for public review. The staff report will be available for inspection not later than seven (7) days before the public hearing.

The Property Owner is further advised that:

1. The above description of the proposed ordinance and its effect on the property may change prior to adoption, as the hearing body takes into account testimony and evidence from the public and City staff. You are encouraged to attend the public hearing because revisions to the proposed ordinance are possible.
2. A second public hearing will be held by the City Council at a later date, following the Planning Commission's public hearing and recommendation on the proposal, if the Planning Commission votes to approve the amendment and recommend the ordinance for adoption by the City Council. The anticipated date and time for this hearing are August 23, 2022, at 6:00 p.m. in the John Day Fire Hall, 316 S. Canyon Boulevard, John Day, OR 97845. No additional mailed notice will be sent unless you testify at the hearing, provide written testimony, or ask to receive notices, and provide your mailing address.

Respectfully,




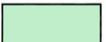











Nicholas Green
Contract City Planning Official

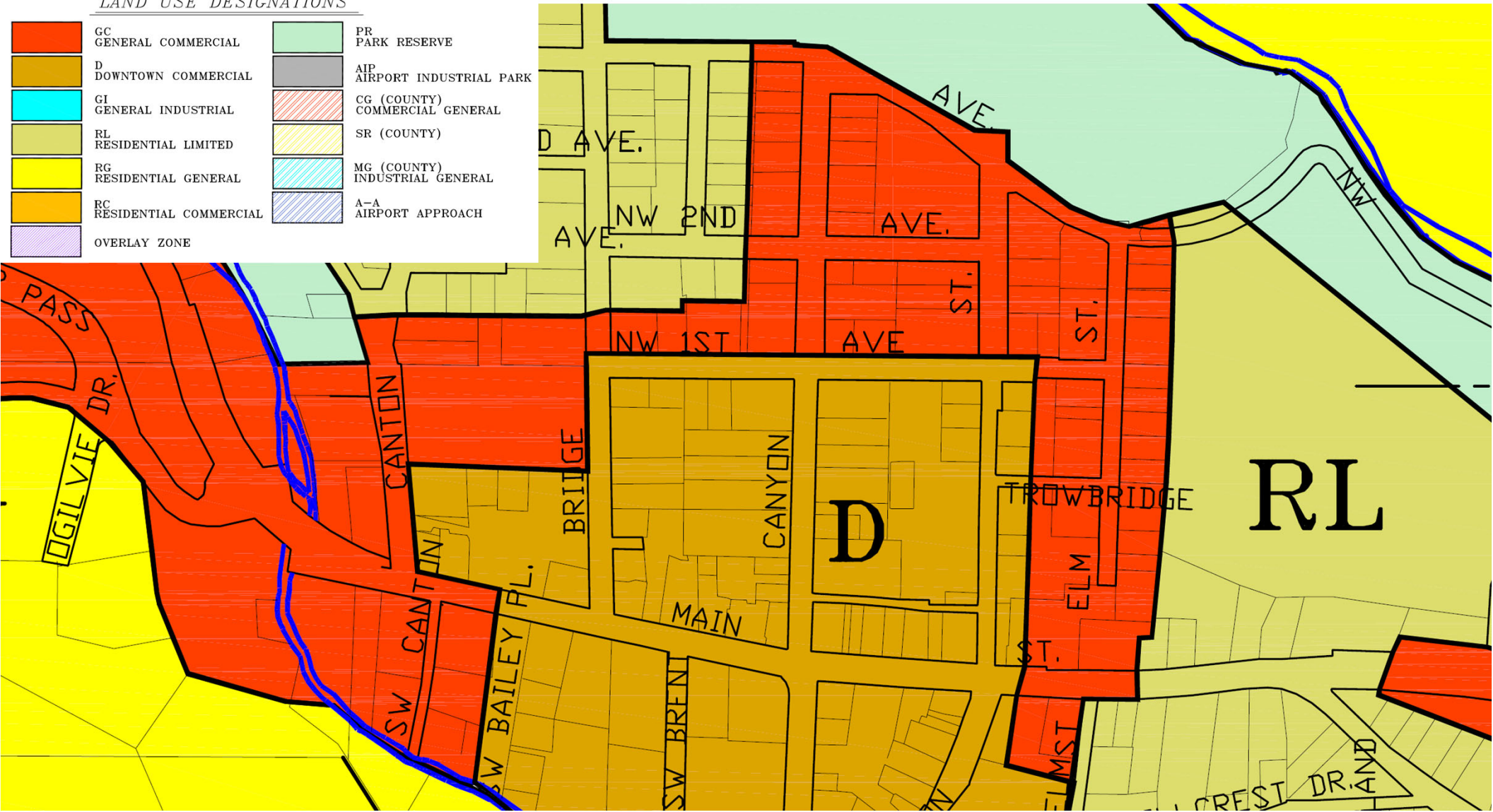
Town	TownPart	TownDir	Range	RangePart	RangeDir	SecNumber	Qtr	QtrQtr	Anomaly	MapSufType	MapSufNumber	TRS	Taxlot	Acres	StreetAddress
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13	.00	S	31	.00	E	23	C	D	--	0	000	13.00S31.00E23CD--0000	05503	0.204249	165 NW 1st Avenue
13	.00	S	31	.00	E	23	C	D	--	0	000	13.00S31.00E23CD--0000	06800	0.290493	147 NW 1st Avenue
13	.00	S	31	.00	E	23	C	D	--	0	000	13.00S31.00E23CD--0000	07000	0.193785	110 NW 2nd Avenue
13	.00	S	31	.00	E	23	C	D	--	0	000	13.00S31.00E23CD--0000	07800	0.144009	314 N. Canyon Blvd
13	.00	S	31	.00	E	23	C	D	--	0	000	13.00S31.00E23CD--0000	07900	0.101322	312 N. Canyon Blvd
13	.00	S	31	.00	E	23	C	D	--	0	000	13.00S31.00E23CD--0000	08000	0.0737174	310 N. Canyon Blvd
13	.00	S	31	.00	E	23	C	D	--	0	000	13.00S31.00E23CD--0000	08100	0.0693066	308 N. Canyon Blvd
13	.00	S	31	.00	E	23	C	D	--	0	000	13.00S31.00E23CD--0000	08200	0.188809	306 N. Canyon Blvd
13	.00	S	31	.00	E	23	C	D	--	0	000	13.00S31.00E23CD--0000	08300	0.265406	101 NW 2nd Avenue
13	.00	S	31	.00	E	23	C	D	--	0	000	13.00S31.00E23CD--0000	08400	0.115666	100 NW 2nd Avenue
13	.00	S	31	.00	E	23	C	D	--	0	000	13.00S31.00E23CD--0000	08500	0.345342	N. Canyon Blvd
13	.00	S	31	.00	E	23	C	D	--	0	000	13.00S31.00E23CD--0000	08600	0.106736	101 NE 1st Avenue
13	.00	S	31	.00	E	23	C	D	--	0	000	13.00S31.00E23CD--0000	08700	0.151496	107 NE 1st Avenue
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13	.00	S	31	.00	E	23	C	D	--	0	000	13.00S31.00E23CD--0000	08900	0.138858	215 N. Canyon Blvd
13	.00	S	31	.00	E	23	C	D	--	0	000	13.00S31.00E23CD--0000	09000	0.197259	250 NE Dayton Street
13	.00	S	31	.00	E	23	C	D	--	0	000	13.00S31.00E23CD--0000	09001	0.197948	248 NE Dayton Street
13	.00	S	31	.00	E	23	C	D	--	0	000	13.00S31.00E23CD--0000	09002	0.0688699	217 N. Canyon Blvd
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13	.00	S	31	.00	E	23	C	D	--	0	000	13.00S31.00E23CD--0000	09200	0.344309	303 N. Canyon Blvd
13	.00	S	31	.00	E	23	C	D	--	0	000	13.00S31.00E23CD--0000	09300	0.115149	307 N. Canyon Blvd
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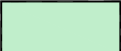





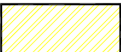





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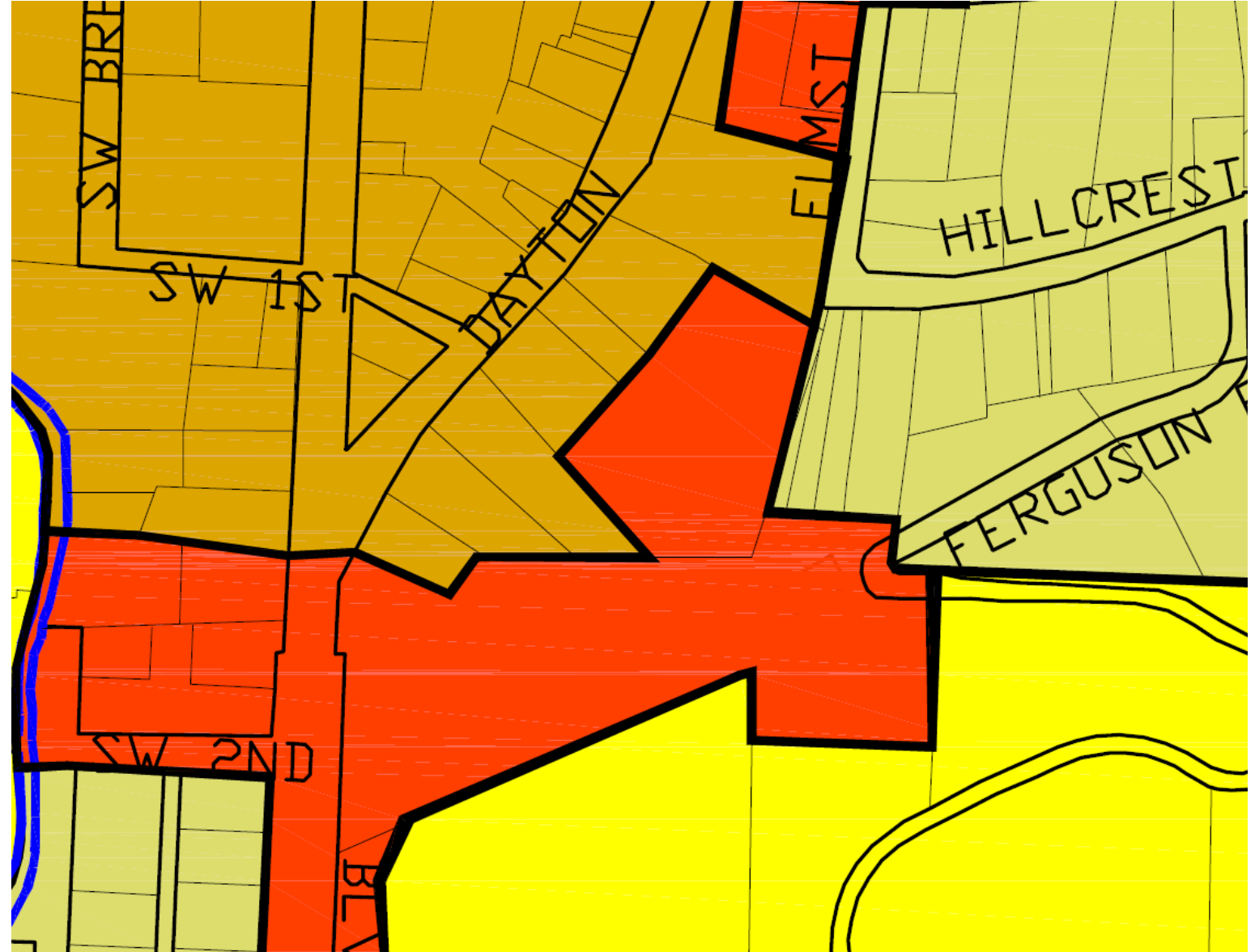
LAND USE DESIGNATIONS

	GC GENERAL COMMERCIAL		PR PARK RESERVE
	D DOWNTOWN COMMERCIAL		AIP AIRPORT INDUSTRIAL PARK
	GI GENERAL INDUSTRIAL		CG (COUNTY) COMMERCIAL GENERAL
	RL RESIDENTIAL LIMITED		SR (COUNTY)
	RG RESIDENTIAL GENERAL		MG (COUNTY) INDUSTRIAL GENERAL
	RC RESIDENTIAL COMMERCIAL		A-A AIRPORT APPROACH
	OVERLAY ZONE		


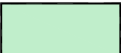




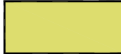
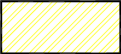

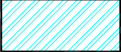





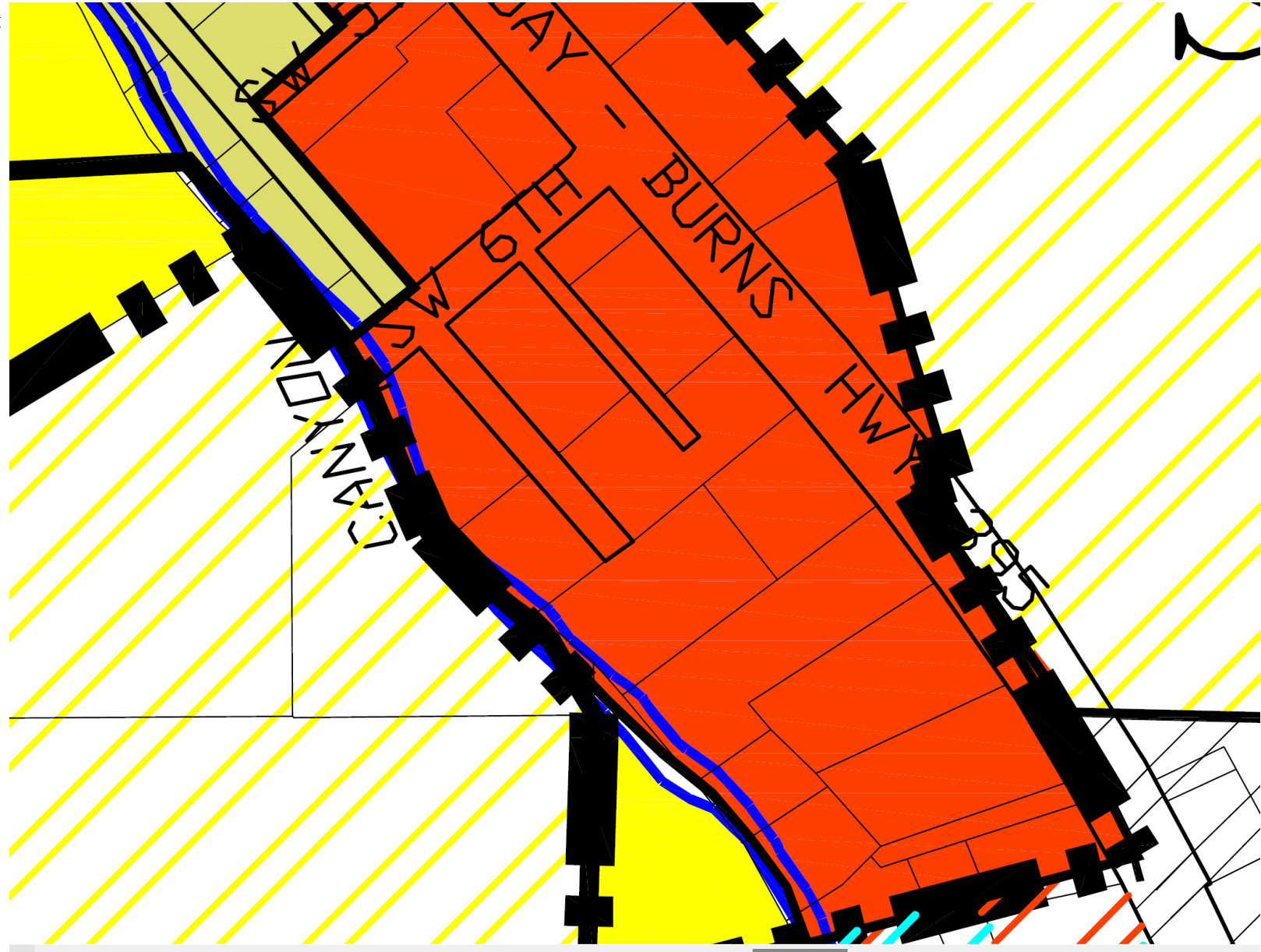
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	RG RESIDENTIAL GENERAL		MG (COUNTY) INDUSTRIAL GENERAL
	RC RESIDENTIAL COMMERCIAL		A-A AIRPORT APPROACH
	OVERLAY ZONE		




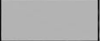


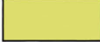








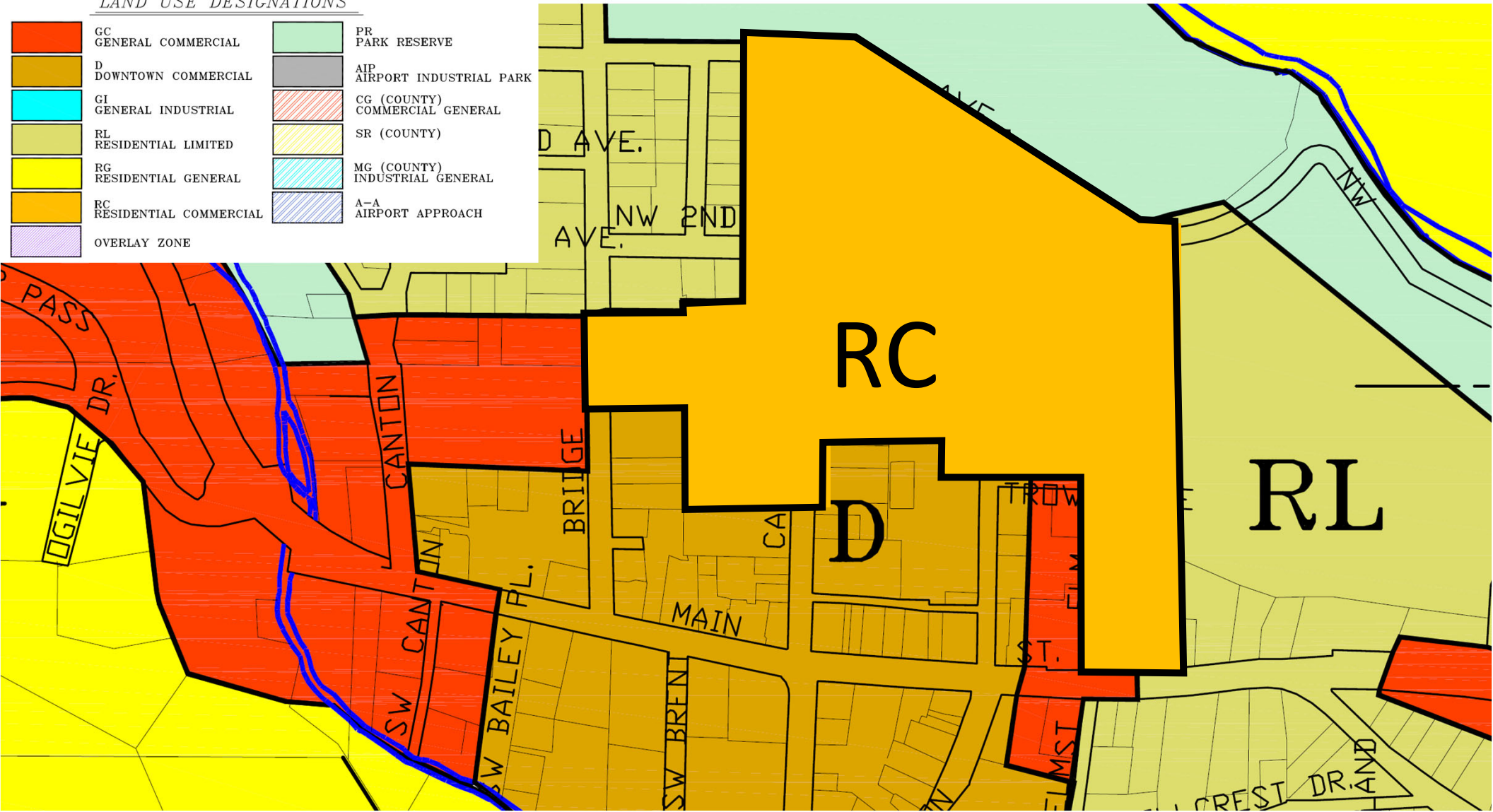
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	RG RESIDENTIAL GENERAL		MG (COUNTY) INDUSTRIAL GENERAL
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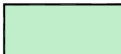



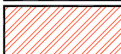
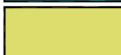


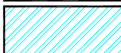





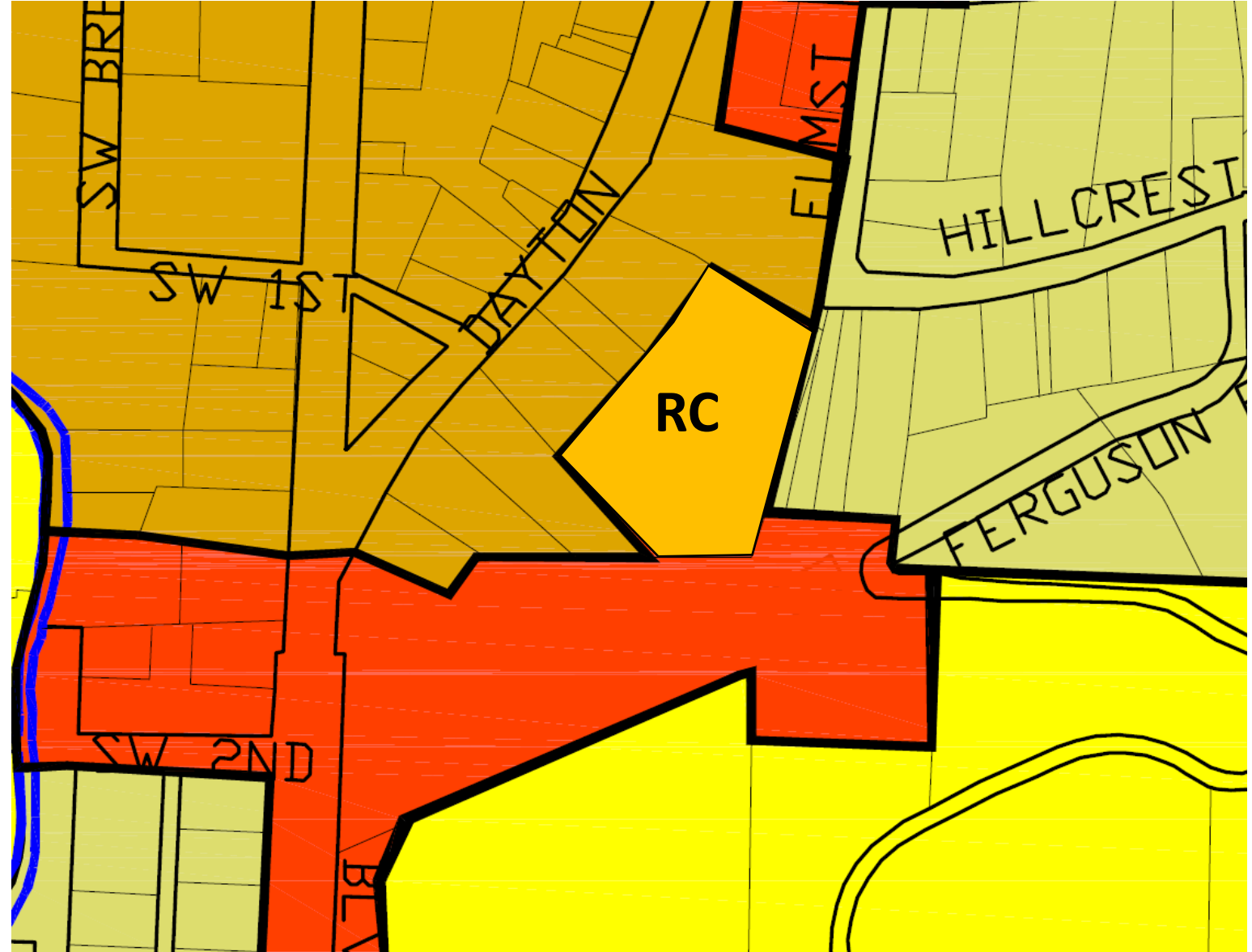
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	OVERLAY ZONE		


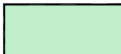



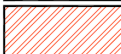
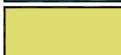


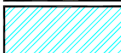





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	OVERLAY ZONE		



LAND USE DESIGNATIONS

	GC GENERAL COMMERCIAL		PR PARK RESERVE
	D DOWNTOWN COMMERCIAL		AIP AIRPORT INDUSTRIAL PARK
	GI GENERAL INDUSTRIAL		CG (COUNTY) COMMERCIAL GENERAL
	RL RESIDENTIAL LIMITED		SR (COUNTY)
	RG RESIDENTIAL GENERAL		MG (COUNTY) INDUSTRIAL GENERAL
	RC RESIDENTIAL COMMERCIAL		A-A AIRPORT APPROACH
	OVERLAY ZONE		

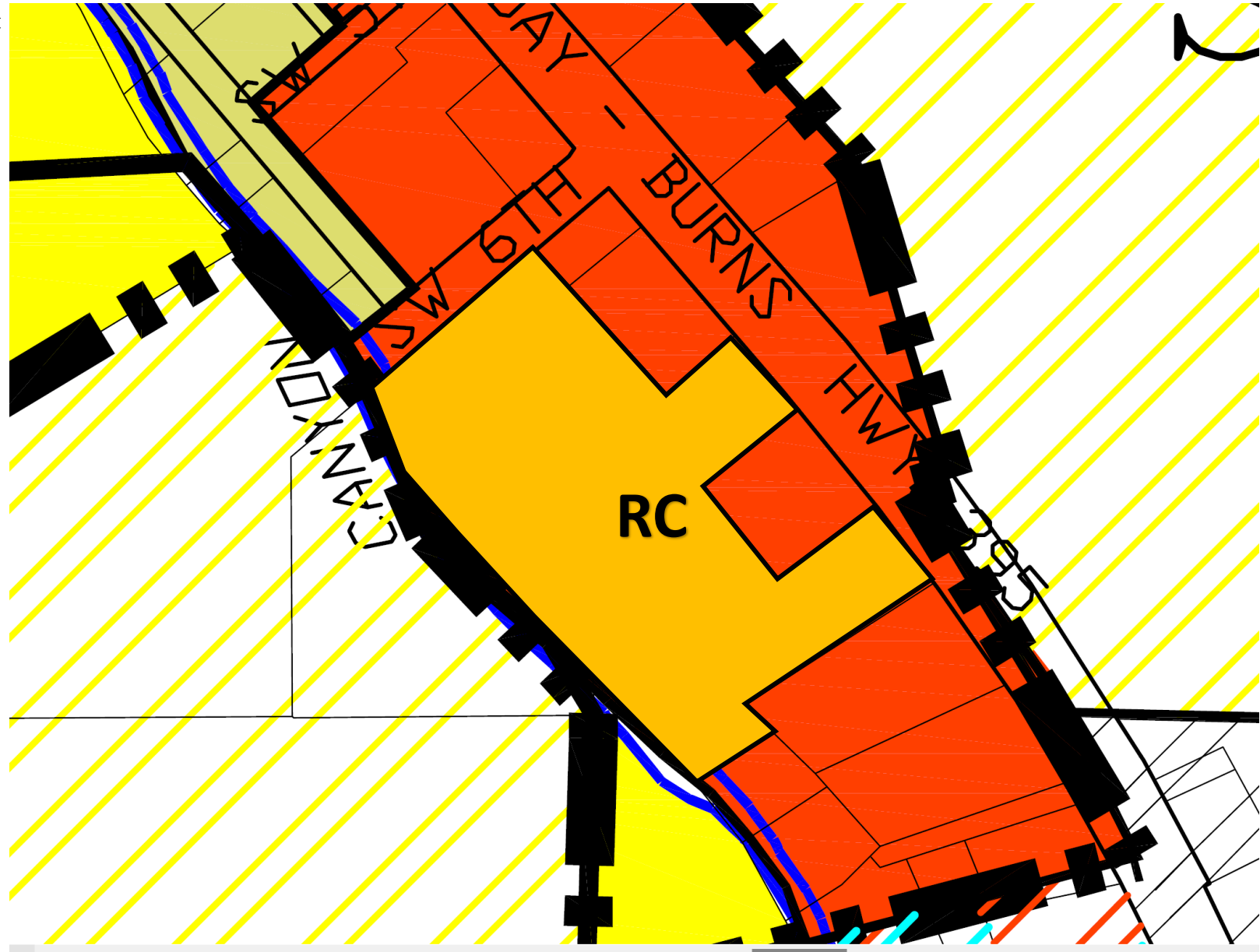

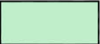




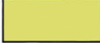






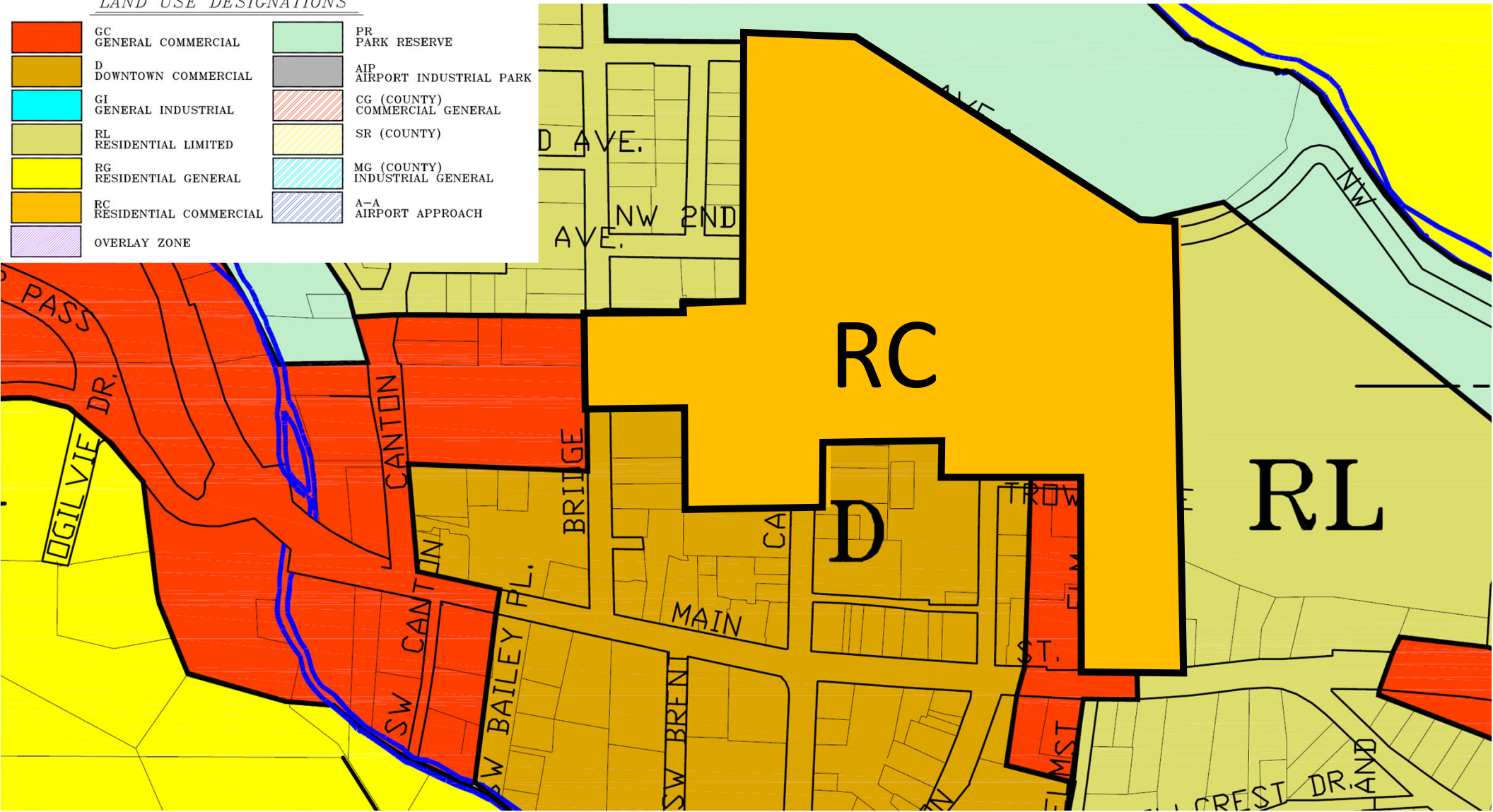



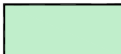



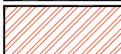
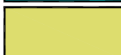


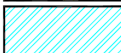



Exhibit B. to Ordinance No. 22-200-11
Plan Map and Zoning Map Amendments

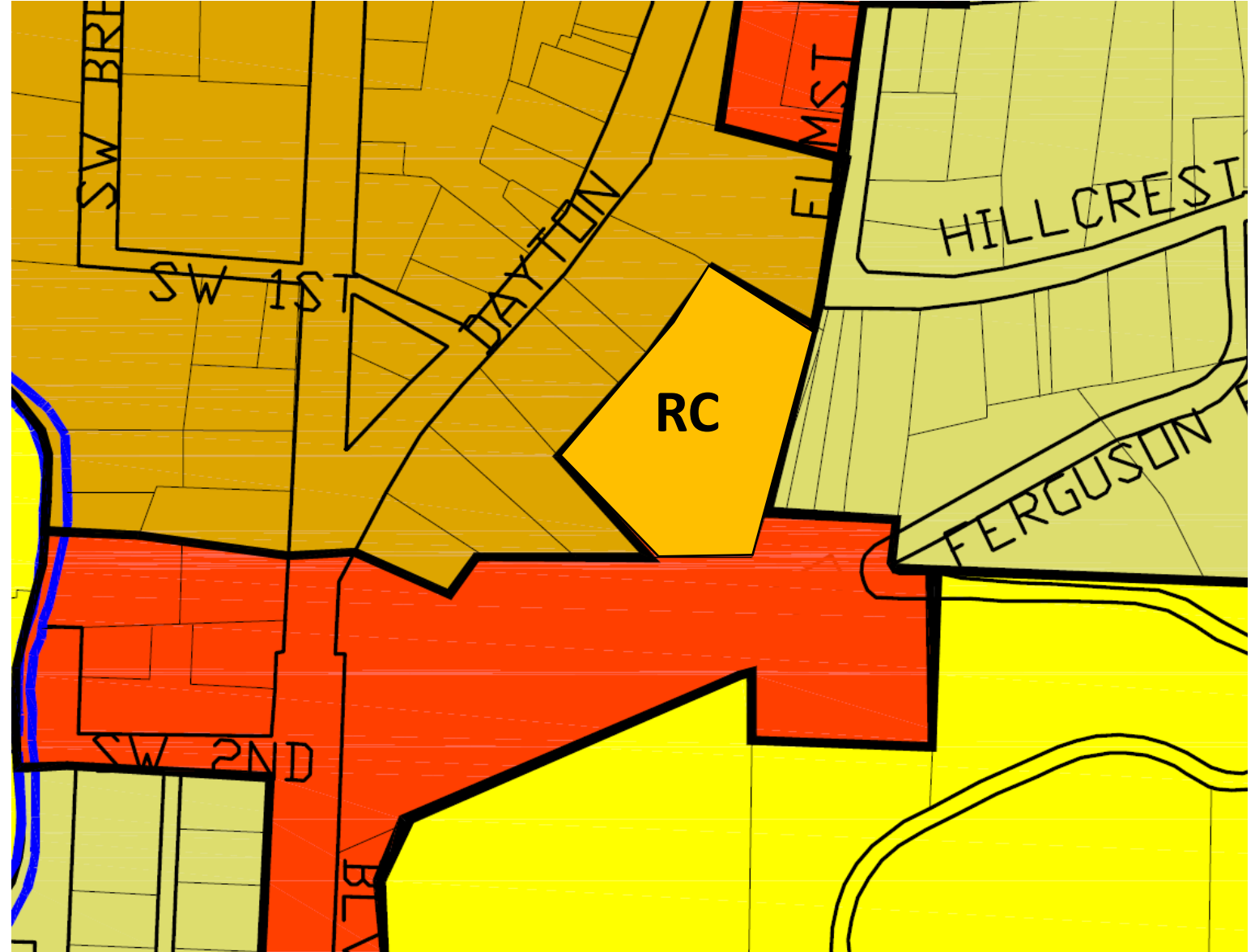
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	RG RESIDENTIAL GENERAL		MG (COUNTY) INDUSTRIAL GENERAL
	RC RESIDENTIAL COMMERCIAL		A-A AIRPORT APPROACH
	OVERLAY ZONE		


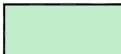



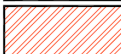
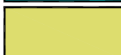


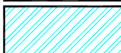





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	OVERLAY ZONE		

