CITY OF
JOHN DAY

PLANNING COMMISSION MEETING AGENDA
Wednesday August 13, 2025,
REGULAR MEETING: 6:30 pm
John Day Fire Station
316 S Canyon Blvd, John Day, OR 97845
(541)575-0028 www.cityofjohnday.com

This meeting is open to the public. Meetings may be canceled without notice. Zoom Meeting participants should use the "raise your hand" feature during these times to alert the moderator that they would like to speak.

Join Zoom Meeting
City of John Day is inviting you to a scheduled Zoom meeting.
https://zoom.us/j/95867942253?pwd=dHE5c3djSEx4OFBuZndPQU5HMGN3QT09
Meeting ID: 958 6794 2253
Passcode: 776959

Call to Order: Regular Meeting 6:30 pm.
1. Call John Day City Planning Commission to Order
2. Pledge of Allegiance
3. Roll Call
4. Amend or Accept Regular Agenda

5. Public Comments *(Please Limit to 3 Minutes)*
Public Comments are an opportunity to present information or speak on an issue that is not on the agenda. Comments are limited to 3 minutes for each person. Visitors may state their comments and should not expect the Commission to engage in back and forth dialogue regarding the comment, the Commission may either choose to add it to a follow up meeting or direct City Manager to follow up with the speaker.

6. Consent Agenda**:**
   a. Minutes of June 25, 2025
   b. Minutes of July 15, 2025

7. Public Hearing: Lots 1 & 2 The Ridge Phase I: The Applicant is seeking a partition that would eliminate the common boundary line between Lots 1 and 2 of *The Ridge*, Phase 1 Master Plan. The two lots would be combined into a single, uniform parcel. Once consolidated, the parcel is intended to be developed with residential uses, consistent with the approved Master Plan and subject to Type I land use review. While partitions typically do not require Planning Commission review, this proposal is being brought before the Commission because the resulting parcel exceeds one acre in size.

   a. Staff report
   b. Applicant Presentation
   c. Open the hearing

d. Public Testimony
e. Applicant rebuttal
f. Close Public Hearing
g. Deliberation

8. Public Hearing: CUP25-01; Certified Child Care Center- Applicant is seeking conditional use permit approval to operate a Certified Child Care Center in the dwelling located at 150 NW 2nd Ave in John Day.

    a. Staff report
    b. Applicant Presentation
    c. Open the hearing
    d. Public Testimony
    e. Applicant rebuttal
    f. Close Public Hearing
    g. Deliberation

9. Planning Commission Comments

10. Adjournment:

CITY OF JOHN DAY

CITY OF JOHN DAY
PLANNING COMMISSION MEETING MINUTES June 25, 2025

PLANNING COMMISSIONERS PRESENT:
Jim Spell, Planning Commission
Linda Pifer, Planning Commission
Ed Newby, Planning Commission
Valerie Maynard, Planning Commission

PLANNING COMMISSIONERS ABSENT
Neale Ledgerwood, Planning Commission
Tim Unterwegner, Planning Commission

STAFF PRESENT:
Melissa Bethel, City Manager
Henry Hearley, Contract Planner

Agenda Item No. 1—Call Meeting to Order
The Planning Commission meeting was called to order at 6:30 pm.

Agenda Item No. 2—Roll Call and Attendance
The John Day Planning Commission did a roll call.

Public Hearing:

Agenda Item No. 3—File # SDR 24-01
The Oregon State Parks & Recreation Department (OPRD) is requesting Site Design Review for the new construction of the Kam Wah Chung State Heritage Site and Interpretive Center. OPRD also requests the vacation of two historical easements on the site; a historic setback and a waterline easement that is no longer needed. This application is being elevated to a type IV land use review.

a. **Staff Report**
Hearley gave a staff report. The setback easement is from 1967 which prohibits any construction and any development of any kind within 60 feet of the Kam Wah Chung Heritage Site. The second easement is the old water line that is no longer needed. Hearley gave a presentation to the Planning Commission regarding the main issues and conditions of the Site Design Review. Staff recommends the Planning Commission forward a recommendation for approval to the City Council for final action subject to the conditions of approval.

b. **Applicant Presentation**
A presentation was given by Oregon State Parks & Recreation which focused on the project description, existing conditions, proposed site plan and the building plan.

c. **Open the Hearing**
Spell opened the Public Hearing.

d. **Public Testimony**
A letter was received on June 25, 2025 by Mr. Robertson objecting to the project.

e. Applicant Rebuttal
The applicant had no rebuttal.

f. Close Public Hearing
Newby made a motion to close the public hearing but keep the record open for submittal of additional testimony. The first record period will open June 26th, 2025 and close seven days later on July 3. On July 4th the applicant's final written rebuttal begins and will end seven days later on July 11. The motion was seconded by Spell and passed unanimously.

g. Deliberation
There was no deliberation.

Agenda Item No. 7—Planning Commission Comments
There will be another Planning Commission meeting on July 15th at 5:30pm. If that is not possible then the city will re-notice with the new date.

Adjourn:
Maynard made a motion to adjourn the meeting. The motion was seconded by Pifer and passed unanimously.

_____
Melissa Bethel, CM

CITY OF JOHN DAY

CITY OF JOHN DAY
PLANNING COMMISSION MEETING MINUTES July 15, 2025

PLANNING COMMISSIONERS PRESENT:
Tim Unterwegner, Planning Commission
Neale Ledgerwood, Planning Commission
Linda Pifer, Planning Commission
Ed Newby, Planning Commission

PLANNING COMMISSIONERS ABSENT
Valerie Maynard, Planning Commission
Jim Spell, Planning Commission

STAFF PRESENT:
Melissa Bethel, City Manager
Henry Hearley, Contract Planner

Agenda Item No. 1—Call Meeting to Order
The Planning Commission meeting was called to order at 6:30 pm.

Agenda Item No. 2—Pledge of Allegiance
The Planning Commission stood for the Pledge of Allegiance.

Agenda Item No. 3—Roll Call and Attendance
The John Day Planning Commission did a roll call.

Agenda Item No. 4—Amend or Accept Regular Agenda

Agenda Item No. 5—Deliberation: (file# SDR 24-01)
The Oregon State Parks & Recreation Department (OPRD) is requesting Site Design Review for the new construction of the Kam Wah Chung State Heritage Site and Interpretive Center. OPRD also requests the vacation of two historical easements on the site; a historic setback and a waterline easement that is no longer needed. This application is being elevated to a type IV land use review. ***The Planning Commission reconvened its meting from June 25, 2025. At the close of the June 25 hearing, the Commission passed a motion to close the public hearing but leave the record open for seven days to allow for additional written testimony. The Planning Commission will only review the information submitted during the open record period and will deliberate to formulate a recommendation to the City Council. The record is closed, and no longer oral or written testimony will be accepted.***

Hearley gave an overview of the project and procedural requirements. On June 25th the Planning Commission passed a motion close the public hearing but leave the record open for seven days to allow for additional written testimony. During that time Mr. Robertson submitted a response letter. After reviewing all of Mr. Robertson's documentation staff recommends that the Planning Commission recommend approval, with conditions as presented June 25, 2025.

Commissioner Ledgerwood moved to recommend approval to the City Council with the conditions as outlined in the staff report. The motion was seconded by Commissioner Newby and passed unanimously.

Agenda Item No. 7—Planning Commission Comments

This item will be on the August 12th City Council agenda.
Commissioner Unterwegner stated this meeting is the last one he will be attending as he resigned from the Planning Commission.

Adjourn:
There being no further business before the planning commission the meeting was adjourned.

_____
Melissa Bethel, CM

CITY OF
JOHN DAY

STAFF REPORT PAR 25-02

Date Submitted: August 5, 2025

Agenda Date Requested: August 13, 2025

To: John Day Planning Commission

From: Henry Hearley, City of John Day
Associate Planner

Subject: Staff report for PAR 25-02

Location: Lots 1 & 2 of The Ridge Phase 1

Type of Action Requested

[ ]	**Resolution**		[ ]	**Ordinance**	
[X]	**Formal Action**		[ ]	**Report Only**	

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1. BACKGROUND

This staff report reviews a proposed partition that would eliminate the common boundary line between Lots 1 and 2 of *The Ridge*, Phase 1 Master Plan. The two lots would be combined into a single, uniform parcel. Once consolidated, the parcel is intended to be developed with residential uses, consistent with the approved Master Plan and subject to Type I land use review. While partitions typically do not require Planning Commission review, this proposal is being brought before the Commission because the resulting parcel exceeds one acre in size.

Per the applicant, the lot consolidation of Lots 1 and 2 into one lot is necessary to meet setbacks for the proposed residential development.

The applicant hired a registered surveyor in the State of Oregon and duly prepared a tentative partition plat for Planning Commission review. The tentative partition is included in this staff report as **Exhibit A.**

Notice was duly mailed and published on June 27, and July 30, 2025, respectively. See **Exhibit B** for notice materials.

It is important to note that residential development is not subject to review as part of the partition application. The Planning Commission's review is limited to the land division request to remove the common property line and combine two parcels. The residential development is being reviewed separately under the Type I land use review procedures.

2. APPLICABLE CRITERIA

Land Division is covered by Chapter 5-4.3 of the John Day Development Code. Partitions go through a two-step process: preliminary plat approval, and then final plat approval. All conditions attached at the time of preliminary plat approval must be addressed fully prior to granting final plat approval. All partition proposals must conform to state regulations contained in ORS 92.

5-4.3.020 General Requirements

A. ***Subdivision and Partition Approval Through Two-step Process.*** *Applications for subdivision or partition approval shall be processed by means of a preliminary plat evaluation and a final plat evaluation, according to the following two steps:*
   1. *The preliminary plat must be approved before the final plat can be submitted for approval consideration; and*
   2. *The final plat must include all conditions of approval of the preliminary plat.*

Staff Response: Land Division is covered by Chapter 5-4.3 of the John Day Development Code. Partitions go through a two-step process: preliminary plat approval, and then final plat approval. All conditions attached at the time of preliminary plat approval must be addressed fully prior to granting final plat approval.

B. ***Compliance With Oregon Revised Statutes (ORS) Chapter 92.*** *All subdivision and partition proposals shall conform to state regulations in Oregon Revised Statute (ORS) Chapter 92, Subdivisions and Partitions.*

Staff Response: All partition proposals must conform to state regulations contained in ORS 92.

C. ***Future Re-division Plan.*** *When subdividing or partitioning tracts into large lots (i.e., greater than two times or 200 percent the minimum lot size allowed by the underlying land use district), the City shall require that the lots be of such size, shape, and orientation as to facilitate future re-division in accordance with the*

requirements of the land use district and this Code. A re-division plan shall be submitted for large lots identifying:

1. *Potential future lot division(s), consistent with the density and minimum lot size standards of Article 5-2;*
2. *Potential street right-of-way alignments to serve future development of the property and connect to adjacent properties, including existing or planned rights-of-way;*
3. *A disclaimer that the plan is a conceptual plan intended to show potential future development. It shall not be binding on the City or property owners, except as may be required through conditions of land division approval. For example, dedication and improvement of rights-of-way within the future plan area may be required to provide needed secondary access and circulation.*

Staff Response: The applicant has not provided a future re-division plan. The Planning Commission may require such a plan before making a decision on the proposed partition. After consolidation of Lots 1 and 2, no further land division is expected on the newly combined lot because there are pending development plans for residential development.

D. ***Lot Size Averaging****. Single family residential lot size may be averaged to allow lots less than the minimum lot size in Residential districts, pursuant to Section 5-2.2.030, or through approval of a Master Planned Development under Chapter 5-4.5.*

Staff Response: Lots 1 and 2 as they exist now are greater than the minimum residential lot size and will be even larger following lot consolidation. Criteria met.

E. ***Temporary Sales Office.*** *A temporary sales office in conjunction with a subdivision may be approved as set forth in Section 5-4.9.010, Temporary Uses, and subject to the requirements for mobile homes and recreational vehicles in Chapter 5-2.2.100, as applicable.*

Staff Response: A temporary sales office is not proposed.

F. ***Minimize Flood Damage****. All subdivisions and partitions shall be designed based on the need to minimize the risk of flood damage. No new building lots shall be created entirely within a floodway. All new lots shall be buildable without requiring development within the floodway and, where possible, allow building outside of the flood fringe. Development in a 100-year flood plain shall comply with the National Flood Insurance Program, State building code requirements, including elevating structures above the base flood elevation, and the City of John day Flood Plain Overlay The applicant shall be responsible for obtaining floodplain development permit from the NFIP and local jurisdiction.*

G. ***Determination of Base Flood Elevation.*** *Where a development site consists of five (5) or more acres or 50 or more lots, and is located in or near areas prone to inundation for which the base flood elevation has not been mapped, the applicant shall have the base flood elevation it shall be prepared by a qualified professional as part of land division application.*

Staff Response: The subject property is not located within the Special Flood Hazard Area.

H. ***Need for Adequate Utilities.*** *All lots created through land division shall have adequate public utilities and facilities such as sewer, gas, electrical, and water systems. These systems shall be located and constructed to prevent or minimize flood damage, and to avoid impairment of the system and contamination from them during flooding.*

Staff Response: Proposed site improvements are shown on Sheet 02 (refer to **Exhibit D**). The combined lot will be provided with utilities as part of the residential development that is being reviewed and processed under the Type I use review procedures.

I. ***Need for Adequate Drainage****. All subdivision and partition proposals shall have adequate surface water drainage facilities that reduce exposure to flood damage and improve water quality. Water quality or quantity control improvements may be required.*

Staff Response: Infiltration is proposed to reduce runoff, and any control structures will be designed to reduce the post development 25-year storm event flow rate to be equal to or below the predeveloped runoff rate of a 25-year storm event. The applicant's civil engineer did submit a drainage study and calculations, both of which have been preliminary reviewed by the City Engineer for concurrence.

J. ***Floodplain, Park, and Open Space Dedications.*** *Where land filling and/or development is allowed within or adjacent to regulatory flood plain and the Comprehensive Plan designates the subject flood plain for park, open space, or trail use, the City may require the dedication of sufficient open land area for a greenway and/or trail adjoining or within the flood plain for transportation, storm drainage/water quality, or park purposes in the public interest. When practicable, this area shall include portions at a suitable elevation for the construction of a multi-use pathway in accordance with the city's adopted trails plan or pedestrian and bikeway plans, as applicable. The City shall evaluate individual development proposals and determine whether the dedication of land is justified based on the development's impact to the park and/or trail system, or as may be required for stormwater management.*

Staff Response: Criterion not applicable because development is not within or adjacent to regulated flood plain.

5-4.3.030 Pre-Planning For Large Sites

A. ***Purpose****. Section 5-4.3.030 requires the pre-planning of large sites in conjunction with annexation requests, and applications for large subdivisions including master plan developments; the purpose of which is to plan the development of pedestrian-oriented neighborhoods with a mix of housing opportunities, open space, and services at an appropriate neighborhood scale. The intent is to minimize traffic congestion, suburban sprawl, infrastructure costs, and environmental degradation, particularly as large parcels of land are committed to urban development.*

B. ***Applicability.*** *This Section applies to land use applications and annexations affecting more than 40 acres of land under the same contiguous ownership. For the purposes of this Section, the same contiguous ownership means a majority share of ownership is controlled by the same individual, or group of individuals, corporations, or other entities.*

C. ***Area plan required.*** *Prior to submittal of an annexation petition or land division application for an area subject to Section 5-4.3.030, a conceptual master plan shall be submitted to the City Planning Official with the required pre-application materials for the project or proposal. The conceptual master plan shall illustrate the type and location of planned streets, utility corridors, parks, open spaces, and land uses for the Subject Site and all lands under contiguous ownership. The plan shall demonstrate how future development, including any proposed phasing, can meet the guidelines under subsection D, below.*

Staff Response: The entirety of the site was pre-planned in that it is part of an approved master plan development called "*The Ridge*," which was approved by the Planning Commission in 2021.

D. ***Area plan required.*** *Prior to submittal of an annexation petition or land division application for an area subject to Section 5-4.3.030, a conceptual master plan shall be submitted to the City Planning Official with the required pre-application materials for the project or proposal. The conceptual master plan shall illustrate the type and location of planned streets, utility corridors, parks, open spaces, and land uses for the Subject Site and all lands under contiguous ownership. The plan shall demonstrate how future development, including any proposed phasing, can meet the guidelines under subsection D, below.*

E. ***Land use and design standards.*** *The conceptual plan required under subsection C shall be consistent with the following design criteria:*

1. *All neighborhoods have identifiable centers and outer boundaries;*

2. *Edge lots are readily accessible to neighborhood commercial uses, if any, and recreational uses by walking and bicycling;*
3. *Land uses are mixed to the extent allowed by this Code;*

4. *Where a variety of housing is required by this Code, different housing types and a range of lot sizes are located in close proximity to one another;*

5. *Streets are interconnected to the extent practicable; blocks are walkable in scale (e.g., 200-600 feet in length), except where topography, existing development, or other physical features require longer blocks, which case pedestrian access ways connect through long blocks;*

6. *Civic buildings, monuments and/or open spaces (e.g., parks, squares, greenbelts, natural areas, etc.), and scenic viewing points are given prominent sites throughout the neighborhood;*

7. *Overall, the master plan achieves a housing density that is consistent with the Comprehensive Plan and Development Code; and*

8. *The plan reserves land needed for public use (e.g., schools, parks, fire stations, and other facilities), in accordance with the Comprehensive Plan and to the extent allowed under applicable law.*

F. ***Implementation.*** *The City will review the conceptual master plan required by this Section and provide input to the applicant during the pre-application meeting for the land use application or annexation petition, as applicable. The City may also refer the plan to outside agencies with jurisdiction (e.g., roadway authority) for their input. The master plan is not binding but the applicant is encouraged to refine the plan based on the City input before submitting a land use application or annexation petition for the subject property. The applicant is also required to contact adjacent property owners and solicit their input prior to submitting a land use application, pursuant to Section 5-4.1.080.*

Staff Response: The entirety of the site was pre-planned in that it is part of an approved master plan development called "The *Ridge*," which was approved by the Planning Commission in 2021.

5-4.3.50 Preliminary Plat Approval Process

A. *Review of Preliminary Plat. Review of a preliminary plat with two (2) or three (3) lots (partition), or a replat involving two (2) or three (3) lots, and not exceeding one (1) acre shall be processed using a Type II procedure, under Section 5-4.1.030. Preliminary plats involving four (4) or more lots (subdivision), replats involving four (4) or more lots, partitions and property line adjustments within the Park Reserve*

Zone, and partitions larger than one (1) acre shall be processed using a Type III procedure under Section 5-4.1.040. All preliminary plats shall be reviewed using approval criteria in Section 5-4.3.070. An application for subdivision may be reviewed concurrently with an application for a Master Planned Development under Chapter 5-4.5.

Staff Response: As mentioned earlier in this staff report, the proposed partition is being processed as a Type III review due to its size greater than one-acre.

B. ***Review of Final Plat.*** *Review of a final plat for a subdivision or partition shall be processed using a Type I procedure under Section 5-4.1.020, using the approval criteria in Section 5-4.3.090, except where the Planning Official requires that a Type II or Type III procedure is required due to changes the applicant proposes to the preliminary plat.*

Staff Response: If tentative partition plat approval is granted by the Planning Commission, then review of the final plat will occur via a Type I procedure unless there are changes to the plat that require a higher level of review, such as Type II or Type III.

C. ***Preliminary Plat Approval Period.*** *Preliminary plat approval shall be effective for a period of two (2) years from the date of approval. The preliminary plat shall lapse if a final plat has not been submitted within the 2-year period. The Planning Commission may approve phased projects, including master planned developments, with overall time tables of more than two (2) years between preliminary and final plat approvals.*

Staff Response: If approved, preliminary plat approval shall be valid for two years from the date of approval.

D. ***Modifications and Extensions.*** *The applicant may request changes to the approved preliminary plat or conditions of approval following the procedures and criteria provided in Chapter 5-4.6 - Modifications. The City Planning Official may, upon written request by the applicant and payment of the required fee, grant one written extension of the approval period not to exceed one year; provided that:*
    1. *Any changes to the preliminary plat follow the procedures in Chapter 5-4.6;*
    2. *The applicant has submitted written intent to file a final plat within the one-year extension period;*
    3. *An extension of time will not prevent the lawful development of abutting properties;*
    4. *There have been no changes to the applicable Code provisions on which the approval was based. If such changes have occurred, a new preliminary plat application shall be required; and*
    5. *The extension request is made before expiration of the original approved plan.*

Staff Response: Modifications and extensions to the preliminary plat may be authorized in accordance with section (D), above.

E. Phased Development

1. *The City may approve a time schedule for developing a subdivision in phases, but in no case shall the actual construction time period (i.e., for required public improvements, utilities, streets) for any partition or subdivision phase be more than 2 years without reapplying for a preliminary plat;*
2. *The criteria for approving a phased land division proposal are:*
    a. *Public facilities shall be constructed in conjunction with or prior to each phase;*
    b. *The development and occupancy of any phase dependent on the use of temporary public facilities shall require City Council approval. Temporary facilities shall be approved only upon City receipt of bonding or other assurances to cover the cost of required permanent public improvements, in accordance with Section 5-4.3.110. A temporary public facility is any facility not constructed to the applicable City or district standard;*
    c. *The phased development shall not result in requiring the City or a third party (e.g., owners of lots) to construct public facilities that were required as part of approved development proposal; and*
    d. *The proposed time schedule for phased development approval shall be reviewed concurrently with the preliminary plat application, and the decision may be appealed in the same manner as the preliminary plat.*

Staff Response: Phased development is not proposed.

5-4.3.60 Preliminary Plat Submission Requirements

A. ***General Submission Requirements.*** *For all partitions (three or fewer parcels), the application shall contain all of the information required for a Type II procedure under Section 5-4.1.030, except as may be waived by the Planning Official. For all subdivisions (four or more lots) the application shall contain all of the information required for a Type III procedure under Section 5-4.1.040, and the information in subsections 1-3, below:*
    1. *Public Facilities and Services Impact Study. The impact study shall quantify and assess the effect of the development on public facilities and services. The City shall advise as to the scope of the study during the required pre-application conference (Section 5-4.1.060C). The study shall address, at a minimum, the transportation system, including pedestrian ways and bikeways, the drainage system, the parks system, the water system, and the sewer system. For each public facility system and type of impact, the study shall propose improvements necessary to meet City standards and to minimize the impact of the development on the public at large, public facilities systems, and affected private property users;*

2. *Traffic Impact Analysis, if required by the road authority. Traffic Impact Studies shall conform to the standards and procedures in Section 5-4.1.090; and*
3. *In situations where this Code requires the dedication of real property to the City, the City shall either (1) include in the written decision evidence that shows that the required property dedication is directly related to and roughly proportional to the projected impacts of the development on public facilities and services, or (2) delete the dedication as a condition of approval.*

Staff Response: Public facilities and Services impact study and a traffic study were completed as part of the review and approval process for the master plan. Oregon Department of Transportation has commented that the residential development does not trigger a turn lane on Highway 26 to access Bunchgrass Road. ODOT will continue to review and comment on subsequent development proposal for *The Ridge* master plan.

B. ***Preliminary Plat Information.*** *In addition to the general information described in Subsection A above, the preliminary plat application shall consist of drawings and supplementary written material (i.e., on forms and/or in a written narrative) adequate to provide the following information:*

1. ***General information:***
    1. *Name of subdivision (not required for partitions). This name must not duplicate the name of another subdivision in Grant County (please check with County Surveyor);*
    2. *Date, north arrow, and scale of drawing;*
    3. *Location of the development sufficient to define its location in the City, boundaries, and a legal description of the site;*
    4. *A title block including the names, addresses and telephone numbers of the owners of the subject property and, as applicable, the designer, and engineer and surveyor if any, and the date of the survey if submitted; and*
    5. *Identification of the drawing as a "preliminary plat".*

Staff Response: A preliminary partition plat was duly prepared by a licensed surveyor. The preliminary plat contains the information necessary for staff level review. Criterion met.

2. ***Site analysis:***
    1. *Streets: Location, name, present width of all streets, alleys and rights-of-way on and abutting the site;*

Staff Response: Bunchgrass Road is an existing dedicated road that comes off Highway 26. While not being reviewed here, the forthcoming residential development will utilize two private access roads used to internally provide access to the dwelling units. Four dwellings are proposed to take direct access from Bunchgrass Road.

2. *Easements: Width, location and purpose of all existing easements of record on and abutting the site;*

Staff Response: Proposed easements are shown on the tentative partition plat. There is a proposed 10' public storm drain easement shown on Sheet 02 located on the west side of Bunchgrass Road and south of North Ridge Road. There is a 36" storm line extending through the entire site but is proposed to be private. However, the storm line terminates and conveys water onto the open space seen on Sheet 02. This open space is city property and was dedicated as open space to the city as part of the master plan. Refer to Sheet 02 – **Exhibit D**.

3. *Utilities: Location and identity of all utilities on and abutting the site. If water mains and sewers are not on or abutting the site, indicate the direction and distance to the nearest one and show how utilities will be brought to standards;*

Staff Response: As seen on Sheet 02 (**Exhibit D**), utilities are shown and identified and will serve the proposed development.

4. *Ground elevations shown by contour lines at 2-foot vertical interval, except where the Public Works Director determines that larger intervals are adequate; i.e., for steep slopes. Such ground elevations shall be related to some established benchmark or other datum approved by the County Surveyor; the Director may waive this standard when grades, on average, are less than 6 percent;*

Staff Response: Sheets A010, 01, and 02, all show ground elevations (**Sheets A010, 01, and 02) included in this staff report as Exhibit D**).

5. *The location and elevation of the closest benchmark(s) within or adjacent to the site (i.e., for surveying purposes);*

Staff Response: The tentative plat was prepared in accordance with ORS 92.

6. *Potential natural hazard areas, including any areas identified as subject to a flood hazard as identified on FEMA Flood Insurance Rate Maps or as otherwise determined through site specific survey, areas subject to high water table, and areas designated by the City, County, or State as having a potential for geologic hazards;*

Staff Response: The lies within the Geological Hazard Overlay. A review and discussion of the Geological Hazard Overlay will be briefly discussed in this staff report, but Moreso applies to individual site development, which will occur as part of land use review for the proposed residential dwellings.

7. *Sensitive lands, including wetland areas, streams, wildlife habitat, and other areas identified by the City or natural resource regulatory agencies as requiring protection;*

Staff Response: There are no sensitive lands on the site.

8. *Site features, including existing structures, pavement, large rock outcroppings, areas having unique views, and drainage ways, canals and ditches;*

Staff Response: There are no significant site features of note other than was mentioned in the revised Geotech report. The site is currently vacant and consists of dirt, brushes and rocks.

9. *Designated historic and cultural resources on the site and adjacent parcels or lots;*

Staff Response: There are no known designated historic and cultural resources on the site or adjacent to the site.

10. *The location, size and species of trees having a caliper (diameter) of 6 inches or greater at 4 feet above grade in conformance with Chapter 5-3.2;*

Staff Response: Indication as to whether trees, their size and species exist on the property is not shown on the plat.

11. *North arrow and scale;*
12. *Name and address of project designer, if applicable; and*
13. *Other information, as deemed necessary by the City Planning Official for review of the application. The City may require studies or exhibits prepared by qualified professionals to address specific site features and code requirements.*

Staff Response: The tentative plat has these elements.

3. ***Proposed improvements:***
    1. *Public and private streets, tracts, driveways, open space and park land; location, names, right-of-way dimensions, approximate radius of street curves; and approximate finished street center line grades. All streets and tracts that are being held for private use and all reservations and restrictions relating to such private tracts shall be identified;*
    2. *Easements: location, width and purpose of all proposed easements;*

3. *Lots and private tracts (e.g., private open space, common area, or street): approximate dimensions, area calculation (e.g., in square feet), and identification numbers for all proposed lots and tracts;*
4. *Proposed uses of the property, including all areas proposed to be dedicated to the public or reserved as open space for the purpose of surface water management, recreation, or other use; potential location of future buildings;*
5. *Proposed improvements, as required by Article 5-3 (Design Standards), and timing of improvements (e.g., in the case of streets, sidewalks, street trees, utilities, etc.);*
6. *Preliminary location of development showing those future buildings can meet siting and dimensional standards of the district.*
7. *The proposed source of domestic water;*
8. *The proposed method of sewage disposal;*
9. *Proposed method of surface water drainage and treatment if required;*
10. *The approximate location and identity of other utilities, including the locations of street lighting fixtures;*
11. *Proposed railroad crossing or modifications to an existing crossing, if any, and evidence of contact with the affected railroad and the Oregon Department of Transportation Rail Division regarding proposed railroad crossing(s);*
12. *Changes to navigable streams, or other watercourses. Status of public access to these areas shall be shown on the preliminary plat, as applicable;*
13. *Identification of the base flood elevation for development of more than 2 lots or ½ acre, whichever is less. Written evidence of initiation of a Federal Emergency Management Agency (FEMA) flood plain map amendment shall be required when development is proposed to modify a designated 100-year flood plain. FEMA approval of the amendment shall be a condition of City land use approval.*
14. *Evidence of contact with from the road authority for any development requiring access to its facility(ies); and*
15. *Evidence of written notice to the applicable natural resource regulatory agency(ies) for any development within or adjacent to jurisdictional wetlands, rivers, streams or other regulated water bodies.*

Staff Response: The tentative partition plat to consolidate Lots 1 and 2 do not cause the need for any public improvements. However, the plat is being processed concurrently with site specific development plans to construct 18 residential dwelling units. No new streets are being created as Bunchgrass Road is already existing. New utilities, site grading, water and sewer improvements are planned for the development of residential dwellings. The residential development plans are being reviewed under LUR 25-02 and have been reviewed in consultation with the City Engineer and have undergone several significant revisions.

***A. 5-4.3.070 Approval Criteria: Preliminary Plat General Approval Criteria**. The City may approve, approve with conditions or deny a preliminary plat based on the following approval criteria:*

1. *The proposed preliminary plat complies with the applicable Development Code sections and all other applicable ordinances and regulations. At a minimum, the provisions of this Article, and the applicable chapters and sections of Article 5-2 (Land Use Districts) and Article 5-3 (Design Standards) shall apply. Where a variance is necessary to receive preliminary plat approval, the application shall also comply with the relevant sections of Article 5-5;*

Staff Response: For a review of Criterion #1, staff turn to the relevant Articles of the Development Code that are cited as being required for compliance in order for this criterion to be met.

The first element of Criterion #1 is whether the development complies with Article 5-2 (Land Use Districts). This review is straightforward: the property in question is zoned for residential uses, and those are the uses proposed for the subject property. Therefore, the Planning Commission should find that this first element of Criterion #1 is met.

The Design Standards of Article 5-3 will be reviewed and discussed under the Type I land use review for the proposed residential development.

2. *The proposed plat name is not already recorded for another subdivision and satisfies the provisions of ORS Chapter 92.*

Staff Response: The partition plat is not a traditional partition plat in that it does not create new units of land. Rather, it removes a common boundary line between Lots 1 and 2 of *The Ridge* Master Plan. Following the partition—or more accurately, the "replat"—Lots 1 and 2 will become one uniform parcel.

3. *The proposed streets, roads, sidewalks, bicycle lanes, pathways, utilities, and surface water management facilities are laid out so as to conform or transition to the plats of subdivisions and maps of major partitions already approved for adjoining property as to width, general direction and in all other respects. All proposed public improvements and dedications are identified on the preliminary plat;*

Staff Response: Since the property was already approved as part of *The Ridge* Master Plan, most of the public improvements review was conducted during the Planning Commission's approval of the plan in 2021. A new street—Bunchgrass Road—was created as a result of that approval and will serve as the primary point of ingress to both the master-planned area and the subject site for residential development. In addition to Bunchgrass Road, two new private roads, North Ridge Road and South Ridge Road,

will be constructed concurrently with site development. Both roads are proposed to be private, as shown on Sheet 02 (**Exhibit D**).

Stormwater drainage will be managed through two infiltration areas, labeled Area "A" and Area "B." Additionally, a 36-inch storm line will begin at Bunchgrass Road, run through the site to its northwest corner, and discharge into adjacent open space. This open space was accounted for in the original drainage design for the master plan. It is owned by the City and was formally dedicated as part of the master plan approval.

All proposed private common areas and improvements (e.g., homeowner association property) are identified on the preliminary plat; and

Staff Response: The 36-inch storm line will remain private, as the City rejected the applicant's initial proposal to dedicate it as a public easement. However, a 10-foot-wide public storm drain easement will be located on the west side of Bunchgrass Road. The City will not assume ownership or maintenance responsibilities for either of the stormwater infiltration areas.

4. *Evidence that any required State and federal permits have been obtained, or shall be obtained before approval of the final plat;*

Staff Response: The final plat itself does not cause any state or federal permits to be obtained. However, the individual site development will require an NPDES permit from DEQ because construction is larger than one-acre.

5. *Evidence that improvements or conditions required by the City, road authority, Grant County, special districts, utilities, and/or other service providers, as applicable to the project, have been or can be met; and*

Staff Response: ODOT has reviewed the proposal and has said that neither the partition nor the residential development triggers the need for a right-hand turn lane off Highway 26 onto Bunchgrass Road. ODOT will continue to review and comment on subsequent development proposals for *The Ridge*. Other improvements and utilities were discussed and provided as part of the master plan approval.

6. *If any part of the site is located within an Overlay Zone, or previously approved Master Planned Development, it shall conform to the applicable regulations and/or conditions.*

Staff Response: The property lines lie within the boundaries of the approved "*The Ridge* master planned development. When approving the master plan, the Planning Commission granted several variances from standard development requirements. These variances include: no requirement for street trees, sidewalks, curbs, or landscape buffers; no on-street parking; allowance for cul-de-sacs longer than 600 feet; elimination of street lighting; and a deferral of street paving until after final plat approval.

However, each lot is still required to have an approved lighting source installed at the beginning of the driveway (at the street) as development occurs. Individual homeowners will be responsible for installing the approved lighting source at the street-side entrance of their driveway, in accordance with the approved master plan.

Additionally, the master plan area lies within the Geological Hazard (GH) Overlay. Due to the increased risk of landslide hazards identified by the Oregon Department of Geology and Mineral Industries, the City's Development Code requires developers to obtain a permit for all construction, grading, and other development activities. This permitting process ensures that any proposed activity is reasonably safe from geological hazards. The standards and criteria of the GH Zone apply to all development activities, including proposals for individual residences, and are reviewed during Land Use Review prior to building permit approval.

To meet these requirements, the applicant retained Carlson Geotechnical to prepare an updated geotechnical report for the property. The site had previously undergone geotechnical exploration in 2006 and 2020. The new geotechnical report updates the findings and recommendations of those earlier studies and provides analysis specific to the subject property under consideration for partition and future residential development.

According to the report, the site presents a moderate risk of localized landsliding, liquefaction, and seismic forces, and a low risk of surface rupture. Carlson Geotechnical concludes that the site can be developed in accordance with the applicant's land use proposal, provided the recommendations in the report are followed. The report includes numerous recommendations, which are outlined in detail in the geotechnical report. Please refer to **Exhibit C** for the full report.

B. Layout and Design of Streets, Blocks and Lots. All proposed blocks (i.e., one or more lots bound by public streets), lots and parcels conform to the specific requirements below:

1. *All lots shall comply with the General Development Standards of the applicable land use district (Article 5-2), and the standards of Section 5-3.1.020.J Street Connectivity and Formation of Blocks.*

Staff Response: The partition does not create a singular new unit of land, rather it combines Lots 1 and 2 of The Ridge into one sole unit of land. No new streets are proposed nor necessary for the partition. The land use review for the residential dwellings will create two new private streets that access the interior of the residential dwellings, and access will take from Bunchgrass Road, which was constructed as part of The Ridge master plan.

2. *Setbacks shall be as required by the applicable land use district (Article 5-2).*

Staff Response: Setbacks will be verified at the time of Land Use Review before any construction is authorized and permitted.

3. *Each lot shall conform to the standards of Chapter 5-3.1 - Access and Circulation.*

Staff Response: Access and circulation will be addressed as part of land use review for the residential dwellings.

4. *Landscape or other screening may be required to maintain privacy for abutting uses. See Article 5-2 Land Use Districts and Chapter 5-3.2 Landscaping and Screening.*

Staff Response: Landscaping and screening apply to land use review; not applicable to partition.

5. *In conformance with the Uniform Fire Code, a 20-foot width fire apparatus access drive shall be provided to serve all portions of a building that are located more than 150 feet from a public right-of-way or approved access drive. See Chapter 5-3.1 Access and Circulation.*

Staff Response: A review of the fire code is not part of the partition process. Furthermore, no structures are proposed at this time. A review for fire compliance will occur upon individual site development.

6. *Where a common drive is to be provided to serve more than one lot, a reciprocal easement for access and maintenance rights shall be recorded with the approved subdivision or partition plat.*

Staff Response: There are no common drives proposed that serve more than one lot because the entirety of the eventual residential development is on one lot.

7. *All applicable engineering design standards for streets, utilities, surface water management, and easements shall be met.*

Staff Response: A review of these standards will be part of site-specific land use review for the proposed residential dwellings.

C. Conditions of Approval. *The City may attach such conditions as are necessary to carry out provisions of this Code, and other applicable ordinances and regulations, and may require reserve strips be granted to the City for the purpose of controlling access to adjoining undeveloped properties. See Chapter 5-3.4 Public Facilities.*

Staff Response: Should the Planning Commission find it necessary to attach conditions to preliminary partition plat approval, they may do so in order to carry out the provisions of the John Day Development Code.

3. STAFF RECOMMENDATION

Staff recommend the Planning Commission grant tentative partition plat approval subject to the following conditions:

Condition of Approval #1: A final partition plat shall be prepared in accordance with ORS 92. The final plat must be submitted to the City Manager for review, signature, and approval prior to recording with Grant County. Review of the final plat is subject to Type I administrative procedures. A final plat shall be submitted to the City within two years of preliminary approval and must comply with the standards set forth in Section 5-4.3.090, *Final Plat Submission Requirements and Approval Criteria*.

Informational Item – The applicant may receive land use approval from the City for the residential dwelling prior to the recording of the final plat; however, building permits shall not be issued, nor will the City sign off on the building permit application submitted to Grant County, until the final plat is recorded. This is because building review is contingent upon the extinguishment of the common property line between Lots 1 and 2 to ensure the residential structures meet required setbacks. This requirement will also be addressed and included in the Type I findings for land use review of the residential dwellings. City sign-off on the building permits is required before the applicant may proceed with the permit process through the Grant County Building Official.

It is important to note that residential development is not subject to review as part of the partition application. The Planning Commission's review is limited to the land division request to remove the common property line and combine two parcels. The residential development is being reviewed separately under the Type I land use review procedures.

4. EXHIBITS

A – Tentative Partition Plat

B – Notice materials

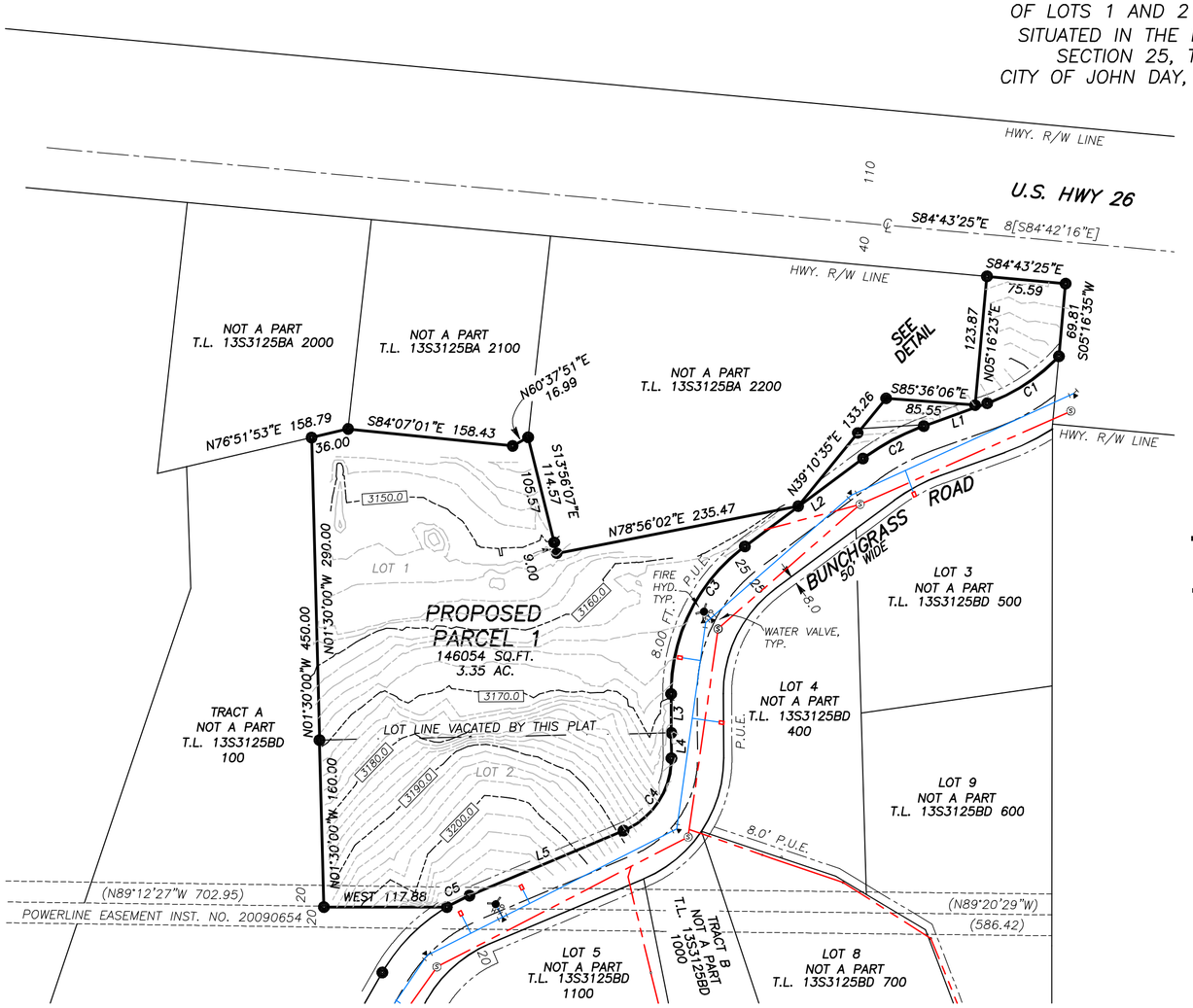
C – Geotechnical report

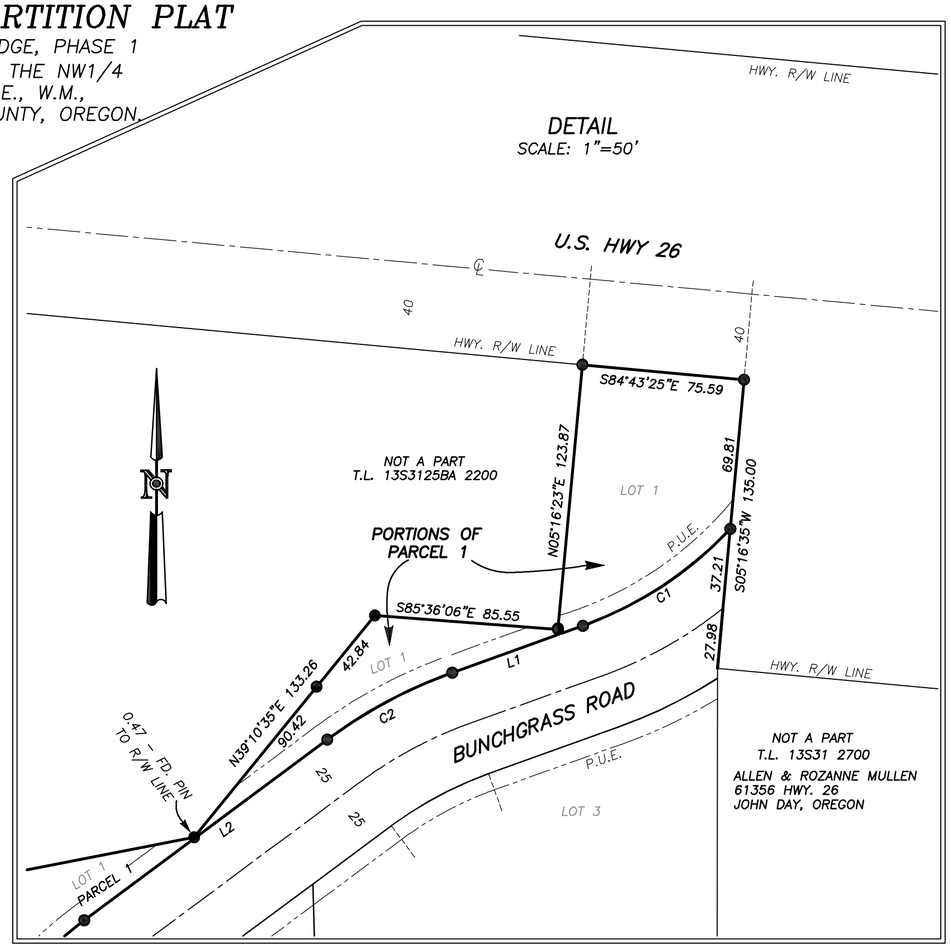
D – Sheets A010, 01, and 02.

EXHIBIT A

PRELIMINARY LAND PARTITION PLAT

OF LOTS 1 AND 2 OF THE RIDGE, PHASE 1
SITUATED IN THE NE1/4 AND THE NW1/4
SECTION 25, T.13S., R.31E., W.M.,
CITY OF JOHN DAY, GRANT COUNTY, OREGON.





LANDOWNERS

TAX MAP T.13S., R.31E., SEC. 25BA

T.L. 2000: Assembly of God
908 E. Main St.
John Day, OR 97845

T.L. 2100: The Church of Jesus Christ
910 E. Main St.
John Day, OR 97845

T.L. 2100: The Church of Jesus Christ
910 E. Main St.
John Day, OR 97845

TAX MAP T.13S., R.31E., SEC. 25BD

T.L. 100: Public

T.L. 400: James Ruesch
40 Iron St. #667
Tooele, UT 84074

T.L. 500: Mahogany Ridge Development, LLC
601 S. Canyon Blvd.
John Day, OR 97845

T.L. 700: Mahogany Ridge Development, LLC
601 S. Canyon Blvd.
John Day, OR 97845

T.L. 1000: Public

T.L. 1100: Mahogany Ridge Development, LLC
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LEGEND

- RECORD SURVEY MARKER
- FIRE HYDRANT
- WATER VALVE
- SAN. SEW. MANHOLE
- WATER VALVE
- WATER LINE
- SAN. SEW. LINE
- P.U.E. PUBLIC UTILITY EASEMENT

LINE TABLE

LINE	BEARING	DISTANCE
L1	S70°16'04"W	64.58
L2	S53°22'54"W	140.97
L3	S00°17'03"E	37.41
L4	S00°17'03"E	24.22
L5	S67°09'09"W	160.08

CURVE TABLE

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	175.00	27°09'12"	82.93	S56°41'28"W	82.16
C2	225.00	16°53'10"	66.31	S61°49'29"W	66.07
C3	175.00	53°39'57"	163.91	S26°32'55"W	157.99
C4	75.00	67°26'12"	88.27	S33°26'03"W	83.27
C5	175.00	7°57'03"	24.28	S63°10'37"W	24.26

PROPERTY OWNERS:

MODULAR ORGANIZED DEVELOPMENT SYSTEM, LLC
515 NW SALTZMAN ROAD #827
PORTLAND, OREGON 97229
(503) 710-0658

LEGAL DESCRIPTION:

LOT 1 AND LOT 2 OF THE RIDGE, PHASE 1

NOTE:

I FIND NO INDICATIONS OF A NATURAL HAZARD AREA, FEMA SPECIAL FLOOD HAZARD AREA OR HIGH WATER TABLE SITUATED ON LOTS 1 OR 2.

VERTICAL DATUM: NAVD88

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 9, 2002
MICHAEL C. SPRINGER
#70918

EXPIRES: 6/30/2026

BENCHMARK LAND SURVEYING

BENCHMARK LAND SURVEYING
217 N. CANYON BLVD. JOHN DAY, OREGON
541-620-0676 ~ mike@benchmarkls.com

PRELIMINARY PLAT OF LOTS 1 & 2 OF THE RIDGE
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SECTION 25, T.13S., R.31E., W.M.,
CITY OF JOHN DAY, GRANT COUNTY, OREGON.

SURVEYED FOR	MODULAR ORGANIZED DEVELOPMENT SYSTEM, LLC	
DRAWN BY	MCS	4/28/2025
SCALE: 1"=100'		

EXHIBIT B

AFFIDAVIT OF MAILING

LANE COUNCI L OF GOVERNMENTS
859 Willamette Street. Suite 500
Eugene, OR 97401

I, Henry Hearley, contracted planner, depose and state that I mailed, by regular first-class mail, on **June 27, 2025,** a notice of a public hearing for a partition at Map 13S-31E-25BE Lots 200 and 300 to the addresses contained herein. Addresses provided by applicant's surveyor as seen on tentative partition plat.

City File # PAR25-02 The Base Partition to Consolidate parcels

Henry Hearley
_____
Signature

Henry Hearley
_____
Print Name

CITY OF JOHN DAY

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

Land Partition – Type III Notice of Application
APPLICATION NO. PAR25-02

DATE OF NOTICE: June 27, 2025
APPLICANT: Kegan Flanderka, Base Design and Architecture
LOCATION: No address assigned
Map: 13S-31E-25-BE-02000 and 03000
SUBJECT: One-lot partition to consolidate lots

Dear Property Owner,

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

Requested Land Use Action:

One-lot partition to consolidate lots

Applicable Criteria:

5-4.3.050 – Preliminary Plat Approval Process. Processed in accordance with the Type III procedures under 5-4.1.040 because the partition is larger than one-acre.

Notice Requirements:
The purpose of this notice is to give nearby property owners and other interested people the opportunity to participate in the public hearing and submit oral or written comments about the application. The goal of this notice is to invite people to participate early in the decision-making process. The notice will be sent to all property owners within 100-feet of the subject site for which the application has been made and other appropriate agencies. A public hearing is required for a Type III process.

The John Day Planning Commission will hear this matter on August 13 at 6:30 PM. The hearing will be held at the John Day Fire Station at 316 S. Canyon Blvd.

Written comments received or presented in person to John Day City Manager , 450 East Main Street, John Day prior to August 4th by 4:00 p.m. will be included in the staff report. Oral testimony, in support, in opposition, or neutral, may be provided in person at the hearing.

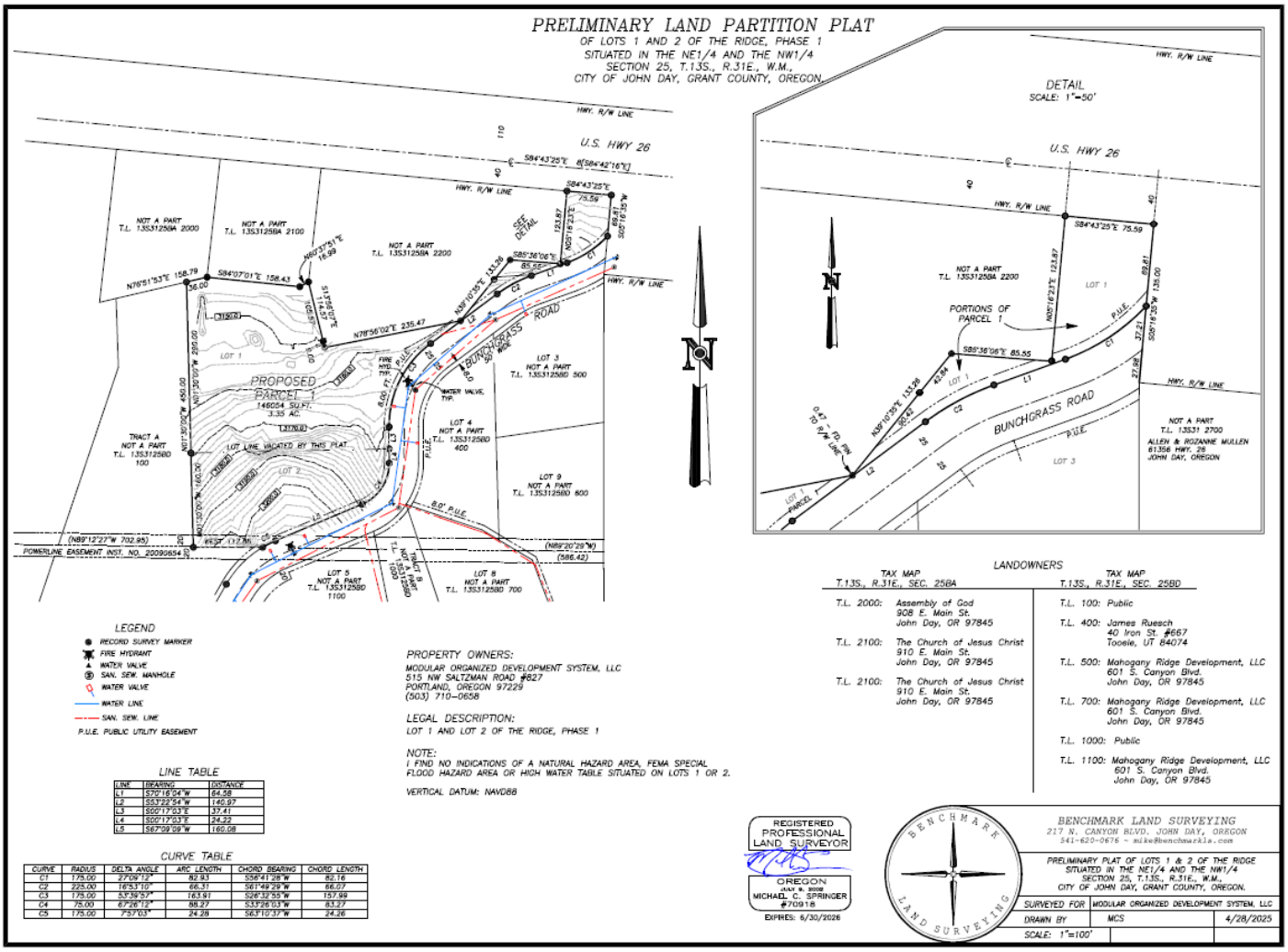
Issues must be addressed with sufficient specificity based on criteria with the John Day Development Code, upon which the Planning Commission must base its decision. Failure to address the relevant approval criteria with enough detail may preclude you to appeal to the Land Use Board of Appeals or Circuit Court on that issue. Only comments on the relevant approval criteria are considered relevant evidence.

All evidence relied upon will be in the public record and available for public review on May 7th at 5PM and staff report will be available at that time. 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 application should be directed to the Melissa Bethel, City Manager at 450 E. Main Street, by email to bethelm@grantcounty-or.gov or phone (541) 575-0028, Monday through Friday from 8:00 a.m. to 5:00 p.m.

Enclosure:

Preliminary Partition Plat



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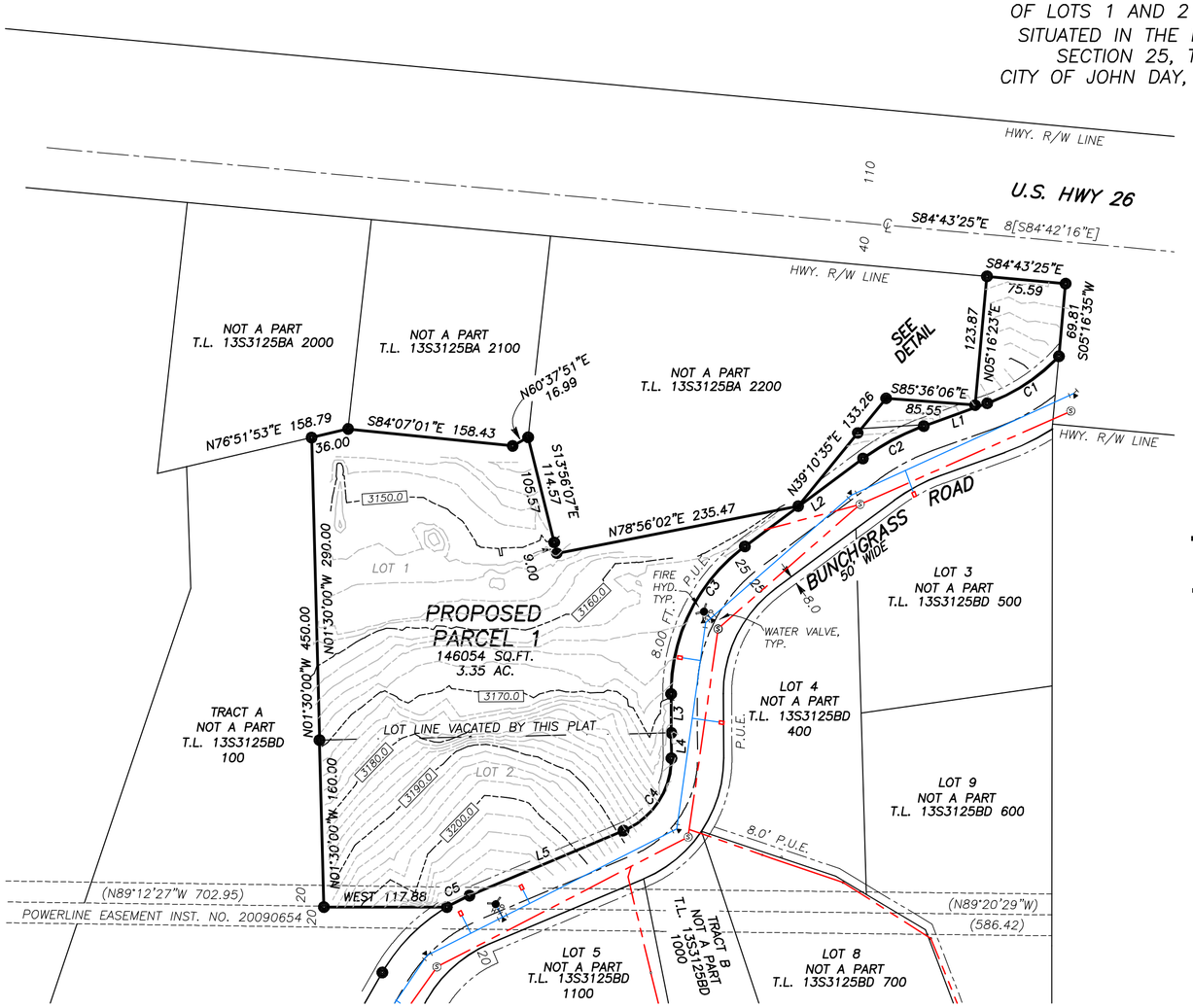

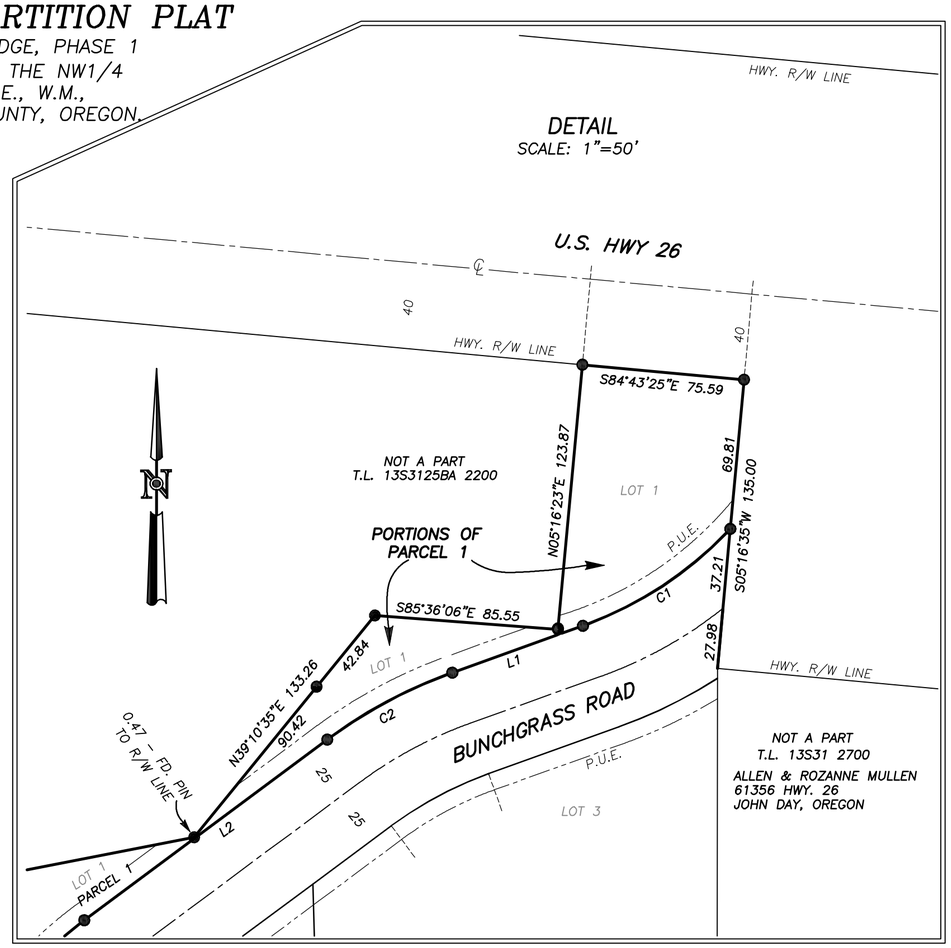

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REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
JULY 9, 2002
MICHAEL C. SPRINGER
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EXPIRES: 6/30/2026

BENCHMARK LAND SURVEYING

BENCHMARK LAND SURVEYING
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DRAWN BY	MCS	4/28/2025
SCALE: 1"=100'		

Carlson Geotechnical

A division of Carlson Testing, Inc.
Phone: (541) 330-9155
www.carlsontesting.com

Bend Office	(541) 330-9155
Eugene Office	(541) 345-0289
Salem Office	(503) 589-1252
Tigard Office	(503) 684-3460

EXHIBIT C

Report of
Updated Geotechnical Investigation & Infiltration Testing
The Ridge Development
South of Parcel at 944 East Main Street
John Day, Oregon

CGT Project Number B2502592

Prepared for

Nathan D. Young
Nathan D. Young Construction Inc.
2860 SE 39th Loop
Hillsboro, Oregon 97123

July 11, 2025

Carlson Geotechnical

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July 11, 2025

Nathan D. Young
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Hillsboro, Oregon 97123

Report of
Updated Geotechnical Investigation & Infiltration Testing
The Ridge Development
South of Parcel at 944 East Main Street
John Day, Oregon

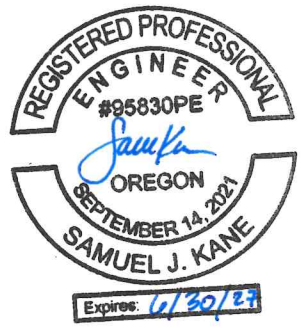
CGT Project Number B2502592

Dear Nathan D. Young:

Carlson Geotechnical (CGT), a division of Carlson Testing, Inc. (CTI), is pleased to submit this report summarizing the results of our updated geotechnical investigation and infiltration testing for the proposed The Ridge Development project. The site is located to the northwest of Bunchgrass Road in John Day, Oregon. A more specific project location if 44.413372°N, 118.932279°W. We performed our work in general accordance with CGT Proposal B25-070, dated June 25, 2025. Written authorization for our services was received on June 26, 2025.

We appreciate the opportunity to work with you on this project. Please contact us at (541) 330-9155 if you have any questions regarding this report.

Respectfully Submitted,
CARLSON GEOTECHNICAL



Gigi Stetler, G.I.T.
Geotechnical Staff III
gstetler@carlsontesting.com

Sam Kane, P.E.
Senior Geotechnical Engineer
skane@carlsontesting.com

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TABLE OF CONTENTS

ATTACHMENTS

1.0 INTRODUCTION

Carlson Geotechnical (CGT), a division of Carlson Testing, Inc. (CTI), is pleased to submit this report summarizing the results of our updated geotechnical investigation and infiltration testing for the proposed The Ridge Development project. The site is located to the northwest of Bunchgrass Road in John Day, Oregon. A more specific project location if 44.413372°N, 118.932279°W, as shown on the attached Site Location, Figure 1.

CGT previously completed a geotechnical investigation at the site, the results of which were presented in our August 2, 2006, "Report of Geologic Hazard Assessment & Preliminary Geotechnical Investigation, Strawberry View 80-Acre Subdivision, East of John Day" (CGT project number G0602826). CGT also provided an "Updated Geotechnical Report, Mahogany Ridge Subdivision" (CGT Project No. G2005305) dated July 7, 2020. We understand that our client was in the process of filing an application with the county to move forward with site development and the building official flagged the 2020 report, citing the last sentence in the report which states, "This report is subject to review and should not be relied upon after a period of three years". We also understand that proposed building locations and site features have now been finalized. Accordingly, CGT recommended that an updated geotechnical investigation report be prepared to address the current site development and the current version (2023) of the Oregon Residential Specialty Code (ORSC).

1.1 Project Information

CGT developed an understanding of the proposed project based on our correspondence with the project architect, Drew Shreiner of Base Design & Architecture (BDA) and review of the provided "Site Plan Proposed, prepared by BDA, dated March 14, 2025 and a set of grading plans prepared by Sisul Engineering, dated March 2025. Based on our review, we understand the project will include:

- Construction of eighteen new single-family residences at the site. Although no detailed structural drawings have been provided, we assume the new residences will be one- to two- stories and wood-framed, with slab-on-grade or post-and-beam ground floor construction and footprints of roughly 1,485 to 2,200 square feet. No below-grade (basement) levels are anticipated. For the purposes of this report, we have assumed maximum column, continuous wall, and uniform floor slab loads will be on the order of 25 kips, 2 kips per lineal foot (klf), and 150 pounds per square foot (psf), respectively.
- Construction of two new private roadways to serve the planned residential development. We anticipate that new roadways will be surfaced with asphalt concrete (AC) and that design of new pavements will rest with others.
- Current plans indicate stormwater runoff from new impervious areas of the site will be collected and diverted into onsite stormwater management facilities (swales). Two infiltration tests were requested to be performed at the site within locations of the new swales. See Appendix B for infiltration testing results. Design of infiltration facilities will rest with others
  The grading plan provided indicates permanent grade changes will include cuts and fills up to about 6 feet relative to existing site grades.

1.2 Project Approach

Recognizing that site development plans were preliminary in nature at the time of our previous reports, our previous investigation included only one exploration in the vicinity of the new development (test pit TP-10),

as shown on the attached Site Plan, Figure 2. Accordingly, additional explorations were recommended to refine our understanding of the subsurface conditions at the site. Based on our recent site visit, described in Section 2.2, it was evident that no significant lot grading has been performed at the site since our subsurface investigation in 2020. However, grading and construction of Bunchgrass Road located to the east of the project site was completed sometime between 2020 and 2023. Due to the locations of our previously completed test pit explorations and minimal grading activities this current report is presented as a complete, stand-alone geotechnical investigation report. The recommendations contained in this report supersede those presented in the above referenced 2020 report.

1.3 Scope of Services

Our scope of work included the following:

- Explore subsurface conditions at the site by observing the excavating seven test pits to practical refusal depths of up to about 7½ feet below ground surface (bgs). Details of the subsurface investigation are presented in Appendix A.
- Conduct infiltration testing in two of the test pits. Results of the infiltration testing are presented in Appendix B.
- Classify the soils encountered in the explorations in general accordance with ASTM D2488 (Visual-Manual Procedure).
- Provide an updated technical narrative describing surface and subsurface deposits, and local geology of the site, based on the results of our explorations and published geologic mapping.
- Provide updated recommendations for the Seismic Site Class, mapped maximum considered earthquake spectral response accelerations, and site seismic coefficients.
- Provide an updated qualitative evaluation of seismic hazards at the site, including earthquake-induced liquefaction, landsliding, and surface rupture due to faulting or lateral spread.
- Provide updated geotechnical recommendations for site preparation and earthwork.
- Provide updated geotechnical engineering recommendations for use in design and construction of shallow foundations, rigid retaining walls, floor slabs, and pavements.
- Provide this updated written report summarizing the results of our geotechnical investigation and recommendations for the project.

2.0 SITE DESCRIPTION

2.1 Site Geology

Available geologic mapping for the area[1] indicates that the site is underlain by Miocene Rattlesnake Formation sediments and tuffs. The sedimentary rocks typically consist of a semi-consolidated clay, sand, and gravel conglomerate (Tr). The tuff member of the Rattlesnake Formation (Trt) generally consists of rhyolite tuff, which ranges from densely welded near the upper portions of the unit, to poorly welded sections near the base of the unit. The Rattlesnake Formation tuff has a thickness of up to 100 feet in the John Day area, and makes up the “rim rock” along the tops of the cliffs in the area. Some areas of Columbia River Basalt have also been mapped in the immediate vicinity of the site.

[1] Schlicker, Herbert G., and Brooks, Howard. Engineering Geology of the John Day Area, Grant County, Oregon, 1975. Oregon Department of Geology and Mineral Industries.

The geologic map shows areas of landslide deposits across the northern end of the site. This map unit includes ancient landslides, active landslides, and surficial failures. The report accompanying the geologic map indicates that hillside slopes in landslide terrain should be considered potentially unstable, and may be unsuitable for development in areas. The report indicates that the softer areas of the Rattlesnake Formation sediments are especially vulnerable to failure where overlain by the welded tuff member of the Rattlesnake Formation.

During preparation of our 2006 report, John Day Land Development, LLC, (our original client) indicated that the Oregon Department of Transportation (ODOT) experienced a landslide on their property located several hundred feet east of the northeast corner of the site. This slide was reportedly activated by excavation at the base of the slope. The depth of the slide plain and the date of the slide is not known by CGT. The offsite slide was reportedly stabilized using a buttress fill, and has not reportedly experienced any additional movement.

2.2 Site Surface Conditions

The site consists of two tax lots totaling approximately 3.35-acres. The site was bordered by and existing church and residential development to the north, Bunchgrass Road to the east, and undeveloped large parcels of rangeland to the south and west. The site surface exhibited typical characteristics of landslide terrain, including hummocky topography and disrupted drainage patterns. Site gradients ranged from approximately 2H:1V to 4H:1V (horizontal: vertical) and elevations ranged from 3,135 feet above Mean Sea Level (MSL) along the northern boundary of the site to approximately 3,210 feet MSL along the southern boundary of the site. Site topography is shown on the Site Plan, attached as Figure 2.

The site was located on a north-facing slope dissected by two roughly parallel, north-trending drainages, which may run along ancient fault lines associated with the John Day Fault Zone. The largest of these drainages was located near the center of the site, and had a small stream flowing at the time of our 2006 investigation. A culvert was observed during our 2020 investigation under a graded roadbed along the northern property boundary.

CGT reviewed aerial photographs of the site to determine if any significant grading or vegetation removal has occurred since our 2020 investigation. Based on the aerial photographs, we determine Bunchgrass Road underwent grading activities and construction sometime between 2020 and 2023. Subsequent to 2023, changes between aerial photographs appear to be limited to vegetation growth.

We visited the site in July 2025 to observe existing site conditions. Based on our observations, grading associated with Bunchgrass Road was the only significant site development since 2020. No signs of erosion, instability, or headscarps were noted during our July 2025 site visit. Site layout and surface conditions at the time of our field investigation are shown on the attached Site Plan (Figure 2) and Site Photographs (Figure 3).

2.3 Subsurface Conditions

2.3.1 Subsurface Investigation & Laboratory Testing

Our subsurface investigation consisted of seven test pits (TP-1 through TP-7) completed on July 1, 2025. The approximate exploration locations are shown on the Site Plan, attached as Figure 2. In summary, the test pits were excavated to practical refusal depths ranging from about 3½ to 7½ feet bgs. Details regarding

the subsurface investigation, logs of the explorations, and results of laboratory testing are presented in Appendix A. Subsurface conditions encountered during our investigation are summarized below.

2.3.2 Subsurface Materials

Logs of the explorations are presented in Appendix A. The following describes each of the subsurface materials encountered at the site.

Undocumented Poorly Graded Sand with Silt Fill (SP-SM Fill)
Undocumented poorly graded sand with silt fill was encountered at the surface of test pit exploration TP-7 and extended to a depth of about 5 feet bgs. Undocumented fill refers to materials placed without (available) records of subgrade conditions or evaluation of compaction. The poorly graded sand with silt fill was typically brown to gray to black, moist, subrounded to subangular, fine- to coarse-grained, contained nonplastic fines, and varying amounts of subrounded to rounded gravel and cobbles up to 11 inches in diameter.

Silty Sand (SM)
Native silty sand was encountered at the surface of test pit explorations TP-1 through TP-5. This soil was typically medium dense to very dense, brown to tan to gray, moist, subangular to subrounded, fine- to medium-grained, contained nonplastic fines and varying amounts of subangular to subrounded gravel and cobbles up to 6 inches in diameter. This soil extended to depths of about 1-foot to 5½ feet where encountered.

Lean Clay (CL)
Underlying the silty sand in test pit explorations TP-1, TP-3, and TP-5 we encountered native lean clay (CL). This soil was typically stiff to hard, tan, moist, exhibited non- to medium plasticity, and contained trace amounts of subangular to subrounded cobbles up to 6 inches in diameter. The reference excavation equipment encountered practical digging refusal on these hard, strongly cemented soils within the test pits stated above at depths of about 4½ to 7 feet bgs.

Fat Clay with Sand (CH)
Underlying the silty sand in test pit exploration TP-4 we encountered native fat clay with sand (CH). This soil was typically stiff to hard, brown, wet to moist, exhibited high plasticity, contained subangular to subrounded, fine-grained sand and trace amounts of subrounded to rounded gravel up to ½-inch in diameter. The reference excavation equipment encountered practical digging refusal on this hard, strongly cemented soil within the test pit at a depth of about 5 feet bgs.

Poorly Graded Gravel with Silt (GP-GM)
Encountered at the surface of test pit exploration TP-6 and underlying the undocumented fill soils in test pit exploration TP-7 was native poorly graded gravel with silt (GP-GM). This soil was typically dense to very dense, brown to tan, moist, subangular to subrounded, up to 3 inches in diameter, contained nonplastic fines and varying amounts of subangular to subrounded cobbles up to 4 inches in diameter. The reference excavation equipment encountered practical digging refusal on these very dense, strongly cemented soils within the test pits stated above at depths of about 3½ to 7½ feet bgs.

2.3.3 Groundwater

We did not encounter groundwater within the depths explored at the site on July 1, 2025; however, the fine-grained soils (CL, CH) encountered in the test pits are considered conducive to the formation of perched groundwater conditions. To determine approximate regional groundwater levels in the area, we researched well logs available on the Oregon Water Resources Department (OWRD)[2] website for wells located within Section 25, Township 13 South, Range 31 East, Willamette Meridian. Our review indicated that groundwater levels in the area generally ranged from about 100 to 200 feet bgs. It should be noted groundwater levels vary with local topography. In addition, the groundwater levels reported on the OWRD logs often reflect the purpose of the well, so water well logs may only report deeper, confined groundwater, while geotechnical or environmental borings will often report any groundwater encountered, including shallow, unconfined groundwater. Therefore, the levels reported on the OWRD well logs referenced above are considered generally indicative of local water levels and may not reflect actual groundwater levels at the project site. We anticipate that groundwater levels will fluctuate due to seasonal and annual variations in precipitation, changes in site utilization, or other factors

3.0 GEOLOGIC HAZARD UPDATE

3.1 Additional Geologic Hazard Mapping

Since preparation of our 2020 report, no additional geologic hazard maps covering the site have been updated. However, CGT reviewed the following maps during preparation of this updated report in order to report any updated site changes since our 2020 site investigation.

3.1.1 Landsliding

The Statewide Landslide Information Database for Oregon (SLIDO)[3] show the landslide deposits/landslide topography on the project site, which was also described on the 1975 geologic map of the area described in Section 2.1 above. SLIDO does not provide significant detail regarding the landslide. No historic (recent) reactivations of the slide are shown on the mapping. Review of Lidar- (Light Detection and Ranging) based imagery available on SLIDO shows the landslide topography as well. The Lidar imagery shows the landslide topography as incised by streams and the features have been “softened” through gradual erosion, which is indicative of very old landslides in the area.

DOGAMI developed a statewide landslide susceptibility map[4] using the Lidar data, USGS topography, SLIDO historical landslide information, and the state geologic map. The landslide susceptibility hazard mapping available via the DOGAMI Oregon Statewide Geohazards Viewer[5] (HAZVU) indicates a “moderate” (landsliding possible) to “very high” (existing landslide deposits) for the site and surrounding properties based mainly on their relative slope gradients. The “very high” rating is due to the presence of a mapped, large-scale, prehistoric landslide discussed above. No obvious signs of recent, large-scale slope instability were

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[2] Oregon Water Resources Department, 2025. Well Log Records, *accessed July 2025*, from OWRD web site: http://apps.wrd.state.or.us/apps/gw/well_log/.

[3] Oregon Department of Geology and Mineral Industries, 2025. Statewide Landslide Information Database for Oregon (SLIDO), *accessed July 2025*, from DOGAMI web site: https://gis.dogami.oregon.gov/maps/slido/.

[4] Burns, William J, Mickelson, Katherine A., and Madin, Ian P, 2020. Landslide susceptibility overview map of Oregon. Oregon Department of Geology and Mineral Industries, Open-File Report O-16-02. Available on Oregon Statewide Geohazards Viewer, *accessed July 2025*, from DOGAMI web site: https://www.oregongeology.org/hazvu/.

[5] Oregon Department of Geology and Mineral Industries, 2025. Oregon Statewide Geohazards Viewer, *accessed July 2025*, from DOGAMI web site: https://www.oregongeology.org/hazvu/.

noted during our field observations in 2006, 2020 and 2025. Based on the geology of the site, the results of our 2020 field exploration, and the lack of reactivations of the ancient landslide, it is our opinion that localized, steep portions of the site present a moderate risk of localized landsliding. These slopes are located above the majority of the City of John Day, so the risk of landsliding impacting the site is similar to surrounding sites.

It should be noted that any construction within hillside areas inherently bears greater risk of slope instability. This risk increases in seismically active areas or areas of previous landslide activity. The owner, not CGT, must recognize and accept the risk of potential slope instability from causes beyond their control or as yet unrecognized.

3.2 Geologic Hazards Discussion

As indicated in Section 2.2 above, the surface conditions at the site in July 2025 were similar to that described in our 2020 report. Minor grading activities had been performed for the construction of Bunchgrass Road sometime between 2020 and 2023. No additional signs of slope instability or erosion were noted during our recent site reconnaissance.

Based on our review of the site plan, recent observation of site surface conditions, and our review of the relatively recent geologic hazard publications, we are of the opinion that the investigation findings presented in our 2020 report remain applicable for the finalized project. We conclude the site is geologically suitable for the proposed development as described in Section 1.1. We anticipate that with proper construction, grading, and stormwater management, the geology and topography of the site and the surrounding area will not adversely affect the proposed project and the project will have a minimum geologic impact on adjacent properties.

4.0 SEISMIC CONSIDERATIONS

4.1 Seismic Design

The 2023 Oregon Residential Specialty Code (2023 ORSC) requires the determination of seismic site class be determined in accordance with Chapter 20 of the American Society of Civil Engineers Minimum Design Loads for Buildings and Other Structures (ASCE 7-16). We have assigned the site as Site Class D (“Stiff Soil”) based on geologic mapping and subsurface conditions encountered during our investigation.

Seismic ground motion values were determined in accordance with Section R301.2.2 of the 2021 ORSC using the ASCE Hazard Tool on the ASCE website[6]. The Seismic Design Category was determined from Table R301.2.2.1.1 of the 2023 ORSC. The site Latitude 44.413372° North and Longitude 118.932279° West were input as the site location. The following table shows the recommended seismic design parameters for the site.

[6] American Society of Civil Engineers (ASCE), 2025. USGS seismic design parameters determined using “ASCE Hazard Tool,” *accessed July 2025*, from the ASCE website https://ascehazardtool.org/.

Table 1 Seismic Ground Motion Values

Parameter		Value
Mapped Acceleration Parameters	Spectral Acceleration, 0.2 second (S_s)	0.311g
Coefficients (Site Class D)	Site Coefficient, 0.2 second (F_A)	1.551
Adjusted MCE Spectral Response Parameters	MCE Spectral Acceleration, 0.2 second (S_{MS})	0.482g
Design Spectral Response Accelerations	Design Spectral Acceleration, 0.2 second (S_{DS})	0.321g
Seismic Design Category (Risk Category II)		B

4.2 Seismic Hazards

4.2.1 Liquefaction

In general, liquefaction occurs when deposits of loose/soft, saturated, cohesionless soils, generally sands and silts, are subjected to strong earthquake shaking. If these deposits cannot drain quickly enough, pore water pressures can increase, approaching the value of the overburden pressure. The shear strength of a cohesionless soil is directly proportional to the effective stress, which is equal to the difference between the overburden pressure and the pore water pressure. When the pore water pressure increases to the value of the overburden pressure, the shear strength of the soil approaches zero, and the soil can liquefy. The liquefied soils can undergo rapid consolidation or, if unconfined, can flow as a liquid. Structures supported by the liquefied soils can experience rapid, excessive settlement, shearing, or even catastrophic failure.

For fine-grained soils, susceptibility to liquefaction is evaluated based on penetration resistance and plasticity, among other characteristics. Criteria for identifying non-liquefiable, fine-grained soils are constantly evolving. Current practice to identify non-liquefiable, fine-grained soils is based on moisture content and plasticity characteristics of the soils[7,8,9]. The susceptibility of sands, gravels, and sand-gravel mixtures to liquefaction is typically assessed based on penetration resistance, as measured using SPTs, CPTs, or Becker Hammer Penetration tests (BPTs).

The Oregon Department of Geology and Mineral Industries' Oregon Statewide Geohazards Viewer (HazVu)[10] shows a moderate hazard for liquefaction at the site. This is based on the site being mapped as ancient landslide deposits, which are automatically considered by Hazvu to be potentially liquefiable, an inherent limitation with the State's broad mapping system.

Based on the lack of saturated conditions, and the relative density/consistency of the soils encountered within our explorations are considered non-liquefiable. Based on review of geologic mapping and our

[7] Seed, R.B. et al., 2003. Recent Advances in Soil Liquefaction Engineering: A Unified and Consistent Framework. Earthquake Engineering Research Center Report No. EERC 2003-06.

[8] Bray, Jonathan D., Sancio, Rodolfo B., et al., 2006. Liquefaction Susceptibility of Fine-Grained Soils, Journal of Geotechnical and Geoenvironmental Engineering, Volume 132, Issue 9, September 2006.

[9] Idriss, I.M., Boulanger, R.W., 2008. Soil Liquefaction During Earthquakes, Earthquakes Engineering Research Institute Monograph MNO-12.

[10] Oregon Department of Geology and Mineral Industries, 2025. Oregon Statewide Geohazards Viewer, *accessed July 2025*, from DOGAMI web site: https://www.oregongeology.org/hazvu/.

previous experience in the area, we do not anticipate liquefiable conditions are present below those explored as part of this assignment.

4.2.2 Slope Instability

As discussed in Section 3.1 above, the SLIDO, available at the DOGAMI website[11], shows the site is underlain by ancient landslide deposits. No historic landslides are located at or in the immediate vicinity of the site.

The site has relatively low seismic coefficients, but contains localized steep slopes. Based on the geology of the site, the absence of groundwater in the test pits, and proposed minimal changes in site grades, the risk of localized slope instability *due to seismic forces* at the site is considered moderate. If the property owner wishes to further define the risk of slope instability at the site, a quantitative slope stability analysis could be performed. Such an analysis would require borings using powered drilling equipment, and is outside the scope of this assignment.

4.2.3 Surface Rupture

4.2.3.1 Faulting

Although the site is situated in a region of the country with known active faults and historic seismic activity, no known faults exist on or immediately adjacent to the site. Therefore, the risk of surface rupture at the site due to faulting is considered low.

4.2.3.2 Lateral Spread

Surface rupture due to lateral spread can occur on sites underlain by liquefiable soils that are located on or immediately adjacent to slopes steeper than about 3 degrees (20H:1V), and/or adjacent to a free face, such as a stream bank or the shore of an open body of water. During lateral spread, the materials overlying the liquefied soils are subject to lateral movement downslope or toward the free face. Based on the non-liquefiable nature of the soils at the site, the risk of damage associated with lateral spread is negligible.

5.0 CONCLUSIONS

Based on the results of our field explorations and analyses, the site may be developed as described in Section 1.1 of this report, provided the recommendations presented in this report are incorporated into the design and development.

Satisfactory subgrade support for new shallow foundations, rigid retaining walls, and floor slabs can be achieved by the native medium dense/medium stiff to better silty sand (SM), lean clay (CL), poorly graded gravel with silt (GP-GM), or structural fill that is properly placed and compacted on these materials during construction. However, where fat clay with sand soils (CH) are encountered at design subgrade elevations for new shallow foundations, rigid retaining walls and floor slabs, we recommend a minimum of 12 inches of imported granular structural fill (granular pad) be placed over the subgrade in accordance with Sections 6.6 and 6.8 of this report.

The primary geotechnical considerations for this project include:

[11] Oregon Department of Geology and Mineral Industries, 2025. Statewide Landslide Information Database for Oregon (SLIDO), *accessed July 2025*, from DOGAMI web site: https://gis.dogami.oregon.gov/maps/slido/.

- The presence of steep hummocky topography observed across the site.
- The presence of undocumented fill encountered at the north end of the site.
- The presence of near-surface potentially expansive soils encountered along the west boundary of the site.
- The presence of near-surface, moisture sensitive soils that are susceptible to disturbance during wet weather.

These considerations are discussed in greater detail in the following sections.

5.1 Limit Over-Steepening Slopes

As indicated in Section 2.2 above, the site exhibited typical characteristics of landslide terrain, including hummocky topography and disrupted drainage patterns. Site gradients ranged from approximately 2H:1V to 4H:1V (horizontal:vertical) and elevations ranged from 3,135 feet above Mean Sea Level (MSL) along the northern boundary of the site to approximately 3,210 feet MSL along the southern boundary of the site. Permanent grade changes in sloping areas of the site should be limited to the extent possible. The addition of water to the site through excessive irrigation, infiltration of stormwater from new impervious areas, or infiltration of sanitary discharge is not recommended, as these activities inherently increase the potential for instability of the slopes. All stormwater runoff and sewage should be collected and routed to suitable offsite discharge location(s) approved by the project civil engineer and local jurisdiction.

5.2 Undocumented Fills

As indicated above, we encountered undocumented fill (SP-SM Fill) at the surface of test pit exploration TP-7 and extended to a depth of 5 feet bgs. The fill material observed within this test pit was generally variable in terms of relative density. Due to its variable relative density, we conclude the existing fill material was not placed and compacted in accordance with typical code requirements for structural fill. Accordingly, the existing fill material is not recommended for subgrade support of building foundations or floor slabs, due to the inherent risk of (1) uneven subgrade response once loads are applied, and (2) excessive, long-term, total differential settlements. This material may be deeper or shallower at locations away from the completed exploration. Where encountered at design subgrade elevations for shallow foundations and floor slabs associated with the new development, we recommend that existing fill materials be removed and replaced with structural fill and compacted in accordance with the recommendations provided in Section 6.4.2 below. Additionally, we do not recommend that stormwater collected from new impervious areas of the site be allowed to infiltrate into the undocumented fill encountered at the site. We recommend that stormwater be captured and conveyed through the undocumented fill material and be allowed to infiltrate into the underlying native soils. The geotechnical engineer should be consulted to review design concepts related to stormwater infiltration facilities to ensure this recommendation has been met.

5.3 Expansive Potential

The near-surface fat clay with sand soil (CH) exhibited generally high plasticity, with a plasticity index of 39. Based on the plasticity index, the fat clay with sand soil has a high expansive potential[12]. Foundations, floor slabs, and pavements founded directly on this soil may be subject to cyclic shrink-swell movements that can result in differential movements and distress. We recommend measures be taken to protect foundations,

[12] Day, Robert W. 2005. Table 9.1 – Typical Soil Properties versus Expansion Potential *in* Foundation Engineering Handbook: Design and Construction with the 2006 International Building Code. Published by McGraw-Hill Companies, Inc.

floor slabs, and pavements from the potentially damaging effects of shrink-swell movements. Geotechnical recommendations for treatment of the potentially expansive fat clay with sand soil below the structures at the site are presented later in this report.

5.4 Subgrade Moisture Sensitivity

The near-surface silty and clayey soils (SM, CL, CH) are susceptible to disturbance during wet weather. Trafficability of these soils may be difficult, and significant damage to the subgrade could occur, if earthwork is undertaken without proper precautions at times when the exposed soils are more than a few percentage points above optimum moisture content. In the event that construction occurs during wet weather, CGT recommends that measures be implemented to protect the fine-grained (clayey) subgrade in areas of repeated construction traffic. Geotechnical recommendations for wet weather construction are presented in Section 6.3 of this report.

6.0 RECOMMENDATIONS

The recommendations presented in this report are based on the information provided to us, results of our 2006, 2020 and 2025 field investigations and analyses, laboratory data, and professional judgment. CGT has observed only a small portion of the pertinent subsurface conditions. The recommendations are based on the assumptions that the subsurface conditions do not deviate appreciably from those found during the field investigation. CGT should be consulted for further recommendations if the design of the proposed development changes and/or variations or undesirable geotechnical conditions are encountered during site development.

6.1 Site Preparation

6.1.1 Stripping

Existing vegetation, rooted soils, should be removed from within, and for a minimum 5-foot margin around, proposed building pad and pavement areas. Based on the results of our field explorations, topsoil stripping depths are anticipated to be less than ½-foot bgs. Based on the results of our field explorations, undocumented fill was encountered within test pit TP-7 and extended to a depth of 5 feet bgs. These materials may be deeper or shallower at locations away from the completed explorations. The geotechnical engineer's representative should provide recommendations for actual stripping depths based on observations during site stripping. Stripped surface vegetation and rooted soils should be transported off-site for disposal, or stockpiled for later use in landscaped areas. Stripped, inorganic fill materials should be transported off-site for disposal, or may be stockpiled for later use as structural fill as described in Section 6.4.1 of this report.

6.1.2 Grubbing

Grubbing of trees should include the removal of the root mass and roots greater than ½-inch in diameter. Grubbed materials should be transported off-site for disposal. Root masses from larger trees may extend greater than 3 feet bgs. Where root masses are removed, the resulting excavation should be properly backfilled with structural fill in conformance with Section 6.4.2 of this report.

6.1.3 Test Pit Backfills

The test pits conducted at the site were loosely backfilled during our field investigation. Where test pits are located within finalized building, structural fill, or pavement areas, the loose backfill materials should be re-

excavated. The resulting excavations should be backfilled with structural fill in conformance with Section 6.4 of this report.

6.1.4 Existing Utilities & Below-Grade Structures

All existing utilities at the site should be identified prior to excavation. Abandoned utility lines beneath the new building, pavements, and hardscaping features should be completely removed or grouted full. Soft, loose, or otherwise unsuitable soils encountered in utility trench excavations should be removed and replaced with structural fill in conformance with Section 6.4 this report. Buried structures (i.e. footings, foundation walls, retaining walls, slabs-on-grade, tanks, etc.), if encountered during site development, should be completely removed and replaced with structural fill in conformance with Section 6.4 of this report.

6.1.5 Subgrade Preparation - Building Pad, Pavement Areas, and Areas to Receive Structural Fill

After site preparation as recommended above, but prior to placement of structural fill and/or aggregate base, the geotechnical engineer or their representative should observe the exposed subgrade soils in order to identify areas of excessive yielding through either proof rolling or probing. Proof rolling of subgrade soils is typically conducted during dry weather using a fully-loaded, 10- to 12-cubic-yard, tandem-axle, tire-mounted, dump truck or equivalent weighted water truck. Areas of limited access or that appear too soft or wet to support proof rolling equipment should be evaluated by probing. During wet weather, subgrade preparation should be performed in general accordance with the recommendations presented in Section 6.3 of this report. If areas of soft soil or excessive yielding are identified, the affected material should be over-excavated to firm, unyielding subgrade, and replaced with imported granular structural fill in conformance with Section 6.4.2 of this report.

Preparation of subgrade soils during wet weather should be in conformance with Section 6.3 of this report. As indicated therein, increased base rock sections and a geotextile separation fabric may be required in wet conditions in order to support construction traffic and protect the subgrade.

6.1.6 Freezing Weather Considerations

For construction that occurs during extended periods of sub-freezing temperatures, the following special provisions are recommended:

- Structural fill should not be placed over frozen ground.
- Frozen soil should not be placed as structural fill.
- Fine-grained (silty) soils should not be placed as structural fill during sub-freezing temperatures.

Identification of frozen soils at the site should be in accordance with ASTM D4083-01 “Standard Practice for Description of Frozen Soils” or other approved method. The geotechnical engineer can aid the contractor with supplemental recommendations for earthwork that will take place during extended periods of sub-freezing weather, as required.

6.1.7 Erosion Control

Erosion and sedimentation control measures should be employed in accordance with applicable City, County, and State regulations.

6.2 Temporary Excavations

6.2.1 Overview

Within the upper 3½ to 7½ feet of the onsite soils, conventional earthmoving equipment in proper working condition should be capable of making necessary excavations for the anticipated site cuts as described earlier in this report. However, where temporary excavations extend below 3½ to 7½ feet (i.e. into zones of increased cementation), we anticipate significant excavation effort with toothed buckets (or similar) may be required to facilitate the removal of very dense onsite soils. All excavations should be in accordance with applicable OSHA and state regulations. It is the contractor's responsibility to select the excavation methods, to monitor site excavations for safety, and to provide any shoring required to protect personnel and adjacent improvements. A “competent person”, as defined by OR-OSHA, should be on-site during construction in accordance with regulations presented by OR-OSHA. CGT’s current role on the project does not include review or oversight of excavation safety.

6.2.2 OSHA Soil Type

For use in the planning and construction of temporary excavations up to 10 feet in depth, an OSHA soil type “C” should be used for the interbedded fine-grained and granular soils encountered in the test pits. In the event the contractor desires to increase the inclination of temporary cut slopes during construction, the geotechnical engineer should be consulted to provide specific recommendations on a case-by-case basis.

6.2.3 Utility Trenches

Temporary trench cuts should stand near vertical to depths of approximately 4 feet bgs in the native soils (SM, CL, GP-GM, CH) encountered at the site. If caving of the sidewalls is observed during excavation, the sidewalls should be flattened or shored. Depending on the time of year trench excavations occur, trench dewatering may be required in order to maintain dry working conditions. If groundwater is present at the base of utility excavations, we recommend placing trench stabilization material at the base of the excavations. Trench stabilization material should be in conformance with Section 6.4.3 of this report.

6.2.4 Excavations Near Foundations

Excavations near footings should not extend within a 1 horizontal to 1 vertical (1H:1V) plane projected out and down from the outside, bottom edge of the footings. In the event excavation needs to extend below the referenced plane, temporary shoring of the excavation and/or underpinning of the subject footing may be required. The geotechnical engineer should be consulted to review proposed excavation plans for this design case to provide specific recommendations.

6.3 Wet Weather Considerations

Notwithstanding the generally arid conditions of the John Day area, soil conditions should be evaluated in the field by the geotechnical engineer’s representative at the initial stage of site preparation to determine whether the recommendations within this section should be incorporated into construction.

6.3.1 Overview

Due to their fines content, the near-surface soils (SM, CL, GP-GM, CH) are moisture sensitive and susceptible to disturbance during wet weather. Trafficability of these soils may be difficult, and significant damage to subgrade soils could occur, if earthwork is undertaken without proper precautions at times when the exposed soils are more than a few percentage points above optimum moisture content. Site preparation

activities may need to be accomplished using track-mounted equipment, loading removed material onto trucks supported on granular haul roads, or other methods to limit soil disturbance. The geotechnical engineer or their representative should evaluate the subgrade during excavation by probing rather than proof rolling. Soils that have been disturbed during site preparation activities, or soft or loose areas identified during probing, should be over-excavated to firm, unyielding subgrade, and replaced with imported granular structural fill in conformance with Section 6.4.2 of this report.

6.3.2 Geotextile Separation Fabric

We recommend a geotextile separation fabric be placed to serve as a barrier between the prepared subgrade and granular fill/base rock in areas of repeated or heavy construction traffic. The geotextile fabric should meet the requirements presented in the current Oregon Department of Transportation Standard Specification for Construction (ODOT SSC), Section 02320.

6.3.3 Granular Working Surfaces (Haul Roads & Staging Areas)

Haul roads subjected to repeated heavy, tire-mounted, construction traffic (e.g. dump trucks, concrete trucks, etc.) will require a minimum of 18 inches of imported granular material. For light staging areas, 12 inches of imported granular material is typically sufficient. Additional granular material or geo-grid reinforcement may be recommended based on site conditions and/or loading at the time of construction. The imported granular material should be in conformance with Section 6.4.2 and have less than 5 percent material passing the U.S. Standard No. 200 Sieve. The prepared subgrade should be covered with geotextile fabric (Section 6.3.2) prior to placement of the imported granular material. The imported granular material should be placed in a single lift (up to 24 inches deep) and compacted using a smooth-drum, non-vibratory roller until well-keyed.

6.3.4 Footing Subgrade Protection

A minimum of 3 inches of imported granular material is recommended to protect fine-grained footing excavation subgrades from foot traffic during inclement weather. The imported granular material should be in conformance with Section 6.4.2. The maximum particle size should be limited to 1 inch. The imported granular material should be placed in one lift over the prepared, undisturbed subgrade, and compacted using non-vibratory equipment until well keyed.

6.4 Structural Fill

The geotechnical engineer should be provided the opportunity to review all materials considered for use as structural fill (prior to placement). Samples of the proposed fill materials should be submitted to the geotechnical engineer a minimum of 5 business days prior their use on site[13]. The geotechnical engineer or their representative should be contacted to evaluate compaction of structural fill as the material is being placed. Evaluation of compaction may take the form of in-place density tests and/or proof roll tests with suitable equipment. Structural fill should be evaluated at intervals not exceeding every 2 vertical feet as the fill is being placed.

The following table presents recommended guidelines for frequency of density testing (where practical) of various fill designations.

[13] Laboratory testing for moisture density relationship (Proctor) is required. Tests for gradation may be required.

Table 2 Recommended Guidelines for Frequency of Density Testing

Fill Designation	Recommended Frequency of Density Tests	
	Maximum Depth Interval	Area-Wide
General Structural Fill (Mass Grading)	Test every 2 vertical feet	At least one density test per 4,000 feet^2 of fill area
Utility Trench Backfill$^\alpha$	Test every 2 vertical feet	At least one density test per 100 feet of trench line
Pavement Base Rock$^\alpha$	Test at surface of section	At least one density test per 4,000 feet^2 of base rock area
$^\alpha$Testing frequency within the public right-of-way should be in conformance with the local jurisdiction requirements.		

6.4.1 On-Site Soils – General Use

6.4.1.1 Silty Sand (SM), Silty Sand with Gravel (SM) & Undocumented Poorly Graded Sand with Silt Fill (SP-SM Fill)

Re-use of these soils as structural fill may be difficult because they are sensitive to small changes in moisture content and difficult to adequately compact during wet weather. Moisture-conditioning (wetting) should be expected in order to achieve adequate compaction. If used as structural fill, these soils should be kept free of organic matter, debris, and particles larger than 4 inches. Processing (removal) of organics, debris, and large cobbles and boulders may be required in some areas of the site, and should be factored. When used as structural fill, these soils should be placed in lifts with a maximum thickness of about 9 inches at moisture contents within –1 and +3 percent of optimum, and compacted to not less than 92 percent of the material's maximum dry density as determined in accordance with ASTM D1557 (Modified Proctor).

6.4.1.2 Poorly Graded Gravel with Silt (GP-GM)

Re-use of the on-site, relatively clean, gravelly soils as structural fill is feasible, provided the materials are kept clean of organics, debris, and particles larger than 4 inches in diameter. Re-use of the on-site poorly graded gravel with silt may require processing (removal) of large cobbles. If reused as structural fill, these materials should be prepared in general accordance with Section 6.4.2.

6.4.1.3 Fat Clay with Sand (CH) & Lean Clay (CL)

Due to the moisture-sensitivity of these materials and its relatively high expansive potential, we do not recommend the onsite fat clay with sand or the lean clay be used as structural fill. If proposed as structural fill, we recommend granular structural fill in conformance with Section 6.4.2 be used instead.

If the on-site materials cannot be properly moisture-conditioned and/or processed, we recommend using imported granular material for structural fill.

6.4.2 Imported Granular Structural Fill – General Use

Imported granular structural fill should consist of angular pit or quarry run rock, crushed rock, or crushed gravel that is fairly well graded between coarse and fine particle sizes. The granular fill should contain no organic matter, debris, or particles larger than 4 inches, and have less than 10 percent material passing the U.S. Standard No. 200 Sieve. For fine-grading purposes, the maximum particle size should be limited to 1½ inches. The percentage of fines can be increased to 15 percent of the material passing the U.S. Standard No. 200 Sieve if placed during dry weather, and provided the fill material is moisture-conditioned, as necessary, for proper compaction. Imported granular fill material should be placed in lifts with a maximum thickness of about 12 inches, and compacted to not less than 95 percent of the material's maximum dry density, as determined in general accordance with ASTM D1557 (Modified Proctor). Proper moisture conditioning and the use of vibratory equipment will facilitate compaction of these materials.

Granular fill materials with high percentages of particle sizes in excess of 1½ inches are considered non-moisture-density testable materials. As an alternative to conventional density testing, compaction of these materials should be evaluated by proof roll test observation (deflection tests), where accepted by the geotechnical engineer.

6.4.3 Trench Base Stabilization Material

If groundwater is present at the base of utility excavations, trench base stabilization material should be placed. Trench base stabilization material should consist of a minimum of 1 foot of well-graded granular material with a maximum particle size of 4 inches and less than 5 percent material passing the U.S. Standard No. 4 Sieve. The material should be free of organic matter and other deleterious material, placed in one lift, and compacted until well-keyed.

6.4.4 Trench Backfill Material

Trench backfill for the utility pipe base and pipe zone should consist of granular material as recommended by the utility pipe manufacturer. Trench backfill above the pipe zone should consist of well-graded granular material containing no organic matter or debris, have a maximum particle size of ¾ inch, and have less than 8 percent material passing the U.S. Standard No. 200 Sieve. As a guideline, trench backfill should be placed in maximum 12-inch-thick lifts. The earthwork contractor may elect to use alternative lift thicknesses based on their experience with specific equipment and fill material conditions during construction in order to achieve the required compaction. The following table presents recommended relative compaction percentages for utility trench backfill.

Table 3 Utility Trench Backfill Compaction Recommendations

Backfill Zone	Recommended Minimum Relative Compaction	
	Structural Areas[1,2]	Landscaping Areas
Pipe Base and Within Pipe Zone	90% ASTM D1557 or pipe manufacturer's recommendation	88% ASTM D1557 or pipe manufacturer's recommendation
Above Pipe Zone	92% ASTM D1557	90% ASTM D1557
Within 3 Feet of Design Subgrade	95% ASTM D1557	90% ASTM D1557

1 Includes proposed building, pavement areas, structural fill areas, exterior hardscaping, etc.
2 Or as specified by the local jurisdiction where located in the public right of way.

6.4.5 Controlled Low-Strength Material (CLSM)

CLSM is a self-compacting, cementitious material that is typically considered when backfilling localized areas. CLSM is sometimes referred to as "controlled density fill" or CDF. Due to its flowable characteristics, CLSM typically can be placed in restricted-access excavations where placing and compacting fill is difficult. If chosen for use at this site, we recommend the CLSM be in conformance with Section 00442 of the most recent, ODOT SSC. The geotechnical engineer's representative should observe placement of the CLSM and obtain samples for compression testing in accordance with ASTM D4832. As a guideline, for each day's placement, two compressive strength specimens from the same CLSM sample should be tested. The results of the two individual compressive strength tests should be averaged to obtain the reported 28-day compressive strength. If CLSM is considered for use on this site, please contact the geotechnical engineer for site-specific and application-specific recommendations.

6.5 Permanent Slopes

6.5.1 Overview

Permanent cut or fill slopes constructed at the site, if any, should be graded at 2H:1V or flatter. Constructed slopes should be overbuilt by a few feet depending on their size and gradient so that they can be properly compacted prior to being cut to final grade. The surface of all slopes should be protected from erosion by seeding, sodding, or other acceptable means. Adjacent on-site and off-site structures should be located at least 5 feet from the top of slopes.

6.5.2 Placement of Fill on Slopes

New fill should be placed and compacted against horizontal surfaces. Where slopes exceed 5H:1V, the slopes should be keyed and benched prior to structural fill placement in general accordance with the attached Fill Slope Detail, Figure 4. If subdrains are needed on benches, subject to the review of the CGT geotechnical representative, they should be placed as shown on the attached Fill Slope Detail. In order to achieve well-compacted slope faces, slopes should be overbuilt by a few feet and then trimmed back to proposed final grades. A representative from CGT should observe the benches, keyways, and associated subdrains, if needed, prior to placement of structural fill.

6.6 Shallow Foundations

6.6.1 Subgrade Preparation

Satisfactory subgrade support for shallow foundations can be obtained from the native, medium dense/medium stiff to better silty sand (SM), lean clay (CL), poorly graded gravel with silt (GP-GM), or new structural fill that is properly placed and compacted on these materials during construction. In the event fat clay with sand (CH) soils are encountered at design subgrade elevations for new shallow foundations we recommend support for the shallow foundations be obtained from a “granular mattress” underlain by geotextile separation fabric. Construction of the “granular mattress” should include the following:

- Over-excavation of the existing fat clay with sand soil to a *minimum* depth of 1-foot below bottom-of-footing elevation (BoFE).
- Compaction of the over-excavated subgrade with the use of suitable equipment (e.g. hoe-pack compactor, minimum 5-ton smooth-drum roller, etc.) until the material achieves a well-keyed condition. The geotechnical engineer or his representative should be contacted to witness application of compactive effort and the resulting subgrade prior to the placement of geotextile fabric.
- Placement of geotextile separation fabric over the exposed over-excavation subgrade and sidewalls of the over-excavation. The geotextile fabric should be in conformance with Section 02320 of the current Oregon Department of Transportation Specification for Construction (ODOT SSC).
- Placement and compaction of imported granular structural fill to achieve design subgrade elevations for foundations and floor slabs. The granular fill should be in conformance with Section 6.4.2 of this report. The maximum particle size of this granular fill should be limited to 1½ inches.

The geotechnical engineer or their representative should be contacted to observe subgrade conditions prior to placement of forms, reinforcement steel, or granular backfill (if required). If soft, loose, or otherwise unsuitable soils are encountered, they should be over-excavated as recommended by the geotechnical representative at the time of construction. The resulting over-excavation should be brought back to grade

with imported granular structural fill in conformance with Section 6.4.2. The maximum particle size of over-excavation backfill should be limited to 1½ inches. All granular pads for footings should be constructed a minimum of 6 inches wider on each side of the footing for every vertical foot of over-excavation.

6.6.2 Bearing Pressure & Settlement (All soil types)

Footings founded as recommended above should be proportioned for a maximum allowable soil bearing pressure of 3,000 pounds per square foot (psf). This bearing pressure is a net bearing pressure, applies to the total of dead and long-term live loads, and may be increased by one-third when considering seismic or wind loads. For foundations founded as recommended above, total settlement of foundations is anticipated to be less than 1 inch. Differential settlements between adjacent columns and/or bearing walls should not exceed ½-inch. If an increased allowable soil bearing pressure is desired, the geotechnical engineer should be consulted.

6.6.3 Lateral Capacity (All soil types)

A maximum passive (equivalent fluid) earth pressure of 200 pounds per cubic foot (pcf) is recommended for design of footings cast neat into excavations in suitable native soil or confined by the recommended imported granular structural fill that is properly placed and compacted during construction. The recommended earth pressure was computed using a factor of safety of 1½, which is appropriate due to the amount of movement required to develop full passive resistance. In order to develop the above capacity, the following should be understood:

1. Concrete must be poured neat in excavations or the foundations must be backfilled with imported granular structural fill,
2. The adjacent grade must be level,
3. The static ground water level must remain below the base of the footings throughout the year.
4. Adjacent floor slabs, pavements, or the upper 12-inch-depth of adjacent, unpaved areas should not be considered when calculating passive resistance.

An ultimate coefficient of friction equal to 0.35 may be used when calculating resistance to sliding for footings founded on the native soils described above. An ultimate coefficient of friction equal to 0.45 may be used when calculating resistance to sliding for footings founded on a minimum of 12 inches of imported granular structural fill (granular mattress) that is properly placed and compacted during construction.

6.6.4 Subsurface Drainage (All soil types)

Recognizing the presence of potentially expansive, fine-grained soils that are sensitive to changes in moisture content encountered at this site, we recommend placing foundation drains at the exterior, base elevations of perimeter continuous wall footings. Foundation drains should consist of a minimum 4-inch diameter, perforated, PVC drainpipe wrapped with a non-woven geotextile filter fabric. The drains should be backfilled with a minimum of 2 cubic feet of open graded drain rock per lineal foot of pipe. The drain rock should also be encased in a geotextile fabric in order to provide separation from the surrounding fine-grained soils. Foundation drains should be positively sloped and should outlet to a suitable discharge point. The geotechnical engineer or their representative should observe the drains prior to backfilling. Roof drains should not be tied into foundation drains.

6.7 Rigid Retaining Walls

6.7.1 Footings

Retaining wall footings should be designed and constructed in conformance with the recommendations presented in Section 6.6, as applicable.

6.7.2 Wall Drains

We recommend placing retaining wall drains at the base elevation of the heel of retaining wall footings. Retaining wall drains should consist of a minimum 4-inch-diameter, perforated, HDPE (High Density Polyethylene) drainpipe wrapped with a non-woven geotextile filter fabric. The drains should be backfilled with a minimum of 2 cubic feet of open graded drain rock per lineal foot of pipe. The drain rock should be encased in a geotextile fabric in order to provide separation from the surrounding soils. Retaining wall drains should be positively sloped and should outlet to a suitable discharge point. The geotechnical engineer or their representative should be contacted to observe the drains prior to backfilling. Roof or area drains should not be tied into retaining wall drains.

6.7.3 Wall Backfill

Retaining walls should be backfilled with imported granular structural fill in conformance with Section 6.4.2 and contain less than 5 percent passing the U.S. Standard No. 200 Sieve. The backfill should be compacted to a minimum of 90 percent of the material's maximum dry density as determined in general accordance with ASTM D1557 (Modified Proctor). When placing fill behind walls, care must be taken to minimize undue lateral loads on the walls. Heavy compaction equipment should be kept at least "H" feet from the back of the walls, where "H" is the height of the wall. Light mechanical or hand tamping equipment should be used for compaction of backfill materials within "H" feet of the back of the walls.

6.7.4 Design Parameters & Limitations

For rigid retaining walls founded, backfilled, and drained as recommended above, the following table presents parameters recommended for design.

Table 4 Design Parameters for Rigid Retaining Walls

Retaining Wall Condition	Modeled Backfill Condition	Static Equivalent Fluid Pressure (S_A)[1]	Seismic Equivalent Fluid Pressure (S_{AE}) [1,2]	Surcharge from Uniform Load, q, Acting on Backfill Behind Retaining Wall
Not Restrained from Rotation	Level (i = 0)	29 pcf	34 pcf	0.22*q
Restrained from Rotation	Level (i = 0)	52 pcf	52 pcf	0.38*q

[1] Refer to the attached Figure 5 for a graphical representation of static and seismic loading conditions. Seismic resultant force acts at 0.6H above the base of the wall.

[2] Seismic (dynamic) lateral loads were computed using the Mononobe-Okabe Equation as presented in the 1997 Federal Highway Administration (FHWA) design manual. Static and seismic equivalent fluid pressures are not additive.

The above design recommendations are based on the assumptions that:

- The walls consist of concrete cantilevered retaining walls (β = 0 and δ = 24 degrees, see Figure 5).
- The walls are 10 feet or less in height.
- The backfill is drained and consists of imported granular structural fill (ϕ = 38 degrees).
- No area load, line load or point load surcharges are imposed behind the walls.
- The grade behind the wall is level, or sloping down and away from the wall, for a distance of 10 feet or more from the wall.
- The grade in front of the walls is level or ascending for a distance of at least 5 feet from the wall.

Re-evaluation of our recommendations will be required if the retaining wall design criteria for the project vary from these assumptions.

6.7.5 Surcharge Loads

Where present, surcharges from adjacent site features (i.e. buildings, slabs, pavements, etc.) should be evaluated in design of retaining walls at the site. Methods for calculating lateral pressures on rigid retaining walls from strip, line, and vertical point loads are presented on the attached Figure 6.

6.8 Floor Slabs

6.8.1 Subgrade Preparation

Satisfactory subgrade support for slabs constructed on grade, supporting up to 150 psf area loading, can be obtained from the native, medium dense/medium stiff to better silty sand (SM), lean clay (CL), poorly graded gravel with silt (GP-GM), or new structural fill that is properly placed and compacted on these materials during construction. In the event fat clay with sand (CH) soils are encountered at floor slab subgrade elevations, we recommend that floor slabs be constructed on a minimum of 12 inches of imported granular structural fill (granular base) that is properly placed and compacted on the native, stiff to better fat clay with sand (CH) during construction. We additionally recommend placing a geotextile separation fabric over the exposed subgrade to serve as a barrier between the fat clay with sand subgrade and granular sub-base. Once excavation is completed, the native fat clay with sand subgrade soils should not be exposed to periods of wetting or drying but should be surfaced with geotextile fabric and backfilled as soon as possible.

The geotechnical engineer or their representative should observe floor slab subgrade soils to evaluate surface consistencies. If soft, loose, or otherwise unsuitable soils are encountered, they should be over-excavated as recommended by the CGT geotechnical representative at the time of construction. The resulting over-excavation should be brought back to grade with imported granular structural fill as described in Section 6.4.2.

6.8.2 Crushed Rock Base

Floor slab base rock should consist of well-graded granular material (crushed rock) containing no organic matter or debris, have a maximum particle size of ¾ inch, and have less than 10 percent material passing the U.S. Standard No. 200 Sieve. Floor slab base rock should be placed in one lift and compacted to not less than 95 percent of the material's maximum dry density as determined in general accordance with ASTM D1557 (Modified Proctor). We recommend "choking" the surface of the base rock with sand just prior to concrete placement. Choking means the voids between the largest aggregate particles are filled with sand, but does not provide a layer of sand above the base rock. Choking the base rock surface reduces the

lateral restraint on the bottom of the concrete during curing. Choking the base rock also reduces punctures in vapor retarding membranes due to foot traffic where such membranes are used.

6.8.3 Design Considerations

For floor slabs constructed with a 6-inch thick base rock layer as recommended, an effective modulus of subgrade reaction of 225 pounds per cubic inch (pci) is recommended for the design of the floor slab. A higher effective modulus of subgrade reaction can be obtained by increasing the base rock thickness. Please contact the geotechnical engineer for additional recommendations if a higher modulus is desired. Floor slabs constructed as recommended will likely settle less than ½ inch. For general floor slab construction, slabs should be jointed around columns and walls to permit slabs and foundations to settle differentially.

6.8.4 Subgrade Moisture Considerations

Liquid moisture and moisture vapor should be expected at the subgrade surface. The recommended crushed rock base is anticipated to provide protection against liquid moisture. Where moisture vapor emission through the slab must be minimized, e.g. impervious floor coverings, storage of moisture sensitive materials directly on the slab surface, etc., a vapor retarding membrane or vapor barrier below the slab should be considered. Factors such as cost, special considerations for construction, floor coverings, and end use suggest that the decision regarding a vapor retarding membrane or vapor barrier be made by the architect and owner.

If a vapor retarder or vapor barrier is placed below the slab, its location should be based on current American Concrete Institute (ACI) guidelines, ACI 302 Guide for Concrete Floor and Slab Construction. In some cases, this indicates placement of concrete directly on the vapor retarder or barrier. Please note that the placement of concrete directly on impervious membranes increases the risk of plastic shrinkage cracking and slab curling in the concrete. Construction practices to reduce or eliminate such risk, as described in ACI 302, should be employed during concrete placement.

6.9 Pavements

6.9.1 Subgrade Preparation

Satisfactory subgrade support for pavements constructed on grade can be obtained from the native, medium dense/medium stiff to better silty sand (SM), lean clay (CL), poorly graded gravel with silt (GP-GM), or from new structural fill that is properly placed and compacted on these materials during construction. In the event that native stiff to better fat clay with sand (CH) soils are encountered at pavement subgrade elevations we recommend that support be obtained from a minimum of 6 inches of imported granular structural fill (granular sub-base) that is properly placed and compacted on the fat clay with sand (CH) during construction. We recommend placing a geotextile separation fabric over the exposed subgrade to serve as a barrier between the fat clay with sand subgrade and granular sub-base. Once excavation is completed, the native fat clay with sand subgrade soils should not be exposed to periods of wetting or drying but should be surfaced with geotextile fabric and backfilled as soon as possible. Pavement subgrade surfaces should be crowned (or sloped) for proper drainage in accordance with specifications provided by the project civil engineer.

The geotechnical engineer or their representative should observe pavement subgrade soils to evaluate surface consistencies. If soft, loose, or otherwise unsuitable soils are encountered, they should be over-excavated as recommended by the CGT geotechnical representative at the time of construction. The

resulting over-excavation should be brought back to grade with imported granular structural fill (subbase) as described in Section 6.4.2.

6.9.2 Design Sections

Recommendations for pavement section design were presented in Section 6.9 of the referenced July 2020 geotechnical report and are applicable to the current development.

6.10 Additional Considerations

6.10.1 Drainage

Subsurface drains should be connected to the nearest storm drain, on-site infiltration system (to be designed by others) or other suitable discharge point. Paved surfaces and grading near or adjacent to the building should be sloped to drain away from the buildings. Surface water from paved surfaces and open spaces should be collected and routed to a suitable discharge point. Surface water should not be directed into foundation drains, onto site slopes, or into undocumented fill materials.

6.10.2 Expansive Potential

Fat clay with sand (CH) was encountered at depths of about 2 feet bgs in TP-4, excavated along the western property boundary. Soils at this depth can be subject to significant changes in moisture content and therefore subject to shrink-swell behavior post-construction. Provided the recommendations presented above are followed during construction, and perimeter foundation and retaining wall drains are installed as recommended above, the potential for expansive behavior of this soil to occur following construction of the structures should be mitigated to an acceptable level.

7.0 RECOMMENDED ADDITIONAL SERVICES

7.1 Design Review

Geotechnical design review is of paramount importance. We recommend the geotechnical design review take place prior to releasing bid packets to contractors.

7.2 Observation of Construction

Satisfactory earthwork, foundation, floor slab, and pavement performance depends to a large degree on the quality of construction. Sufficient observation of the contractor's activities is a key part of determining that the work is completed in accordance with the construction drawings and specifications. Subsurface conditions observed during construction should be compared with those encountered during subsurface explorations, and recognition of changed conditions often requires experience. We recommend that qualified personnel visit the site with sufficient frequency to detect whether subsurface conditions change significantly from those observed to date and anticipated in this report. We recommend the geotechnical engineer or their representative attend a pre-construction meeting coordinated by the contractor and/or developer. The project geotechnical engineer or their representative should provide observations and/or testing of at least the following earthwork elements during construction:

- Site Stripping and Grubbing
- Review of Site Grading and Fill Slope Construction
- Subgrade Preparation for Shallow Foundations, Structural Fills, Rigid Retaining Walls, Floor Slabs, and Pavements

- Compaction of Structural Fill and Utility Trench Backfill
- Compaction of Base Rock for Floor Slabs & Pavements

It is imperative that the owner and/or contractor request earthwork observations and testing at a frequency sufficient to allow the geotechnical engineer to provide a final letter of compliance for the earthwork activities.

8.0 LIMITATIONS

We have prepared this report for use by the owner/developer and other members of the design and construction team for the proposed development. The opinions and recommendations contained within this report are forwarded to assist in the planning and design process and are not intended to be, nor should they be construed as, a warranty of subsurface conditions.

We have made observations based on our explorations that indicate the soil conditions at only those specific locations and only to the depths penetrated. These observations do not necessarily reflect soil types, strata thickness, or water level variations that may exist between or away from our explorations. If subsurface conditions vary from those encountered in our site explorations, CGT should be alerted to the change in conditions so that we may provide additional geotechnical recommendations, if necessary. Observation by experienced geotechnical personnel should be considered an integral part of the construction process.

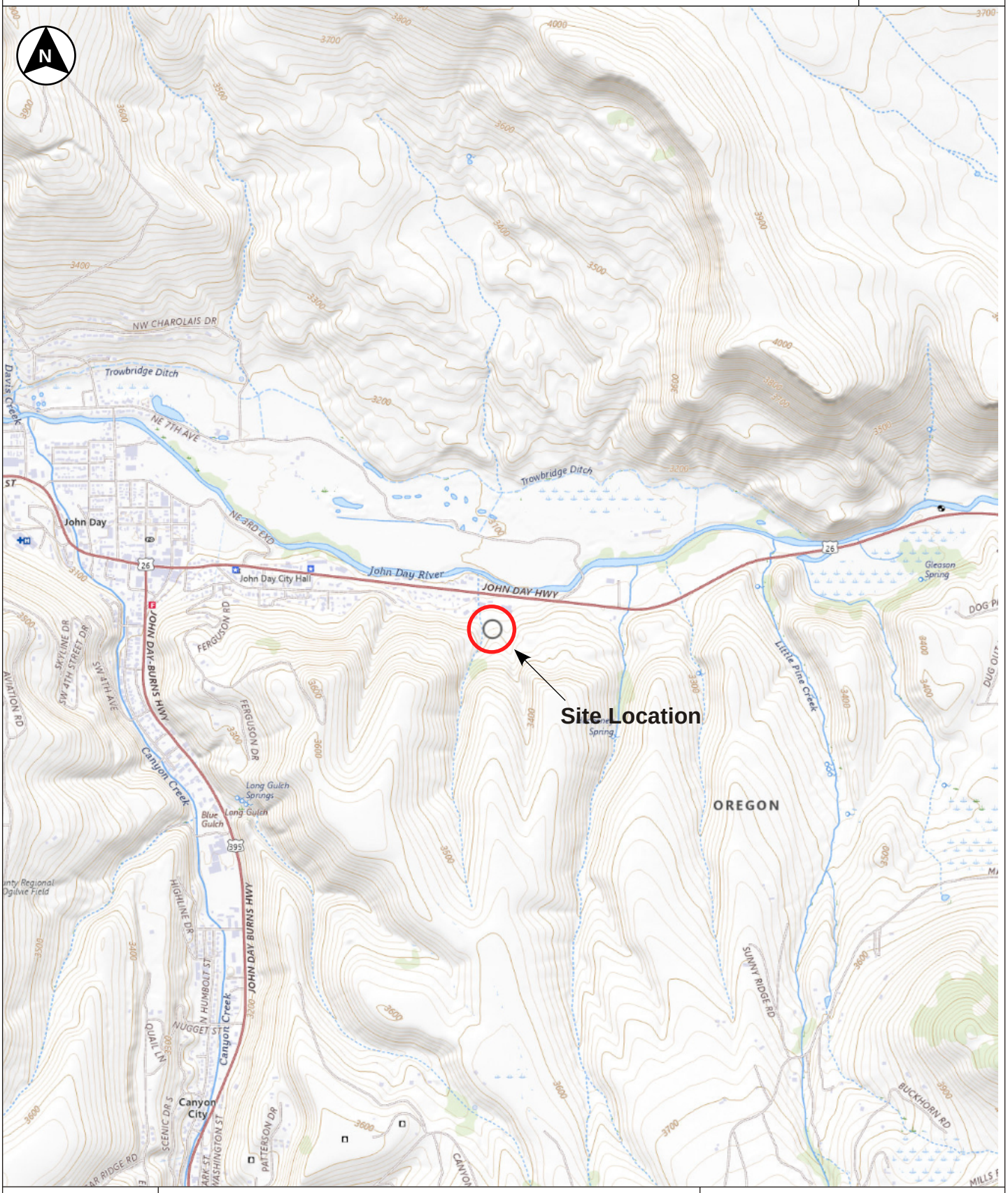
The owner/developer is responsible for ensuring that the project designers and contractors implement our recommendations. When the design has been finalized, prior to releasing bid packets to contractors, we recommend that the design drawings and specifications be reviewed by our firm to see that our recommendations have been interpreted and implemented as intended. If design changes are made, we request that we be retained to review our conclusions and recommendations and to provide a written modification or verification. Design review and construction phase testing and observation services are beyond the scope of our current assignment, but will be provided for an additional fee.

The scope of our services does not include services related to construction safety precautions, and our recommendations are not intended to direct the contractor’s methods, techniques, sequences, or procedures, except as specifically described in our report for consideration in design.

Geotechnical engineering and the geologic sciences are characterized by a degree of uncertainty. Professional judgments presented in this report are based on our understanding of the proposed construction, familiarity with similar projects in the area, and on general experience. Within the limitations of scope, schedule, and budget, our services have been executed in accordance with the generally accepted practices in this area at the time this report was prepared; no warranty, expressed or implied, is made. This report is subject to review and should not be relied upon after a period of three years.

THE RIDGE SUBDIVISION - JOHN DAY, OREGON
Project Number B2502592

FIGURE 1
Site Location



CARLSON GT GEOTECHNICAL
503-601-8250
Drafted by: MSN

USGS Topographic base map created with The National Map, 2025, at https://apps.nationalmap.gov/viewer/

Township 13 South, Range 31 East, Section 25, Willamette Meridian

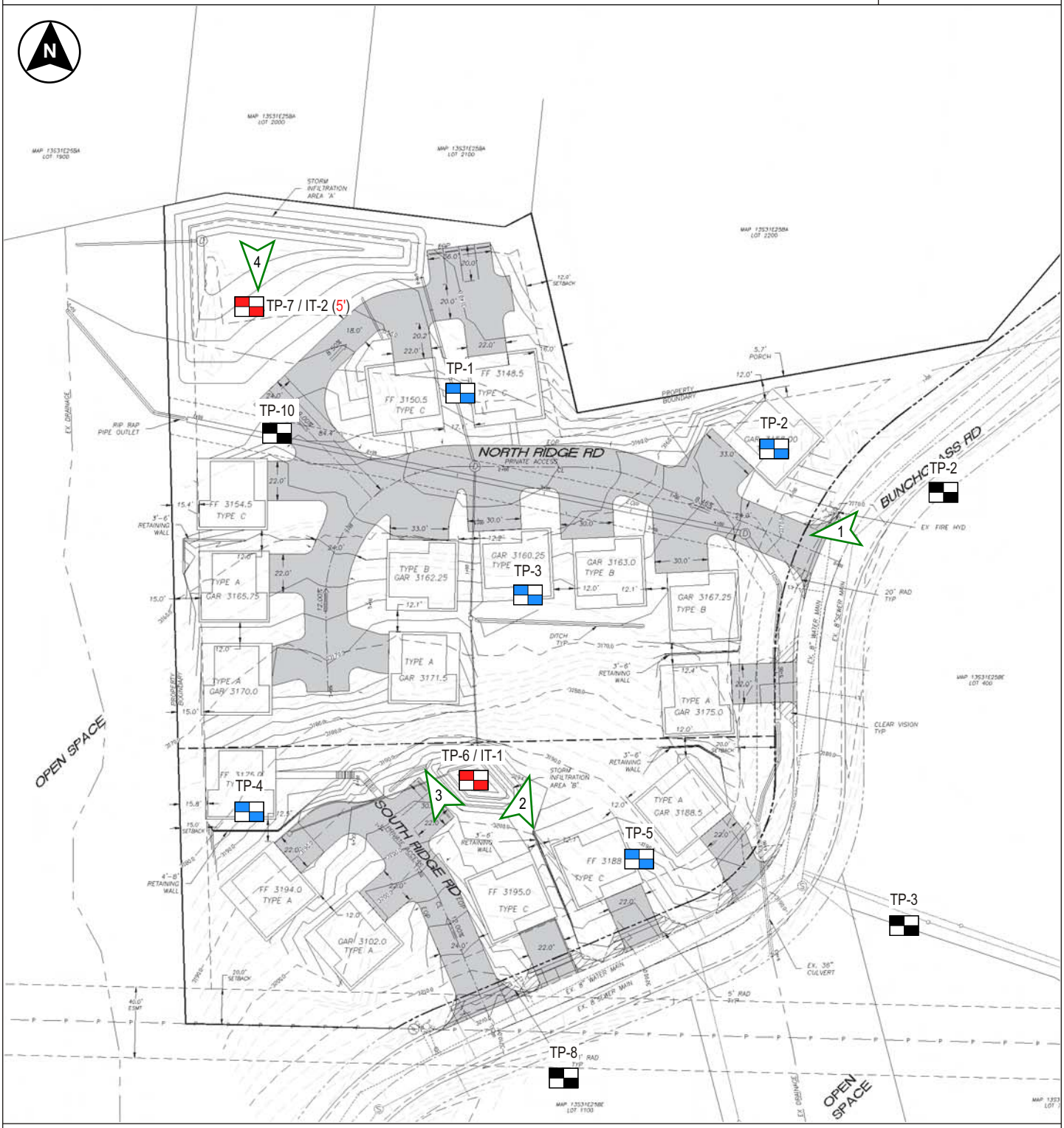
Latitude: 44.413485° North
Longitude: 118.932525º West

1 Inch = 2,000 feet

0 2000 4000

THE RIDGE DEVELOPMENT - JOHN DAY, OREGON
Project Number B2502592

Figure 2
Site Plan



LEGEND

TP-1 Test pit exploration location completed by CGT. Depth of undocumented fill, if encountered indicated in (red).

TP-2 Location of test pits completed by CGT during 2006 site investigation.

TP-6 / IT-1 Infiltration test pit location. See Appendix B for results.

1 Orientation of site photographs shown on Figure 3.

CARLSON CGT GEOTECHNICAL 503-601-8250

Drafted by: GS

NOTES: Drawing based on Sheet 03, "Grading and Site Dimensons", produced by Sisul Engineering, dated March, 2025. All locations are approximat.

1 Inch = 80 Feet

0 80 140

Photograph 1

Photograph 2

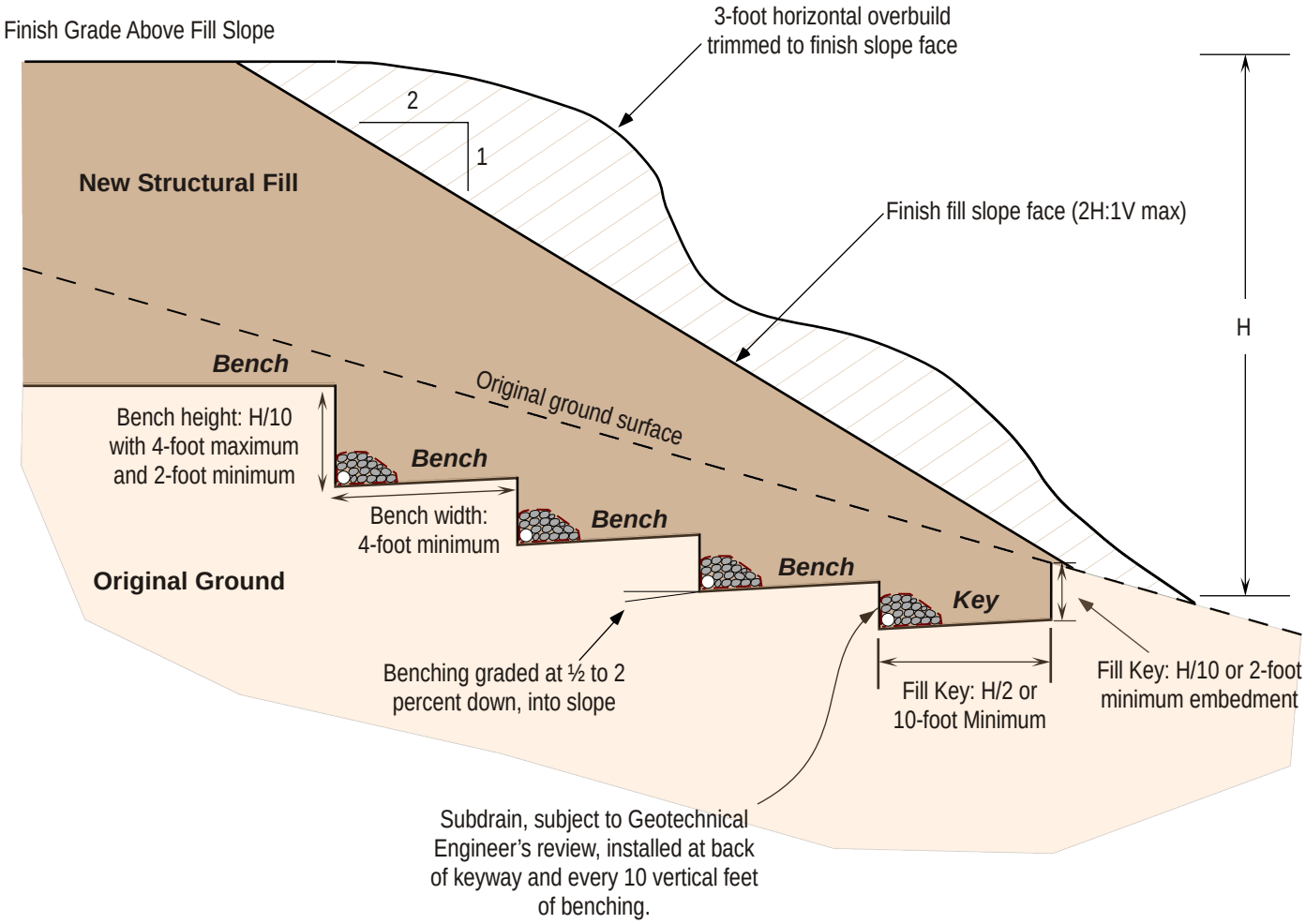
Photograph 3

Photograph 4

See Figure 2 for approximate photograph locations and directions. Photographs were taken at the time of our fieldwork.

THE RIDGE SUBDIVISION - JOHN DAY, OREGON
Project Number B2502592

FIGURE 4
Fill Slope Detail



CARLSON CGT GEOTECHNICAL 503-601-8250

NOTE: Surfaces to receive fill with slopes steeper than 5H:1V (horizontal:vertical) should be benched and keyed as shown.

THE RIDGE DEVELOPMENT - JOHN DAY, OREGON
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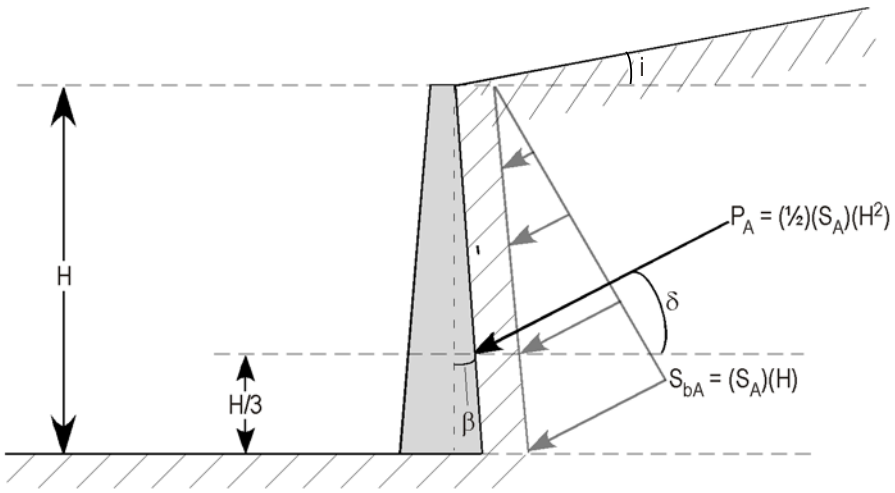
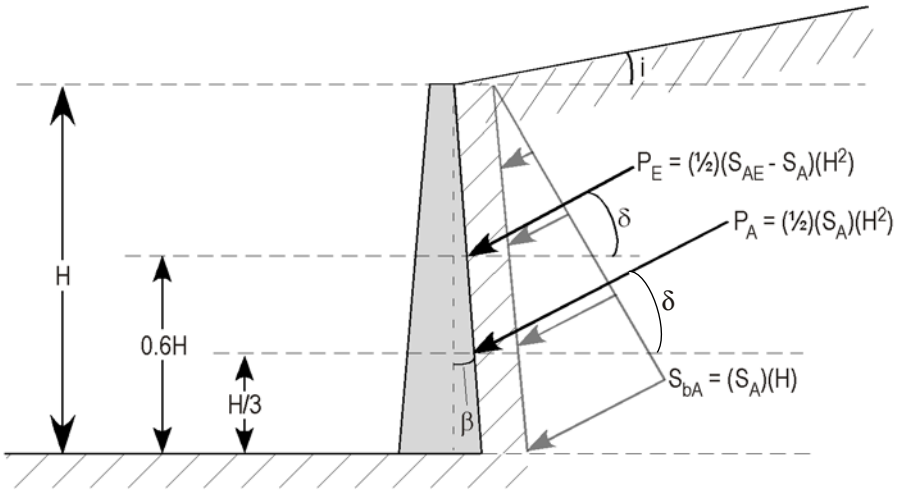
FIGURE 5
Retaining Walls

ACTIVE LATERAL PRESSURE DISTRIBUTION

STATIC LOADING CONDITIONS



SEISMIC LOADING CONDITIONS



LEGEND

S_A = Active lateral equivalent fluid pressure (lb/ft^3)*

S_{bA} = Active lateral earth pressure (static) at the bottom of wall (lb/ft^3)

S_{AE} = Active total (static + seismic) equivalent fluid pressure (lb/ft^3)*

i = Slope of backfill, relative to horizontal (degrees)**

β = Slope of back of wall, relative to vertical (degrees)**

P_A = Static active thrust force acting at H/3 from bottom of retaining wall (lb/ft)

P_E = Dynamic active thrust force acting at 0.6H from bottom of retaining wall (lb/ft)

δ = Angle from normal of back of wall (degrees). Based on friction developing between wall and backfill**

*Refer to report text for calculated values **Refer to report text for modeled/assumed values

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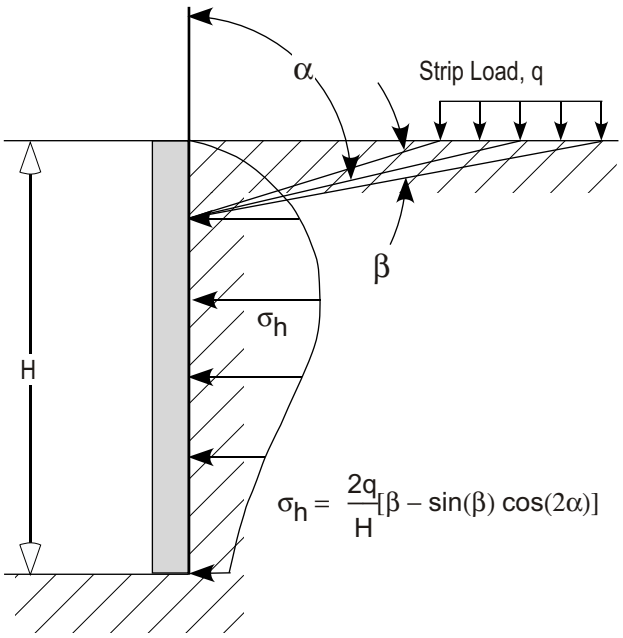
Notes

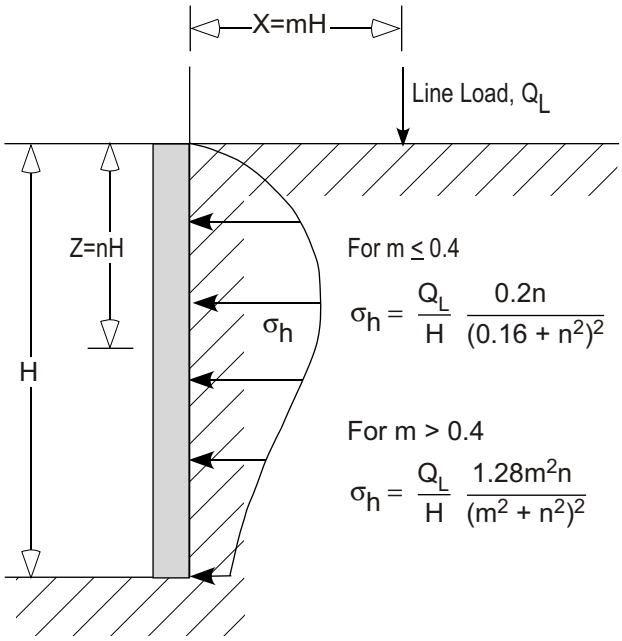
1. Uniform pressure distribution of seismic loading is based on empirical evaluations [Sherif et al, 1982 and Whitman, 1990].
2. Placement of seismic resultant force at 0.6H is based on wall behavior and model test results [Whitman, 1990].

STRIP LOAD PARALLEL TO WALL[1]



$$\sigma_h = \frac{2q}{H}[\beta - \sin(\beta)\cos(2\alpha)]$$

LINE LOAD PARALLEL TO WALL[2]



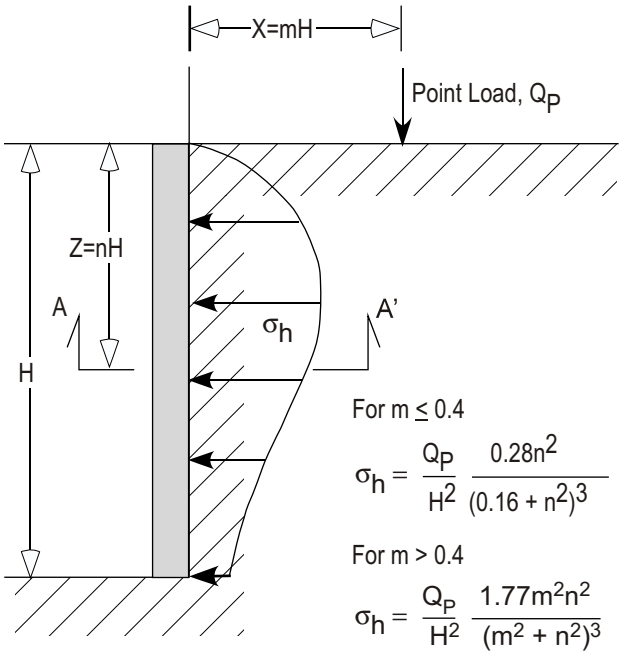
For $m \leq 0.4$

$$\sigma_h = \frac{Q_L}{H}\frac{0.2n}{(0.16 + n^2)^2}$$

For $m > 0.4$

$$\sigma_h = \frac{Q_L}{H}\frac{1.28m^2n}{(m^2 + n^2)^2}$$

VERTICAL POINT LOAD[2]



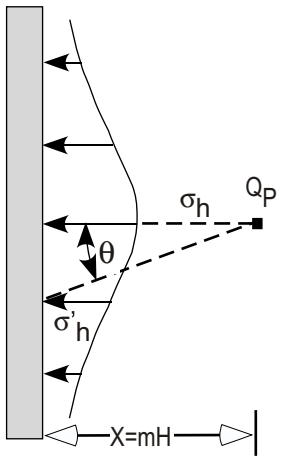
For $m \leq 0.4$

$$\sigma_h = \frac{Q_P}{H^2}\frac{0.28n^2}{(0.16 + n^2)^3}$$

For $m > 0.4$

$$\sigma_h = \frac{Q_P}{H^2}\frac{1.77m^2n^2}{(m^2 + n^2)^3}$$

Section A - A'



$$\sigma'_h = \sigma_h \cos^2(1.1\,\theta)$$

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Notes: 1. Das, Principles of Geotechnical Engineering, 1990 Edition.
2. NAVFAC Design Manual 7.06.

Refer to the referenced design manuals for additional guidance. Contact CGT if there are any questions with modeling surcharge loads.

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Appendix A: Subsurface Investigation and Laboratory Testing

The Ridge Development
South of Parcel at 944 East Main Street
John Day, Oregon

CGT Project Number B2502592

July 11, 2025

Prepared For:

Nathan D. Young
Nathan D. Young Construction
2860 SE 39th Loop
Hillsboro, Oregon 97123

Prepared by
Carlson Geotechnical

A.1.0 SUBSURFACE INVESTIGATION

Our field investigation consisted of seven test pits completed on July 1, 2025. The exploration locations are shown on the Site Plan, attached to the geotechnical report as Figure 2. The exploration locations were recorded in the office using desktop GIS software and located in the field using a GPS smartphone application, and are approximate (+/- 30 feet horizontally). Surface elevations indicated on the logs were estimated based on the topographic contours shown on the referenced Site Plan and are approximate. The attached figures detail the exploration methods (Figure A1), soil classification criteria (Figure A2), and present detailed logs of the explorations (Figures A3 through A9), as discussed below.

A.1.1 Test Pits

CGT observed the excavation of seven test pits (TP-1 through TP-7) at the site on July 1, 2025, to depths of about 3½ to 7½ feet bgs. The test pits were excavated using a Kubota KX040-4 mini-excavator provided and operated provided by our client. The test pits were loosely backfilled with the excavated materials upon completion.

A.1.2 In-Situ Testing: Infiltration Testing

CGT performed two infiltration tests at the site, within test pits TP-6 and TP-7. Details regarding the test procedure and results of the tests are presented in Appendix B.

A.1.3 Material Classification & Sampling

Representative disturbed (grab) samples of the soils encountered were obtained at select intervals within the test pits. A qualified member of CGT's geological staff collected the samples and logged the soils in general accordance with the Visual-Manual Procedure (ASTM D2488). An explanation of this classification system is attached as Figure A2. The grab samples were stored in sealable plastic bags and transported to our soils laboratory for further examination and testing. Our geotechnical staff visually examined all samples in order to refine the initial field classifications.

A.1.4 Subsurface Conditions

Subsurface conditions are summarized in Section 2.3 of the geotechnical report. Detailed logs of the explorations are presented on the attached exploration logs, Figures A3 through A9.

A.2.0 LABORATORY TESTING

Laboratory testing was performed on samples collected in the field to refine our initial field classifications and determine in-situ parameters. Laboratory testing included the following:

- Three moisture content determinations (ASTM D2216).
- Two percentage passing the U.S. Standard No. 200 Sieve tests (ASTM D1140).
- One Atterberg limits (plasticity) tests (ASTM D4318)

Results of the laboratory tests are shown on the exploration logs.

THE RIDGE SUBDIVISION - JOHN DAY, OREGON *Project Number B2502592*	**FIGURE A1** **Exploration Key**

PL — LL MC	Atterberg limits (plasticity) test results (ASTM D4318): PL = Plastic Limit, LL = Liquid Limit, and MC= Moisture Content (ASTM D2216)
☐ FINES CONTENT (%)	Percentage passing the U.S. Standard No. 200 Sieve (ASTM D1140)

SAMPLING

GRAB	Grab sample
BULK	Bulk sample
SPT	**Standard Penetration Test** (SPT) consists of driving a 2-inch, outside-diameter, split-spoon sampler into the undisturbed formation with repeated blows of a 140-pound, hammer falling a vertical distance of 30 inches (ASTM D1586). The number of blows (N-value) required to drive the sampler the last 12 inches of an 18-inch sample interval is used to characterize the soil consistency or relative density. The drill rig was equipped with an cat-head or automatic hammer to conduct the SPTs. The observed N-values, hammer efficiency, and N_{60} are noted on the boring logs.
MC	**Modified California** sampling consists of 3-inch, outside-diameter, split-spoon sampler (ASTM D3550) driven similarly to the SPT sampling method described above. A sampler diameter correction factor of 0.44 is applied to calculate the equivalent SPT N_{60} value per Lacroix and Horn, 1973.
CORE	**Rock Coring** interval
SH	**Shelby Tube** is a 3-inch, inner-diameter, thin-walled, steel tube push sampler (ASTM D1587) used to collect relatively undisturbed samples of fine-grained soils.
WDCP	**Wildcat Dynamic Cone Penetrometer** (WDCP) test consists of driving 1.1-inch diameter, steel rods with a 1.4-inch diameter, cone tip into the ground using a 35-pound drop hammer with a 15-inch free-fall height. The number of blows required to drive the steel rods is recorded for each 10 centimeters (3.94 inches) of penetration. The blow count for each interval is then converted to the corresponding SPT N_{60} values.
DCP	**Dynamic Cone Penetrometer** (DCP) test consists of driving a 20-millimeter diameter, hardened steel cone on 16-millimeter diameter steel rods into the ground using a 10-kilogram drop hammer with a 460-millimeter free-fall height. The depth of penetration in millimeters is recorded for each drop of the hammer.
POCKET PEN. (tsf)	**Pocket Penetrometer** test is a hand-held instrument that provides an approximation of the unconfined compressive strength in tons per square foot (tsf) of cohesive, fine-grained soils.

CONTACTS

	Observed (measured) contact between soil or rock units.
	Inferred (approximate) contact between soil or rock units.
	Transitional (gradational) contact between soil or rock units.

ADDITIONAL NOTATIONS

Italics	Notes drilling action or digging effort
{ Braces }	Interpretation of material origin/geologic formation (e.g. { Base Rock } or { Columbia River Basalt })

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All measurements are approximate.

THE RIDGE SUBDIVISION - JOHN DAY, OREGON
Project Number B2502592

FIGURE A2
Soil Classification

Classification of Terms and Content

NAME: Group Name and Symbol
Relative Density or Consistency
Color
Moisture Content
Plasticity
Other Constituents
Other: Grain Shape, Approximate Gradation
Organics, Cement, Structure, Odor, etc.
Geologic Name or Formation

Grain Size

		U.S. Standard Sieve
Fines		<#200 (0.075 mm)
Sand	Fine	#200 - #40 (0.425 mm)
	Medium	#40 - #10 (2 mm)
	Coarse	#10 - #4 (4.75 mm)
Gravel	Fine	#4 - 0.75 inch
	Coarse	0.75 inch - 3 inches
Cobbles		3 to 12 inches
Boulders		> 12 inches

Coarse-Grained (Granular) Soils

Relative Density

SPT N_{60}-Value	Density
0 - 4	Very Loose
4 - 10	Loose
10 - 30	Medium Dense
30 - 50	Dense
>50	Very Dense

Minor Constituents

Percent by Volume	Descriptor	Example
0 - 5%	"Trace" as part of soil description	"trace silt"
5 - 15%	"With" as part of group name	"**POORLY GRADED SAND WITH SILT**"
15 - 49%	Modifier to group name	"**SILTY SAND**"

Fine-Grained (Cohesive) Soils

SPT N_{60}-Value	Torvane tsf Shear Strength	Pocket Pen tsf Unconfined	Consistency	Manual Penetration Test
<2	<0.13	<0.25	Very Soft	Thumb penetrates more than 1 inch
2 - 4	0.13 - 0.25	0.25 - 0.50	Soft	Thumb penetrates about 1 inch
4 - 8	0.25 - 0.50	0.50 - 1.00	Medium Stiff	Thumb penetrates about ¼ inch
8 - 15	0.50 - 1.00	1.00 - 2.00	Stiff	Thumb penetrates less than ¼ inch
15 - 30	1.00 - 2.00	2.00 - 4.00	Very Stiff	Readily indented by thumbnail
>30	>2.00	>4.00	Hard	Difficult to indent by thumbnail

Minor Constituents

Percent by Volume	Descriptor	Example
0 - 5%	"Trace" as part of soil description	"trace fine-grained sand"
5 - 15%	"Some" as part of soil description	"some fine-grained sand"
15 - 30%	"With" as part of group name	"**SILT WITH SAND**"
30 - 49%	Modifier to group name	"**SANDY SILT**"

Moisture Content

Dry: Absence of moisture, dusty, dry to the touch

Moist: Leaves moisture on hand

Wet: Visible free water, likely from below water table

	Plasticity	Dry Strength	Dilatancy	Toughness
ML	Non to Low	Non to Low	Slow to Rapid	Low, can't roll
CL	Low to Medium	Medium to High	None to Slow	Medium
MH	Medium to High	Low to Medium	None to Slow	Low to Medium
CH	Medium to High	High to Very High	None	High

Structure

Stratified: Alternating layers of material or color >6 mm thick

Laminated: Alternating layers < 6 mm thick

Fissured: Breaks along definite fracture planes

Slickensided: Striated, polished, or glossy fracture planes

Blocky: Cohesive soil that can be broken down into small angular lumps which resist further breakdown

Lenses: Has small pockets of different soils, note thickness

Homogeneous: Same color and appearance throughout

Visual-Manual Classification

Major Divisions			Group Symbols	Typical Names
Coarse Grained Soils: More than 50% retained on No. 200 sieve	Gravels: 50% or more *retained* on the No. 4 sieve	Clean Gravels	GW	Well-graded gravels and gravel/sand mixtures, little or no fines
			GP	Poorly-graded gravels and gravel/sand mixtures, little or no fines
		Gravels with Fines	GM	Silty gravels, gravel/sand/silt mixtures
			GC	Clayey gravels, gravel/sand/clay mixtures
	Sands: More than 50% *passing* the No. 4 sieve	Clean Sands	SW	Well-graded sands and gravelly sands, little or no fines
			SP	Poorly-graded sands and gravelly sands, little or no fines
		Sands with Fines	SM	Silty sands, sand/silt mixtures
			SC	Clayey sands, sand/clay mixtures
Fine-Grained Soils: 50% or more Passes No. 200 Sieve	Silt and Clays Low Plasticity Fines		ML	Inorganic silts, rock flour, clayey silts
			CL	Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, lean clays
			OL	Organic soil of low plasticity
	Silt and Clays High Plasticity Fines		MH	Inorganic silts, clayey silts
			CH	Inorganic clays of high plasticity, fat clays
			OH	Organic soil of medium to high plasticity
Highly Organic Soils			PT	Peat, muck, and other highly organic soils

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References:

ASTM D2487 Standard Practice for Classification of Soils for Engineering Purposes (Unified Soil Classification System)

ASTM D2488 Standard Practice for Description and Identification of Soils (Visual-Manual Procedure)

Terzaghi, K., and Peck, R.B., 1948, Soil Mechanics in Engineering Practice, John Wiley & Sons.

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FIGURE A3

Test Pit TP-1

CLIENT Nathan D. Young - Nathan D. Young Properties
PROJECT NAME The Ridge Development
PROJECT NUMBER B2502592
PROJECT LOCATION Bunchgrass Road - John Day, Oregon
DATE STARTED 7/1/25 **GROUND ELEVATION** 3151 ft **ELEVATION DATUM** See Figure 2
WEATHER 90ºF Sunny **SURFACE** Silty Sand **LOGGED BY** MSN **REVIEWED BY** SJK
EXCAVATION CONTRACTOR Client **SEEPAGE** ---
EQUIPMENT Kybota KX040-4 Mini Excavator **GROUNDWATER DURING DRILLING** ---
EXCAVATION METHOD 24" Rock Bucket **GROUNDWATER AFTER EXCAVATION** ---

ELEVATION (ft)	GRAPHIC LOG	GROUP SYMBOL	MATERIAL DESCRIPTION	GROUNDWATER	DEPTH (ft)	SAMPLE TYPE NUMBER	RECOVERY % (RQD)	WDCP N_{60} VALUE	POCKET PEN. (tsf)	DRY UNIT WT. (pcf)	▲ WDCP N_{60} VALUE ▲ PL LL MC ☐ FINES CONTENT (%) ☐ 0 20 40 60 80 100
3150		SM	**SILTY SAND:** *Medium dense,* brown to tan, moist, fine- to medium-grained, subrounded to subangular, nonplastic fines.		0						
			LEAN CLAY: *Stiff,* wet to moist, homogenous, low to medium plasticity. Trace subrounded to rounded cobbles up to 6 inches in diameter.		2						22
3148		CL									
					4	GRAB 1					
3146			Strongly cemented below 5 feet bgs								
			• Practical refusal encountered at 5 feet bgs on strongly cemented soils • No caving observed • No groundwater encountered • Test pit loosely backfilled with excavated spoils upon completion								
3144											
3142											

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FIGURE A4

Test Pit TP-2

CLIENT Nathan D. Young - Nathan D. Young Properties
PROJECT NAME The Ridge Development
PROJECT NUMBER B2502592
PROJECT LOCATION Bunchgrass Road - John Day, Oregon
DATE STARTED 7/1/25 **GROUND ELEVATION** 3166 ft **ELEVATION DATUM** See Figure 2
WEATHER 90ºF Sunny **SURFACE** Silty Sand **LOGGED BY** MSN **REVIEWED BY** SJK
EXCAVATION CONTRACTOR Client **SEEPAGE** ---
EQUIPMENT Kybota KX040-4 Mini Excavator **GROUNDWATER DURING DRILLING** ---
EXCAVATION METHOD 24" Rock Bucket **GROUNDWATER AFTER EXCAVATION** ---

ELEVATION (ft)	GRAPHIC LOG	GROUP SYMBOL	MATERIAL DESCRIPTION	GROUNDWATER	DEPTH (ft)	SAMPLE TYPE NUMBER	RECOVERY % (RQD)	WDCP N_{60} VALUE	POCKET PEN. (tsf)	DRY UNIT WT. (pcf)	▲ WDCP N_{60} VALUE ▲ / PL LL MC / ☐ FINES CONTENT (%) ☐
			SILTY SAND WITH GRAVEL AND COBBLES: *Dense to very dense,* brown to gray, moist, fine- to coarse-grained, subrounded to subangular, nonplastic fines. Subrounded to rounded gravel (15% by volume) up to 2 inches in diameter. Subrounded to rounded cobbles (15% by volume) up to 8 inches in diameter.		0						0 20 40 60 80 100
3164		SM			2						
3162					4						
			Very dense, below 5 feet bgs Strongly cemented below 5½ feet bgs			GRAB 1					14
3160											
3158											
3156											

• Practical refusal encountered at 5½ feet bgs on very dense soils
• No caving observed
• No groundwater encountered
• Test pit loosely backfilled with excavated spoils upon completion

CGT EXPLORATION WITH WDCP GINT LOGS MN.GPJ 7/11/25 DRAFTED BY: MSN

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FIGURE A5

Test Pit TP-3

CLIENT Nathan D. Young - Nathan D. Young Properties
PROJECT NAME The Ridge Development
PROJECT NUMBER B2502592
PROJECT LOCATION Bunchgrass Road - John Day, Oregon
DATE STARTED 7/1/25 **GROUND ELEVATION** 3167 ft
ELEVATION DATUM See Figure 2
WEATHER 90ºF Sunny **SURFACE** Silty Sand
LOGGED BY MSN **REVIEWED BY** SJK
EXCAVATION CONTRACTOR Client
SEEPAGE ---
EQUIPMENT Kybota KX040-4 Mini Excavator
GROUNDWATER DURING DRILLING ---
EXCAVATION METHOD 24" Rock Bucket
GROUNDWATER AFTER EXCAVATION ---

ELEVATION (ft)	GRAPHIC LOG	GROUP SYMBOL	MATERIAL DESCRIPTION	GROUNDWATER	DEPTH (ft)	SAMPLE TYPE NUMBER	RECOVERY % (RQD)	WDCP N_{60} VALUE	POCKET PEN. (tsf)	DRY UNIT WT. (pcf)	▲ WDCP N_{60} VALUE ▲ PL LL MC ☐ FINES CONTENT (%) ☐ 0 20 40 60 80 100
3166		SM	**SILTY SAND:** *Medium dense,* brown to tan, moist, fine- to medium-grained, subrounded to subangular, nonplastic fines.		0						
		CL	**LEAN CLAY:** *Stiff,* moist, homogenous, low to medium plasticity. Trace cobbles up to 6 inches in diameter.		2						
3164					4						
3162					6	GRAB 1					
3160			Strongly cemented below 7 feet bgs								
3158			• Practical refusal encountered at 7 feet bgs on strongly cemented soils • No caving observed • No groundwater encountered • Test pit loosely backfilled with excavated spoils upon completion								

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FIGURE A6

Test Pit TP-4

CLIENT Nathan D. Young - Nathan D. Young Properties
PROJECT NAME The Ridge Development
PROJECT NUMBER B2502592
PROJECT LOCATION Bunchgrass Road - John Day, Oregon
DATE STARTED 7/1/25 **GROUND ELEVATION** 3188 ft **ELEVATION DATUM** See Figure 2
WEATHER 90ºF Sunny **SURFACE** Silty Sand **LOGGED BY** MSN **REVIEWED BY** SJK
EXCAVATION CONTRACTOR Client **SEEPAGE** ---
EQUIPMENT Kybota KX040-4 Mini Excavator **GROUNDWATER DURING DRILLING** ---
EXCAVATION METHOD 24" Rock Bucket **GROUNDWATER AFTER EXCAVATION** ---

ELEVATION (ft)	GRAPHIC LOG	GROUP SYMBOL	MATERIAL DESCRIPTION	GROUNDWATER	DEPTH (ft)	SAMPLE TYPE NUMBER	RECOVERY % (RQD)	WDCP N_{60} VALUE	POCKET PEN. (tsf)	DRY UNIT WT. (pcf)	▲ WDCP N_{60} VALUE ▲ PL LL MC; ☐ FINES CONTENT (%) ☐ 0 20 40 60 80 100
3186		SM	**SILTY SAND:** *Medium dense,* gray to brown, moist, fine- to medium-grained, subrounded to subangular, nonplastic fines.		0						
					2						
3184		CH	**FAT CLAY WITH SAND:** *Stiff,* wet to moist, homogenous, high plasticity, with subangular to subrounded, fine-grained sand. Trace subrounded to rounded gravel up to ½ inch in diameter. Moist below 3 feet bgs.		4	GRAB 1					29 / 28; 68 / 73
			Hard below 5 feet bgs.								
3182			• Practical refusal encountered at 5 feet bgs • No caving observed • No groundwater encountered • Test pit loosely backfilled with excavated spoils upon completion								
3180											
3178											

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FIGURE A7

Test Pit TP-5

CLIENT Nathan D. Young - Nathan D. Young Properties
PROJECT NAME The Ridge Development
PROJECT NUMBER B2502592
PROJECT LOCATION Bunchgrass Road - John Day, Oregon
DATE STARTED 7/1/25 **GROUND ELEVATION** 3193 ft **ELEVATION DATUM** See Figure 2
WEATHER 90ºF Sunny **SURFACE** Silty Sand **LOGGED BY** MSN **REVIEWED BY** SJK
EXCAVATION CONTRACTOR Client **SEEPAGE** ---
EQUIPMENT Kybota KX040-4 Mini Excavator **GROUNDWATER DURING DRILLING** ---
EXCAVATION METHOD 24" Rock Bucket **GROUNDWATER AFTER EXCAVATION** ---

ELEVATION (ft)	GRAPHIC LOG	GROUP SYMBOL	MATERIAL DESCRIPTION	GROUNDWATER	DEPTH (ft)	SAMPLE TYPE NUMBER	RECOVERY % (RQD)	WDCP N_{60} VALUE	POCKET PEN. (tsf)	DRY UNIT WT. (pcf)	▲ WDCP N_{60} VALUE ▲ PL LL MC ☐ FINES CONTENT (%) ☐ 0 20 40 60 80 100
3192		SM	**SILTY SAND WITH GRAVEL AND COBBLES:** *Dense,* brown to gray, moist, fine- to coarse-grained, subrounded to subangular, nonplastic fines. Subrounded to rounded gravel (15% by volume) up to 1 inch in diameter. Subrounded to rounded cobbles (15%) up to 6 inches in diameter.		0						
					2						
3190		CL	**LEAN CLAY:** *Stiff,* moist, homogenous, nonplastic. Trace subrounded to rounded gravel up to ½ inch in diameter.			GRAB 1					15
					4						
			Strongly cemented below 4 feet bgs								
3188											
			• Practical refusal encountered at 4½ feet bgs on strongly cemented soils • No caving observed • No groundwater encountered • Test pit loosely backfilled with excavated spoils upon completion								
3186											
3184											

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FIGURE A8

Test Pit TP-6 / IT-1

CLIENT Nathan D. Young - Nathan D. Young Properties
PROJECT NAME The Ridge Development
PROJECT NUMBER B2502592
PROJECT LOCATION Bunchgrass Road - John Day, Oregon
DATE STARTED 7/1/25
GROUND ELEVATION 3196 ft
ELEVATION DATUM See Figure 2
WEATHER 90ºF Sunny
SURFACE Poorly Graded Gravel
LOGGED BY MSN
REVIEWED BY SJK
EXCAVATION CONTRACTOR Client
SEEPAGE ---
EQUIPMENT Kybota KX040-4 Mini Excavator
GROUNDWATER DURING DRILLING ---
EXCAVATION METHOD 24" Rock Bucket
GROUNDWATER AFTER EXCAVATION ---

ELEVATION (ft)	GRAPHIC LOG	GROUP SYMBOL	MATERIAL DESCRIPTION	GROUNDWATER	DEPTH (ft)	SAMPLE TYPE NUMBER	RECOVERY % (RQD)	WDCP N_{60} VALUE	POCKET PEN. (tsf)	DRY UNIT WT. (pcf)	▲ WDCP N_{60} VALUE ▲ / PL LL MC / ☐ FINES CONTENT (%) ☐ 0 20 40 60 80 100
3194		GP-GM	**POORLY GRADED GRAVEL WITH SILT AND COBBLES:** *Dense to very dense,* brown to tan, moist, fine- to medium grained, subrounded to subangular up to 3 inches in diameter, nonplastic fines. Subrounded to subangular fine-grained sand. {Landslide Deposit}		0						
					2	GRAB 1					● 6 ☐ 17
3192			*Very dense,* below 3½ feet bgs. Strongly cemented								
			• Practical refusal encountered at 3½ feet bgs on very dense soils • No caving observed • No groundwater encountered • Test pit loosely backfilled with excavated spoils upon completion of infiltration testing								
3190											
3188											
3186											

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FIGURE A9

Test Pit TP-7 / IT-2

CLIENT Nathan D. Young - Nathan D. Young Properties
PROJECT NAME The Ridge Development
PROJECT NUMBER B2502592
PROJECT LOCATION Bunchgrass Road - John Day, Oregon
DATE STARTED 7/1/25
GROUND ELEVATION 3151 ft
ELEVATION DATUM See Figure 2
WEATHER 90ºF Sunny
SURFACE Fill
LOGGED BY MSN
REVIEWED BY SJK
EXCAVATION CONTRACTOR Client
SEEPAGE ---
EQUIPMENT Kybota KX040-4 Mini Excavator
GROUNDWATER DURING DRILLING ---
EXCAVATION METHOD 24" Rock Bucket
GROUNDWATER AFTER EXCAVATION ---

ELEVATION (ft)	GRAPHIC LOG	GROUP SYMBOL	MATERIAL DESCRIPTION	GROUNDWATER	DEPTH (ft)	SAMPLE TYPE NUMBER	RECOVERY % (RQD)	WDCP N_{60} VALUE	POCKET PEN. (tsf)	DRY UNIT WT. (pcf)	▲ WDCP N_{60} VALUE ▲ PL LL MC ☐ FINES CONTENT (%) ☐ 0 20 40 60 80 100
3150			**POORLY GRADED SAND WITH SILT FILL:** Brown to tan, moist, fine- to coarse-grained, subrounded to subangular, nonplastic fines. Subrounded to rounded gravel up to 2 inches in diameter. Subrounded to rounded cobbles (15%) up to 11 inches in diameter.		0						
					2						
3148		SP-SM FILL									
			Gray to black, fine- to medium-grained below 4 feet bgs.		4						
3146											
			POORLY GRADED GRAVEL WITH SILT: *Dense,* brown to gray, moist, subrounded to subangular up to 3 inches in diameter, nonplastic fines. Subrounded to subangular fine-grained sand.		6	GRAB 1					
3144		GP-GM									
3142											

- Extent of reach at 7½ feet bgs with excavation equipment encountered within dense soils
- Sluffing sidewalls observed down to 5 feet bgs.
- No groundwater encountered
- Test pit loosely backfilled with excavated spoils upon completion of infiltration testing

CGT EXPLORATION WITH WDCP GINT LOGS MN.GPJ 7/11/25 DRAFTED BY: MSN

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Tigard Office	**(503) 684-3460**

Appendix B: Results of Infiltration Testing

The Ridge Development
South of Parcel at 944 East Main Street
John Day, Oregon

CGT Project Number B2502592

July 11, 2025

Prepared For:

Joshua T. Walker
Mahogany Ridge Properties
601 S Canyon Boulevard
John Day, Oregon 97845

Prepared by
Carlson Geotechnical

B.1.0 INTRODUCTION

Two infiltration tests were requested by the project architect, Drew Shreiner of Base Design Architecture, to be completed at the site. The locations of the infiltration tests are shown on the Site Plan, attached to the main report as Figure 2. Groundwater was not encountered during the excavation of the infiltration test pits at test depths.

B.2.0 TEST PROCEDURE

Testing was performed on July 1, 2025, in general accordance with the Test Pit Method described in Appendix 4C of the Central Oregon Stormwater Manual (dated August 2010). The dimensions of the test pits are shown in the tables below. Native poorly graded gravel with silt (GP-GM) was exposed at the base of each infiltration test IT-1 and IT-2 at test depth. Upon completion of the excavations, water was introduced to the test pits from a water spigot attached to a 55-gallon water barrel. Water flow from the barrel was controlled with a two-way restricted-flow valve. CGT deviated from test method procedure due to water access limitations.

The test pits were initially filled with water to depths of about 3 to 12 inches and water levels were maintained within IT-1 for a period of 25 minutes and within IT-2 for a period of 20 minutes. A constant head was maintained within each infiltration test pit over the 20-to-25-minute interval, respectively. During the constant head portion of testing the water level was recorded every 5 minutes with a water level rod placed at the bottom of the pits and were recorded to the nearest one-quarter inch.

Upon completion of the constant-head portion of the test procedure, inflow to the test pits were halted and the falling-head portion of the test procedure began. During this portion of the test, the water levels were measured on a 5-minute interval over a 30-minute testing period. Measurements for the falling-head portion were taken using the water level rod and were recorded to the nearest one-eighth of an inch.

B.3.0 TEST RESULTS

The following tables present the details, raw data, and calculated infiltration rates observed during testing. Please note that the calculated infiltration rates do not include any safety or correction factors.
The normalized infiltration rate (q_N) was calculated using the following equation[1]:

$$q_N = \frac{Q/A}{H/2}$$

Where:

$q_N = normalized\ infiltration\ rate\ per\ square\ foot\ per\ foot\ of\ head\ (cfs)$
$Q = stabilized\ falling\ head\ rate\ (cfs)$
$A = wetted\ bottom\ and\ sidewall\ area\ of\ the\ flooded\ test\ pit\ (ft^2)$
$H = depth\ of\ water\ in\ the\ test\ pit\ (ft)$

[1] 2010 Central Oregon Stormwater Manual, Appendix 4C.

Table B1 Results of Infiltration Test TP-6 / IT-1

Saturated Pit Dimensions:	Test Depth:	Water Depth:	Wetted Area:	Tested Material Type:	
2 ft L x 3 ft W	3.5 feet bgs	12 inches	16 ft²	Poorly Graded Gravel with Silt (GP-GM)	
Time	**Inflow Rate Q (cfs)**	**Time Interval (minutes)**	**Measurement (inches)**	**Change in Water Level (inches)**	**Comments**
2:00 PM	0.0058	-	4	-	Constant Head Start, Inflow Start
2:05 PM	0.0058	5	9	5	
2:10 PM	0.0058	5	12	3	
2:15 PM	0.0058	5	12	0	Inflow reduced
2:20 PM	0.0058	5	12	0	
2:25 PM	0.0058	5	12	0	Constant Head Stop, Q Recorded
2:30 PM	-	-	12	12	Falling Head Start
2:35 PM	-	5	12	0	
2:40 PM	-	5	11 1/2	- 1/2	
2:45 PM	-	5	11 1/2	0	
2:50 PM	-	5	11	- 1/2	
2:55 PM	-	5	10 1/2	- 1/2	
3:00 PM	-	5	10	- 1/2	Falling Head Stop
Unfactored Falling Head Infiltration Rate (inches/hour):					**4.000**
Unfactored Normalized Infiltration Rate (qN, cfs per ft² per foot of total head):					**0.00073**

*Water level measurements taken in inches, measured to the nearest one-eight inch.
**Values calculated are raw (unfactored) rates.

Table B2 Results of Infiltration Test TP-7 / IT-2

Saturated Pit Dimensions:	Test Depth:	Water Depth:	Wetted Area:	Tested Material Type:	
2 ft L x 3 ft W	7.5 feet bgs	3 inches	8.5 ft²	Poorly Graded Gravel with Silt (GP-GM)	
Time	**Inflow Rate Q (cfs)**	**Time Interval (minutes)**	**Measurement (inches)**	**Change in Water Level (inches)**	**Comments**
1:20 PM	0.0064	-	3	-	Constant Head Start, Inflow Start
1:25 PM	0.0064	5	3	0	
1:30 PM	0.0064	5	3	0	
1:35 PM	0.0064	5	3	0	Inflow reduced
1:40 PM	0.0064	5	3	0	Constant Head Stop, Q Recorded
1:45 PM	-	-	3	3	Falling Head Start
1:50 PM	-	5	0	-3	
1:55 PM	-	5	0	0	
2:00 PM	-	5	0	0	
2:05 PM	-	5	0	0	
2:10 PM	-	5	0	0	
2:15 PM	-	5	0	0	Falling Head Stop
Unfactored Falling Head Infiltration Rate (inches/hour):					**6.000**
Unfactored Normalized Infiltration Rate (qN, cfs per ft² per foot of total head):					**0.00602**

*Water level measurements taken in inches, measured to the nearest one-eight inch.
**Values calculated are raw (unfactored) rates.

B.4.0 DISCUSSION

As detailed above, we observed raw (unfactored) failing head rate of about 4 to 6 inches per hour where test was performed within the native poorly graded gravel with silt (GP-GM). Recommendations for stormwater drainage are presented in the main report. As indicated therein, we recommend that stormwater not be allowed to infiltrate within the undocumented fill materials encountered at the site.

Note that these infiltration rates do not include any safety or correction factors. We recommend the stormwater infiltration system designers consult the appropriate design manual in order to assign appropriate safety/correction factors to calculate the design infiltration rate for the proposed infiltration system(s). Once the design is completed, we recommend the infiltration system design (provided by others) and location be reviewed by the geotechnical engineer. If the location and/or depth of the system(s) change from what was indicated at the time of our fieldwork, additional testing may be recommended.

EXHIBIT D

TYPE A - HOUSES

MAIN LEVEL	1,110 SF LIVING SF
GARAGE	375 SF
TOTAL SF	**1,485 SF WITH GARAGE**

TYPE B - HOUSES

MAIN LEVEL	1,110 SF LIVING SF
LOWER LEVEL ADU & LIVING	735 SF LIVING SF
GARAGE	375 SF
TOTAL SF	**2,220 SF WITH GARAGE**

TYPE C - HOUSES

MAIN LEVEL	1,110 SF LIVING SF
LOWER LEVEL ADU	668 SF
TOTAL SF	**1,778 SF**

1 SITE PLAN PROPOSED
Scale: 1" = 30'-0"

base

1300 SE Stark Street #309
Portland OR, 97214
(503) 477-0989
www.basedesignarchitecture.com

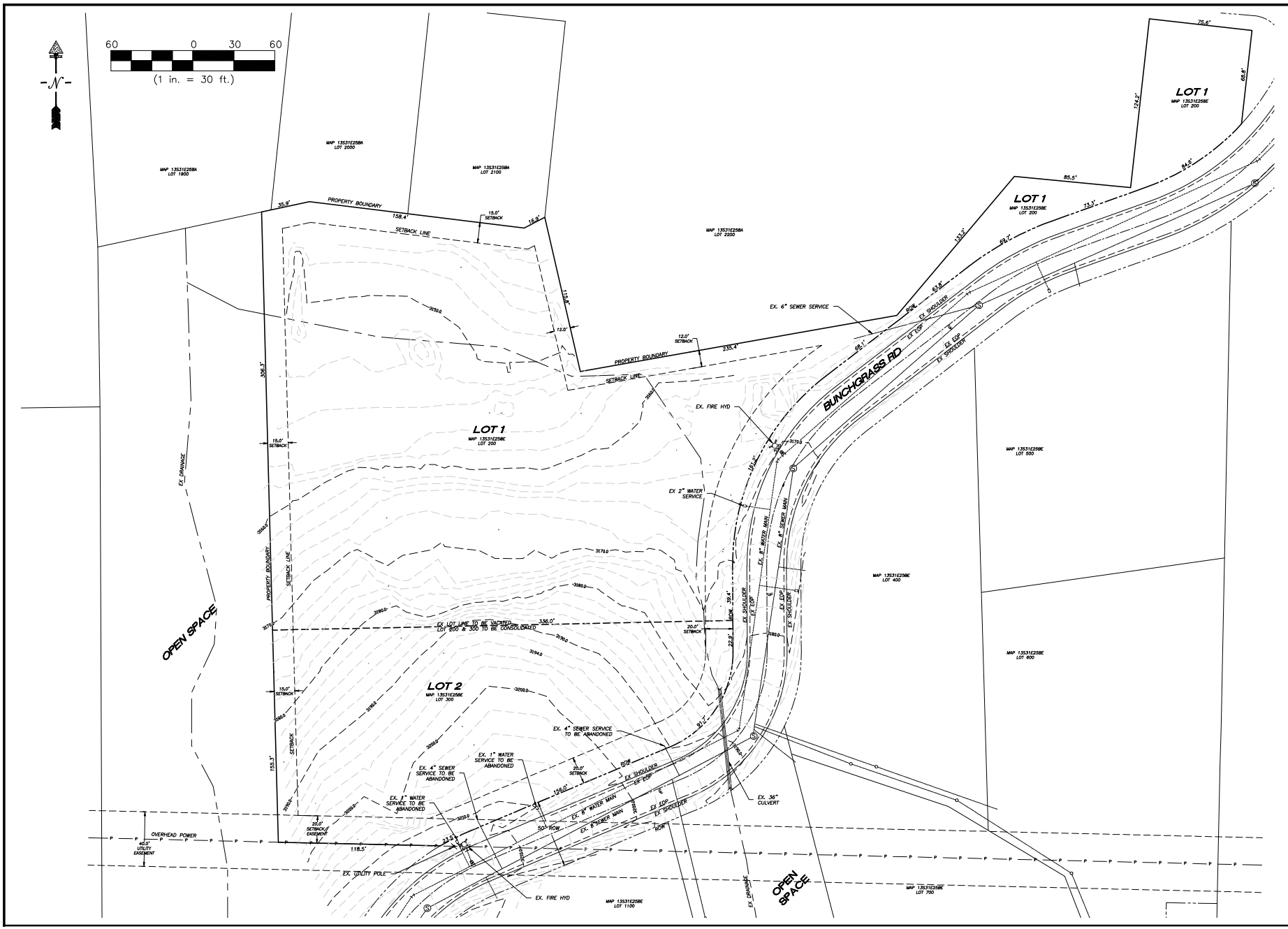
LUR Set
03/14/2025

Revision	
Date:	Issue:

The Ridge Development
John Day, Oregon

Sheet Title:
Site Plan Proposed

Sheet Number:
A010



REVISIONS	BY

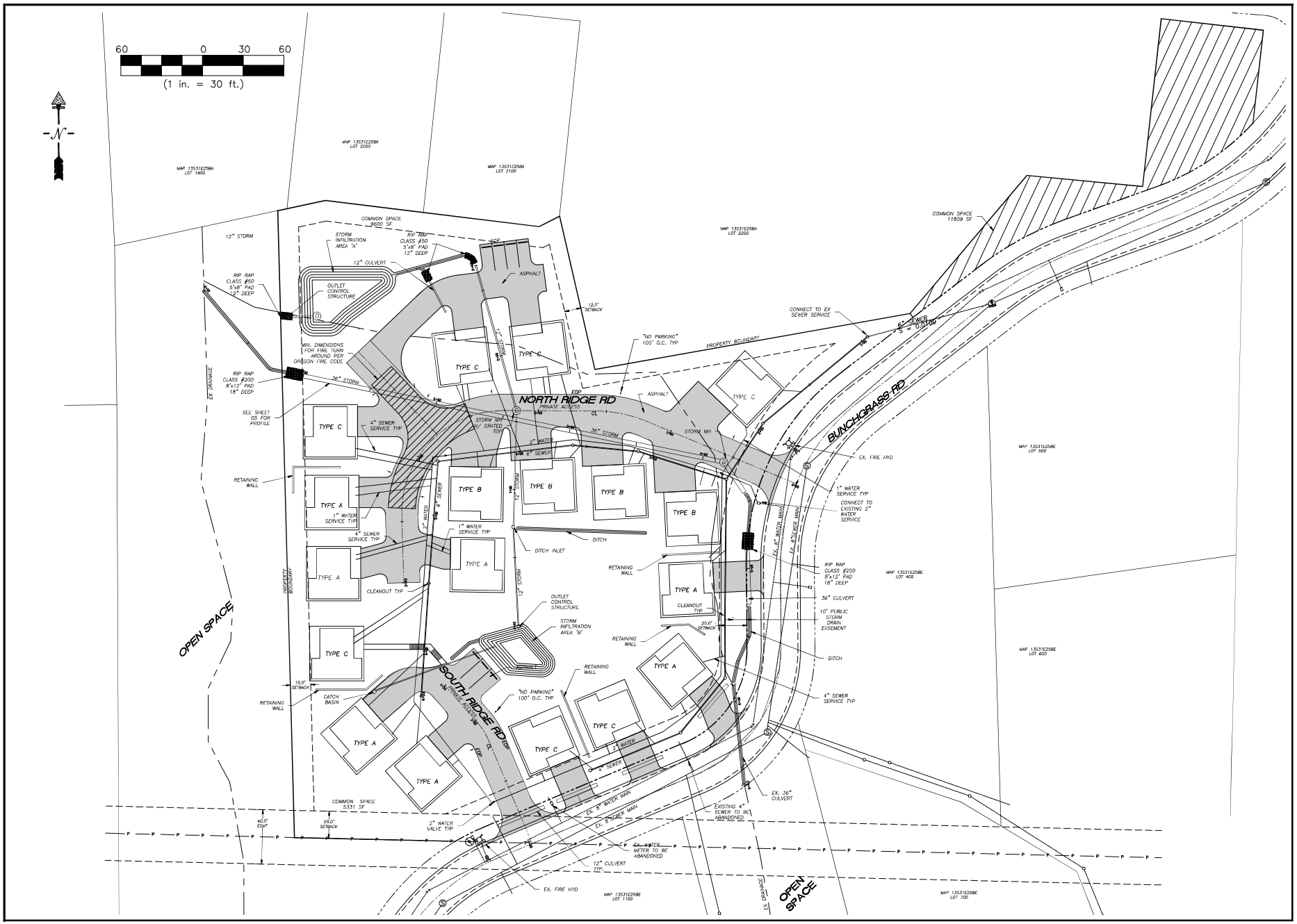
TAX LOT 200 & 300
SITE DESIGN REVIEW
BASE DESIGN ARCHITECTURE

EXISTING SITE CONDITIONS

ISUL ENGINEERING
158 E. MAIN ST.
JOHN DAY, OREGON 97845
(541) 575-0777

DRAWING: RIDGE 1cts 1-2 EXISTING.dwg

DATE	MAR 2025
SCALE	NOTED
DRAWN	GB
JOB	25-008
SHEET	01
OF	05 SHEETS



REVISIONS	BY

TAX LOT 200 & 300
SITE DESIGN REVIEW
BASE DESIGN ARCHITECTURE

SITE IMPROVEMENTS

SISUL ENGINEERING
158 E. MAIN ST.
JOHN DAY, OREGON 97845
(541) 575-0777

DRAWING: RIDGE LOT 1-2 SITE IMPROVEMENT.dwg

DATE	MAR 2025
SCALE	NOTED
DRAWN	GB
JOB	25-008
SHEET	02
OF	05 SHEETS

CITY OF JOHN DAY

STAFF REPORT
Child Care CUP 25-01

Date Submitted:	August 5, 2025
Agenda Date Requested:	August 13, 2025
To:	John Day Planning Commission
From:	Henry Hearley, Associate Planner, Lane Council of Governments
Subject:	Staff report for CUP 25-01
Location:	Tax Lot 05500 on Map 13S-R31E-23
Mailed Notice:	July 22, 2025
Published Notice:	August 6, 2025

Type of Action Requested

[ ]	**Resolution**	**[ ]**	**Ordinance**
[X]	**Formal Action**	**[ ]**	**Report Only**

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1. PROPOSAL. Applicant is seeking conditional use permit approval to operate a Certified Child Care Center in the dwelling located at 150 NW 2nd Ave in John Day. The applicant states they will initially have 16 students, but plan to expand to more as students and parents needs change. The Certified Child Care Center will be certified and regulated by the Department of Early Learning and Care (DELC) and licensed by the Child Care Licensing Division (CCLD). The property has approximately 3,800 square feet of outdoor space that will be utilized by students. All toilets and sinks used for care are located on the main floor. The applicant is providing this use to bridge what is called "gap care." Gap care is also known as drop-in care or backup care and it is childcare that is needed on an unscheduled, non-contract

basis. Families usually utilize gap care only one day a week or they may have a stay-at-home parent that needs to attend an appointment. The dwelling will not be the primary residence for any persons. The applicant notes a clear distinction between "certified center" and "family childcare." A "family childcare" center's license is tied to the provider, whereas a "certified center" is tied to the physical location of the building and requires fire inspection. The licensing requirements for a "certified center" are more stringent. The applicant is electing for a "certified center" because they eventually intend to go over the 16 students. **See Figures 1-4 below for more information about the property.**

Figure 1. Aerial photo of the subject property.

Figure 2. Existing site conditions.

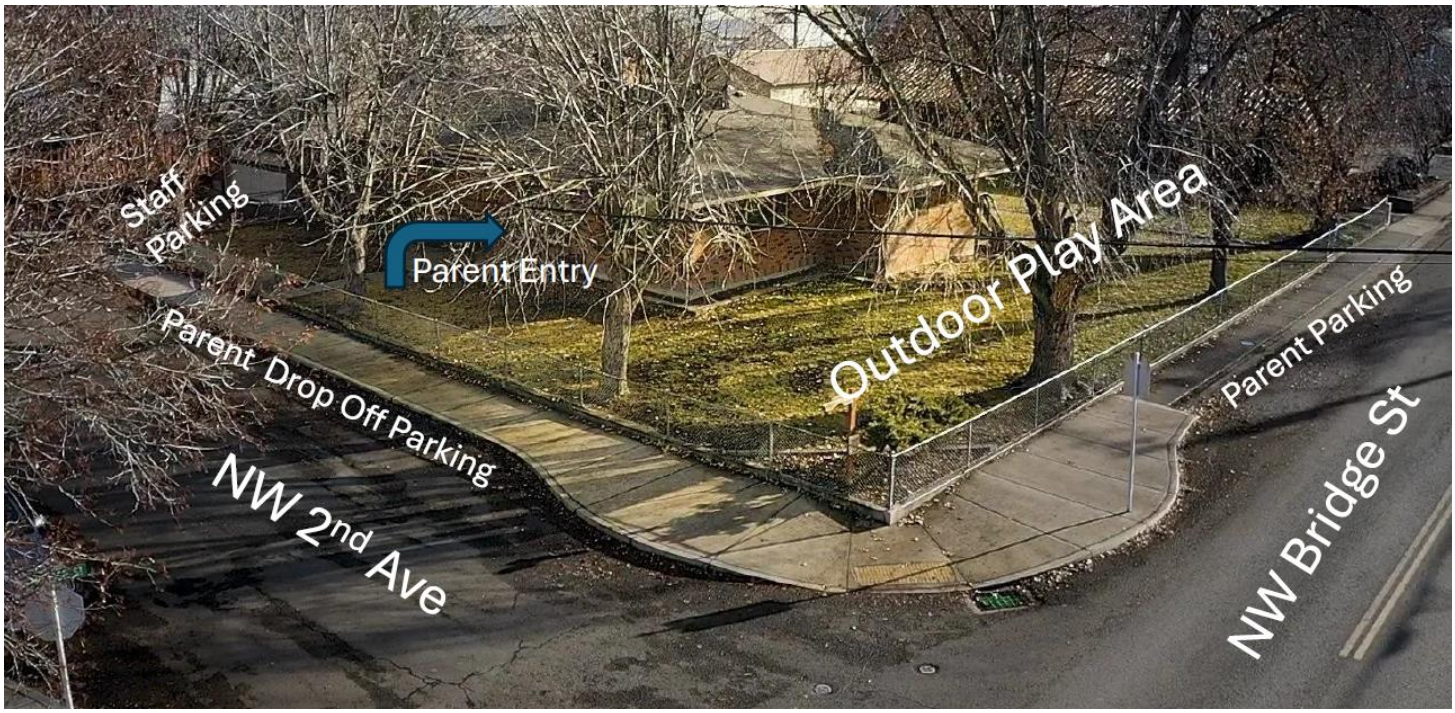

Figure 3. Parking and access.

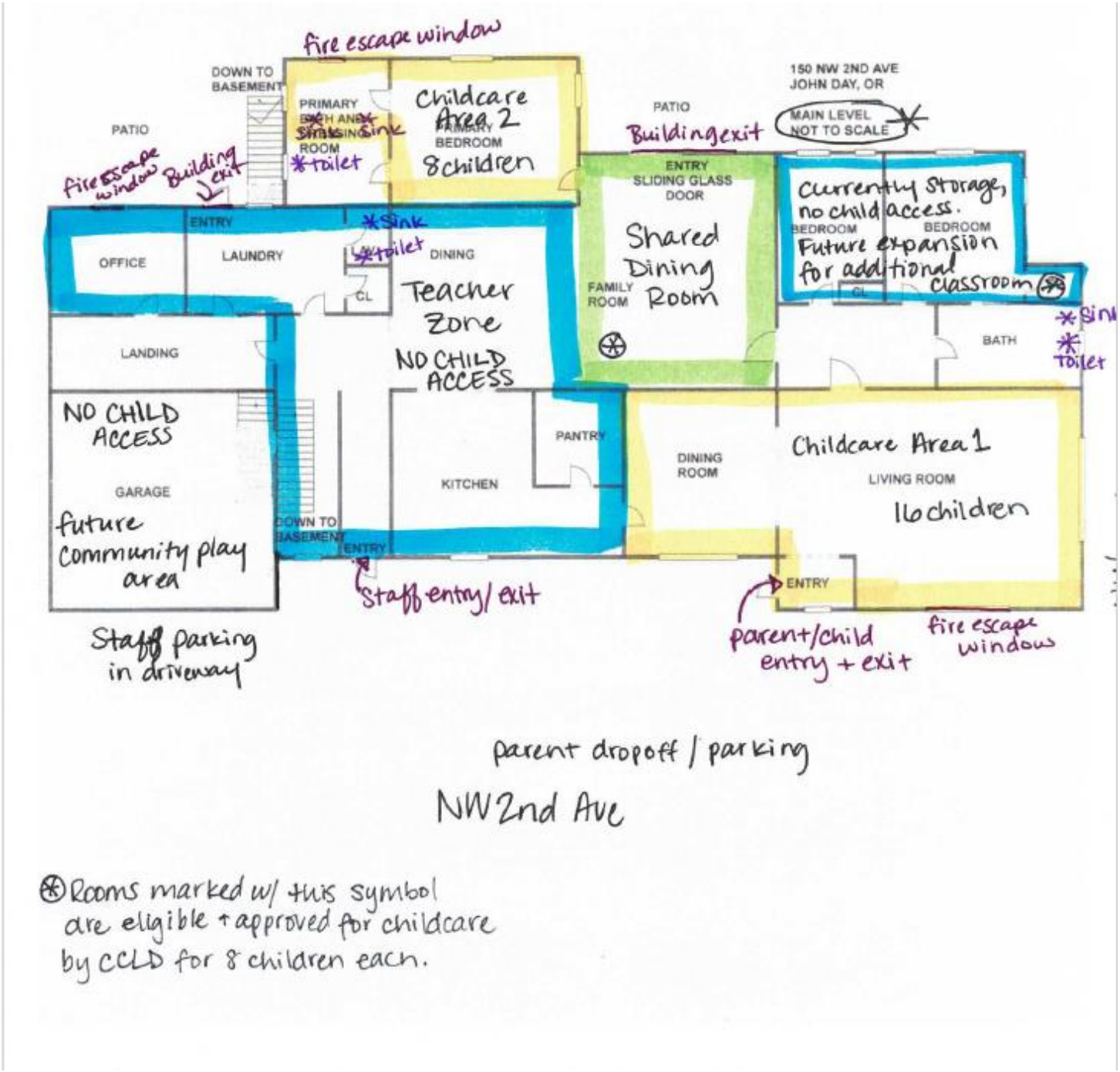

Figure 4. Floor plan.

2. APPROVAL CRITERIA. Consistent with the John Day Development Code, a conditional use shall be processed as a Type III land use review. A Type III application is reviewed by the John Day Planning Commission at a duly noticed public hearing.

Daycare				
Family Daycare (16 or fewer children) as allowed under ORS 657A.250 and ORS 657A.440(4), subject to State licensing	P	P	P	
Daycare Center subject to State licensing	CU	CU	P	

A Daycare Center, allowing greater than 16 children is a conditional use in the Residential Limited zone.

5-4.4.040 Conditional Use Permits - Criteria, Standards And Conditions Of Approval

The City shall approve, approve with conditions, or deny an application for a conditional use or to enlarge or alter a conditional use based on findings of fact with respect to each of the standards and criteria in A-C.

A. Use Criteria

1. The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations;

Proposed Staff Finding: The site at 150 NW 2nd Ave is adequate for the proposed childcare center use in terms of size, dimensions, location, topography, and access. No construction or modifications are needed. The site includes sufficient indoor and outdoor space to meet state licensing requirements, including over 3,800 square feet of outdoor play area, which exceeds the minimum needed even at full capacity. Parking and drop-off areas are designated to minimize neighborhood impact and do not interfere with traffic flow. Operational measures—such as limiting outdoor play to after 9:00 a.m., restricting noisy activity near adjacent residences, and adhering to quiet hours—will reduce noise and ensure compatibility with the surrounding residential area. The site is already served by appropriate utilities, including water, power, and internet, and will be maintained to preserve its residential appearance. Overall, the proposal demonstrates that the site can accommodate the proposed use without adverse impacts related to traffic, noise, light, emissions, or safety.

2. The negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other Code standards, or other reasonable conditions of approval; and

Proposed Staff Finding: The proposed childcare center use at 150 NW 2nd Ave demonstrates that any potential negative impacts on adjacent properties and the public can be effectively

mitigated through adherence to existing code standards and reasonable operational practices. The applicant has committed to limiting outdoor play to after 9:00 a.m., restricting noisy activities away from neighboring homes, and maintaining compliance with quiet hours to minimize noise impacts. Designated drop-off and parking areas are located in existing street indentations to prevent congestion and reduce interference with neighboring properties. No construction or changes are proposed that would affect the building's residential character, and the facility will continue to operate in a manner visually consistent with the surrounding neighborhood. The applicant also plans to maintain the landscaping, use residential-style garbage service to avoid visual impacts, and comply with all applicable licensing requirements from the Child Care Licensing Division (CCLD), which include safety, health, and space standards. These measures are sufficient to ensure that any potential impacts on neighbors or the public are appropriately mitigated.

3. All required public facilities have adequate capacity or are to be improved to serve the proposal, consistent with City standards.

Proposed Staff Finding: All required public facilities have adequate capacity to serve the proposed childcare center at 150 NW 2nd Ave, or will be maintained in compliance with City standards. The site is already connected to City water and sewer services, and the applicant has confirmed that water use will be typical or less than that of a residential use, with no showers on site and some children in diapers. Lead testing has been completed, showing no unsafe levels, and ongoing testing will be conducted in compliance with state licensing requirements. Power will be provided by Oregon Trail Electric Cooperative, internet is available via an existing fiber-optic connection, and trash service will be handled by Clark's Disposal using residential bins to minimize visual impacts. No upgrades or improvements to public infrastructure are necessary, and all utility connections and services are in place to adequately support the proposed use.

4. A conditional use permit shall not allow a use that is prohibited or not expressly allowed under Article 5-2; nor shall a conditional use permit grant a variance without a variance application being reviewed with the conditional use application.

Proposed Staff Finding: The use, "daycare center" is not expressly prohibited, rather it is allowed conditionally. The applicant is seeking approval of the appropriate permit to operate such a use on the subject property.

Daycare				
Family Daycare (16 or fewer children) as allowed under ORS 657A.250 and ORS 657A.440(4), subject to State licensing	P	P	P	
Daycare Center subject to State licensing	CU	CU	P	

3. STAFF RECOMMENDATION

Staff recommend **approval** of the conditional use permit request subject to the following:

Condition of Approval #1:
The applicant shall obtain a City of John Day Business License prior to the first day of operation. The business license application must include documentation of all required regulatory approvals from applicable state agencies, in accordance with Title 3 (Business Regulation**s)** of the John Day Municipal Code.

4. ATTACHMENTS

Attachment A – Applicant Materials

Attachment B – Notice Materials

Eric and Sarah Bush
125 NW 2nd Ave, John Day, OR 97820
PO Box 422, Canyon City, OR 97820

8/5/2025

To whom it may concern:

This letter is to provide comments associated with Application No CUP 25-01, Grant County Childcare Committee. First, we would like to share our support and recognize the need for additional daycare in Grant County. We have many friends and co-workers who struggle to find daycare for their children. This facility could provide the opportunity for these families to work and provide daycare as necessary.

We own the house on the 6600 tax lot (125 NW 2nd Ave) where parking on the roads is already challenging both on NW 2nd Ave and NW Boyce St. Will there be parking available specifically for the employees? If so, will they park? How many additional vehicles are expected to have to be parked when children are dropped off or picked up? What times of day are expected to be peak drop off or pick up times at the facility on NW 2nd Ave? There is potential to block driveways that I would expect to be short-lived. What is the plan to keep traffic moving and not block driveways during the peak drop off or pick up times?

Thank you for your responses to our questions.

Sincerely,

E+S Bush

Eric and Sarah Bush

EXHIBIT A

CITY OF
JOHN DAY

Conditional Use Application

Applicant: Grant County Childcare Committee **Phone:** 541-315-4530 **Email:** alicia.jason.mclane@gmail.com

Property Owner(s): Grant County Childcare Committee

Property Address: 150 NW 2nd Ave, John Day, OR 97845

Township, Section, Range, and Tax Lot: S.E. 1/4 S.W. 1/4 Sec. 23 T. 13S. R.31E WM Tax Lot 5500

Zone: Residential Limited (RL) **Lot size:** .39 acre (from real estate listing)

Existing Use: Residential

Proposed Structure: N/A

Proposed Use: Certified Childcare Center, conforming to OAR 414-305-0000 through 414-305-1620

Proposed Front Setback: N/A **Proposed Rear Setback:** N/A

Proposed Side Setbacks: N/A **and** n/A

Additional Information: We plan to open a licensed childcare facility that offers gap care from 7am to 7pm. We will start with 16 children with plans to expand to more in the future. We will start with care Monday-Friday, but we may expand to weekend if parents express need for those times.

Reason for Exceeding Code Requirements:
The current RL Code limits childcare centers to "family" childcare providers who offer care for up to 16 children. We plan to operate a Certified Childcare Center, which is a different type of care than is permitted by the RL code. We want this type of childcare license because it is tied to the address rather than to an individual. We also plan to offer care to more than 16 children in the future. We will start with just 16 children and expand as parents express need. Please see attached documents for more information on Certified Centers vs "family" childcare.

CITY OF
JOHN DAY

Review Criteria

Planning staff may require the following information if applicable:

- Existing site conditions
- Site plan
- Preliminary grading plan
- Landscape Plan
- Architectural drawings of all structures
- Drawings of all proposed signs
- A copy of all existing and proposed restrictions or covenants
- Other information deemed necessary under section 5-4.4.040

Conditions of Approval

The City shall approve, approve with conditions, or deny an application for a conditional use or to enlarge or alter a conditional use based on findings of fact with respect to each of the standards and criteria in A-C.

A. **Use Criteria**
   1. The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations;
   2. The negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other Code standards, or other reasonable conditions of approval; and
   3. All required public facilities have adequate capacity or are to be improved to serve the proposal, consistent with City standards.
   4. A conditional use permit shall not allow a use that is prohibited or not expressly allowed under Article 5-2; nor shall a conditional use permit grant a variance without a variance application being reviewed with the conditional use application.

B. **Site Design Standards.** The Site Design Review approval criteria (Section 5-4.2.060) shall be met. The Planning Official may waive the application requirements for Site Design Review upon determining that the Conditional Use Permit application provides sufficient information to evaluate the proposal.

CITY OF
JOHN DAY

C. **Conditions of Approval.** The City may impose conditions that are found necessary to ensure that the use is compatible with other uses in the vicinity, and that the negative impact of the proposed use on the surrounding uses and public facilities is minimized. These conditions include, but are not limited to, the following:

1. Limiting the hours, days, place and/or manner of operation;
2. Requiring site or architectural design features which minimize environmental impacts such as noise, vibration, exhaust/emissions, light, glare, erosion, odor and/or dust;
3. Requiring larger setback areas, lot area, and/or lot depth or width;
4. Limiting the building or structure height, size, lot coverage, and/or location on the site;
5. Designating the size, number, location and/or design of vehicle access points or parking and loading areas;
6. Requiring street right-of-way to be dedicated and street(s), sidewalks, curbs, planting strips, pathways, or trails to be improved;
7. Requiring landscaping, screening, drainage, water quality facilities, and/or improvement of parking and loading areas;
8. Limiting the number, size, location, height and/or lighting of signs;
9. Limiting or setting standards for the location, design, and/or intensity of outdoor lighting;
10. Requiring berms, screening or landscaping and the establishment of standards for their installation and maintenance;
11. Requiring and designating the size, height, location and/or materials for fences;
12. Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, drainage areas, historic resources, cultural resources, and/or sensitive lands;
13. Requiring the dedication of sufficient land to the public, and/or construction of pedestrian/bicycle pathways in accordance with the adopted plans, or requiring the recording of a local improvement district non-remonstrance agreement for the same. Dedication of land and construction shall conform to the provisions of Chapter 5-3.1, and Section 5-3.1.030 in particular;
14. Establish a time table for periodic review and renewal, or expiration, of the conditional use to ensure compliance with conditions of approval; such review may be subject to approval by the Planning Official or Planning Commission through a Type II Administrative Review or Type III Quasi-Judicial process at the discretion of the decision making body.

CITY OF
JOHN DAY

Signatures

Note: All owners must sign this application or submit a letter of consent authorizing another individual to submit application. Incomplete or missing information may delay the review process.

Owner: Alicia Griffin Date: 6/20/2025

Owner: _____ Date: _____

For Office Use Only

Date Stamp: **Received By:** _____

Required Fee: $_____ **Date Received:** _____ **120 Day Deadline:** _____

Signage on front doors, both facing 2nd Ave. Not to exceed 12”x12”. May also be placed on the fence with the facility phone number when it exists.

	Certified Center	“Family” Childcare
Capacity	No limit, our center is limited to 45 by available space	16
License Holder	Tied to the building	Tied to the provider
Licensing Requirements	Annual Renewal, 1 spot inspection/year	Annual or biannual renewal, 1 spot inspection/year
Fire Inspection	Required	Not Required
General Licensing	More strict and a greater number of requirements	Generally less strict/fewer requirements
Background checks for staff	Required	Required

We are choosing to pursue a Certified Center license (which requires this conditional use) rather than a Family Childcare license (which is permitted in Residential Limited zoning) because we would like to go over 16 children, and we would like the flexibility of having the license tied to the facility rather than a staff member. This type of license is stricter and holds us to a high standard. This is **not** a method of reducing licensing requirements. We’ve included a copy of the licensing rules we will have to follow.

We anticipate that we will start with 16 children and increase our capacity as parents’ needs indicate. We anticipate that we will max out at 32 children, but our space can have 45 children with its available space.

ACKNOWLEDGEMENT OF FEE SCHEDULE AND COSTS

By signing my name below, I acknowledge that I received a copy of the Fee Schedule effective as of November 22, 2005 and I have read it and agree to pay the fees in said Fee Schedule and costs as stated herein.

I also acknowledge that I understand that I am responsible for all costs incurred by the City related to my land use and development permit applications and approvals, and appeals under Title 5 of the JOHN DAY CITY CODE "Development Code" and Measure 37 claims under Ordinance 04-112-2.

City costs include but are not limited to:

2.1 City Manager at $47.51 per hour;
2.2 City Planner at $115.00 per hour;
2.3 City Secretary/Cashier at $26.27 per hour;
2.4 Public Works Director at $30.06 per hour;
2.5 Police Chief at $43.84 per hour;
2.6 Fire Chief at $36.39 per hour;
2.7 City Engineer at $100.00 per hour
2.8 City Attorney at $150.00 per hour;
2.9 Facsimile transmittal at $2.00 per fax and $ .50 per page;
2.10 Copy fee of $ .25 per page;
2.11 Mileage at current Internal Revenue Service rate; and
2.12 City surveyor fee.

Dated this 31 day of July, 2025

Alicia Griffin
Print Applicant's Name

Applicant's Signature

Verification of City/County Approval

Planning and Zoning, Occupancy, and Building Codes

*Prior to licensing, you must provide the Child Care Licensing Division with verification that your facility meets local planning and zoning, occupancy, and building requirements.**

Oregon Department of Early Learning and Care

To be Filled Out by the Child Care Program

Type of License Applying for:

- ☐ Registered Family Child Care Home (**RF**)
- ☐ Certified Family Child Care Home (**CF**)
- ☑ Certified Child Care Center (**CC**)
- ☐ Certified School-age Center (**SC**)

Ages of Children Being Served:

- ☑ Infants
- ☑ Toddlers
- ☑ Preschool
- ☑ School-age

Site Address:

150 NW 2nd Ave, John Day, OR 97845 Grant County

(street address) (city) (zip) (county)

Verification of Compliance with city/county ordinances is needed because:

- ☐ **RF/CF** Provider not living in the home where care will be provided (*only planning and zoning approval required*)
  Check one: ☐ alternate tenant ☐ no tenant
- ☐ **RF/CF** Home is converted or additional space, not part of the original living quarters, being used for child care (*only occupancy and building codes required*)
- ☐ **CF** Home is not located in a commercial or residential zone.
- ☑ **CC** Building may/may not be zoned to operate a child care business.
- ☐ **SC** School-age Center that is not in a public school must meet building code and zonings requirements.

To be Filled Out by the Appropriate Local Authority

Planning and Zoning Approval

The proposed child care facility/home is in an approved zone. ☐ Yes ☐ No

_____ Date: _____

Signature of authorized representative of Planning and Zoning

Occupancy and Building Codes Approval

The proposed child care facility/home meets Occupancy and Building Codes ☐ Yes ☐ No

_____ Date: _____

Signature of authorized representative of Occupancy and Building Codes

***Applicable Rules:** **Registered Family**: OAR 414-205-0150(3) **Certified Family**: OAR 414-350-0130(2) **Certified Center**: OAR 414-305-0130(6)(a) and **Certified School-age Center**: OAR 414-310-0130(5)(a)

Alicia Gillis

Signature of Provider/Operator of Facility

Date: 6/20/2025

Sources: Oregon Administrative Rules (OAR), Oregon Department of Early Learning and Care Chapter 414, Divisions 205 Registered Family Child Care Homes, 305 Certified Child Care Centers, 310 Certified School-age Centers and 350 Certified Family Child Care Homes.

You are entitled to language assistance services and other accommodations at no cost. If you need help in your language or other accommodations, please contact the Child Care Licensing Division at 503-947-1400.

Verification of City/County Approval

Planning and Zoning, Occupancy, and Building Codes

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Oregon Department of Early Learning and Care

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  Check one: ☐ alternate tenant ☐ no tenant
- ☐ **RF/CF** Home is converted or additional space, not part of the original living quarters, being used for child care (*only occupancy and building codes required*)
- ☐ **CF** Home is not located in a commercial or residential zone.
- ☑ **CC** Building may/may not be zoned to operate a child care business.
- ☐ **SC** School-age Center that is not in a public school must meet building code and zonings requirements.

To be Filled Out by the Appropriate Local Authority

Planning and Zoning Approval

The proposed child care facility/home is in an approved zone. ☐ Yes ☐ No

_____ Date: _____

Signature of authorized representative of Planning and Zoning

Occupancy and Building Codes Approval

The proposed child care facility/home meets Occupancy and Building Codes ☐ Yes ☐ No

_____ Date: _____

Signature of authorized representative of Occupancy and Building Codes

***Applicable Rules:** **Registered Family**: OAR 414-205-0150(3) **Certified Family**: OAR 414-350-0130(2) **Certified Center**: OAR 414-305-0130(6)(a) and **Certified School-age Center**: OAR 414-310-0130(5)(a)

_____ Date: _____

Signature of Provider/Operator of Facility

Sources: Oregon Administrative Rules (OAR), Oregon Department of Early Learning and Care Chapter 414, Divisions 205 Registered Family Child Care Homes, 305 Certified Child Care Centers, 310 Certified School-age Centers and 350 Certified Family Child Care Homes.

You are entitled to language assistance services and other accommodations at no cost. If you need help in your language or other accommodations, please contact the Child Care Licensing Division at 503-947-1400.

CITY OF
JOHN DAY

Conditional Use Application

Applicant: Grant County Childcare Committee **Phone:** 541-315-4530 **Email:** alicia.jason.mclane@gmail.com

Property Owner(s): Grant County Childcare Committee

Property Address: 150 NW 2nd Ave, John Day, OR 97845

Township, Section, Range, and Tax Lot: S.E. 1/4 S.W. 1/4 Sec. 23 T. 13S. R.31E WM Tax Lot 5500

Zone: Residential Limited (RL) **Lot size:** .39 acre (from real estate listing)

Existing Use: Residential

Proposed Structure: N/A

Proposed Use: Certified Childcare Center, conforming to OAR 414-305-0000 through 414-305-1620

Proposed Front Setback: N/A **Proposed Rear Setback:** N/A

Proposed Side Setbacks: N/A **and** n/A

Additional Information: We plan to open a licensed childcare facility that offers gap care from 7am to 7pm. We will start with 16 children with plans to expand to more in the future. We will start with care Monday-Friday, but we may expand to weekend if parents express need for those times.

Reason for Exceeding Code Requirements:
The current RL Code limits childcare centers to "family" childcare providers who offer care for up to 16 children. We plan to operate a Certified Childcare Center, which is a different type of care than is permitted by the RL code. We want this type of childcare license because it is tied to the address rather than to an individual. We also plan to offer care to more than 16 children in the future. We will start with just 16 children and expand as parents express need. Please see attached documents for more information on Certified Centers vs "family" childcare.

CITY OF
JOHN DAY

Review Criteria

Planning staff may require the following information if applicable:

- Existing site conditions
- Site plan
- Preliminary grading plan
- Landscape Plan
- Architectural drawings of all structures
- Drawings of all proposed signs
- A copy of all existing and proposed restrictions or covenants
- Other information deemed necessary under section 5-4.4.040

Conditions of Approval

The City shall approve, approve with conditions, or deny an application for a conditional use or to enlarge or alter a conditional use based on findings of fact with respect to each of the standards and criteria in A-C.

A. **Use Criteria**
   1. The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations;
   2. The negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other Code standards, or other reasonable conditions of approval; and
   3. All required public facilities have adequate capacity or are to be improved to serve the proposal, consistent with City standards.
   4. A conditional use permit shall not allow a use that is prohibited or not expressly allowed under Article 5-2; nor shall a conditional use permit grant a variance without a variance application being reviewed with the conditional use application.

B. **Site Design Standards.** The Site Design Review approval criteria (Section 5-4.2.060) shall be met. The Planning Official may waive the application requirements for Site Design Review upon determining that the Conditional Use Permit application provides sufficient information to evaluate the proposal.

CITY OF
JOHN DAY

C. **Conditions of Approval.** The City may impose conditions that are found necessary to ensure that the use is compatible with other uses in the vicinity, and that the negative impact of the proposed use on the surrounding uses and public facilities is minimized. These conditions include, but are not limited to, the following:

1. Limiting the hours, days, place and/or manner of operation;
2. Requiring site or architectural design features which minimize environmental impacts such as noise, vibration, exhaust/emissions, light, glare, erosion, odor and/or dust;
3. Requiring larger setback areas, lot area, and/or lot depth or width;
4. Limiting the building or structure height, size, lot coverage, and/or location on the site;
5. Designating the size, number, location and/or design of vehicle access points or parking and loading areas;
6. Requiring street right-of-way to be dedicated and street(s), sidewalks, curbs, planting strips, pathways, or trails to be improved;
7. Requiring landscaping, screening, drainage, water quality facilities, and/or improvement of parking and loading areas;
8. Limiting the number, size, location, height and/or lighting of signs;
9. Limiting or setting standards for the location, design, and/or intensity of outdoor lighting;
10. Requiring berms, screening or landscaping and the establishment of standards for their installation and maintenance;
11. Requiring and designating the size, height, location and/or materials for fences;
12. Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, drainage areas, historic resources, cultural resources, and/or sensitive lands;
13. Requiring the dedication of sufficient land to the public, and/or construction of pedestrian/bicycle pathways in accordance with the adopted plans, or requiring the recording of a local improvement district non-remonstrance agreement for the same. Dedication of land and construction shall conform to the provisions of Chapter 5-3.1, and Section 5-3.1.030 in particular;
14. Establish a time table for periodic review and renewal, or expiration, of the conditional use to ensure compliance with conditions of approval; such review may be subject to approval by the Planning Official or Planning Commission through a Type II Administrative Review or Type III Quasi-Judicial process at the discretion of the decision making body.

CITY OF
JOHN DAY

Signatures

Note: All owners must sign this application or submit a letter of consent authorizing another individual to submit application. Incomplete or missing information may delay the review process.

Owner: _____ Date: _____

Owner: _____ Date: _____

For Office Use Only

Date Stamp: **Received By: _____**

Required Fee: $_____ Date Received: _____ 120 Day Deadline: _____

View From NW 2nd Ave


Staff Entry
Parent/Child
Entry
Mailbox


Staff Entrance
Trash Can Storage


Parent/Child
Entrance
Parent/ Child
Access Gate

Outdoor Play Area View

Outdoor Play Area View
From Bridge Street


NW Bridge St
NW 2nd Ave
Parent/Child
Entrance
Indoor Classroom
Area 1

Lunch room and rear exit doors. Biosmile visible through doors.

The Village Conditional Use Permit Application Requirements:

1. See other attachments. No construction or changes are needed for the site to meet the proposed use. Its current conditions meet the requirements. We expand on this in our narrative under #8.
2. See other attachments
3. N/A
4. N/A
5. N/A
6. Signage on front doors, both facing 2nd Ave. Not to exceed 12”x12”. May also be placed on the fence with the facility phone number when it exists.

7. N/A
8. Use Criteria Narrative:

We will be using the property at 150 NW 2nd Ave for a childcare center. We will have 16 students initially, but we plan to expand to more students as parent need expands. Childcare Centers in Oregon are regulated by the Department of Early Learning and Care

(DELC) and licensed by the Child Care Licensing Division (CCLD). We will comply with all DELC rules for childcare centers. Some of those rules are explained here, as they address the question of whether or not the site meets the proposed use. We have also provided a complete copy of the rules we will have to comply with to be a licensed childcare center (other attachments). We are also providing a floor plan for the site to show that these requirements are being met (other attachments). The building and the rooms we are using have already been measured and approved by CCLD. There are currently. no changes needed to the building or property to make it fit our uses.

414-305-0800 Center Capacity (Desired use explanations in Bold)

(1) A certified child care center's licensed capacity is based on a combination of the center's indoor space, outdoor space, and the number of toilets and sinks.

(2) A certified child care center may only care for children in activity areas approved by CCLD.

(3) A certified child care center must have CCLD approval prior to using a new room, activity area, or outdoor space to care for children.

(4) A certified child care center must not exceed its licensed capacity at any time, including the total number of children in care both at and away from the center.

(5) A certified child care center must have a minimum of 35 square feet of activity space per child. **We have enough space in Area 1 for 16 students. We have enough space in Area 2 for 8 students. In total, our building has the square footage for 42 students on the main floor. Should we expand in the future, we will never have more than 40 students on the main floor.**

(a) Activity space must be available for use by children and used exclusively for child care during the hours of operation.

(b) Shelves or storage for children's materials that are accessible to children may be counted as part of the indoor space.

(c) Single use areas such as kitchens, hallways, restrooms, storage areas and closets, rooms designated for staff use such as offices and break rooms, and space occupied by furniture not designed for children's use such as work space and cabinets must be excluded when determining activity space.

d) Cribs may be considered activity space if the space underneath the crib is accessible to children.

(6) A certified child care center must provide an outdoor activity space of no less than 75 square feet for each child using the space at one time, unless a certified child care center only provides drop-in care, as defined in 414-305-0100(20). **We have approximately 3,800 square feet of outdoor space that we will be using for childcare. That is well over the 1,200 square feet we need for 16 children, and it is even more than we would need for our theoretical max of 40 children (which would need 3,000 square feet).**

(7) A certified child care center must provide indoor toilets and sinks that children can safely and easily access. Toilets and sinks must be on the same floor of the building where care is provided. **All toilets and sink used for care are on the main floor.**

(a) For children ages 24 to 35 months, a certified child care center must provide one child-size toilet or toilet with training seat for every 10 children, located in or adjacent to the classroom. **We have two toilets accessible.**

(A) If the toilet is not located in or adjacent to the classroom, the center must develop a written plan, approved by CCLD, to utilize the toilet.

(B) Potty chairs are prohibited.

(b) For children ages 36 months and older, a certified child care center must provide one toilet for every 15 children. **We have two toilets accessible.**

(c) Urinals may be substituted for one-half the required number of toilets, if there are at least two toilets in the center and a toilet in each bathroom with a urinal. Facilities built specifically as child care centers after July 15, 2001 cannot substitute urinals for the required number of toilets.

(d) A certified child care center must provide at least one handwashing sink for every two toilets. **We have three handwashing sinks accessible to children.**

(e) Sinks must be located in the same room or adjacent to the room where toilets are located. **The are.**

(f) Handwashing sinks in the food service area cannot be counted in the required number of sinks. **We do not count these sinks.**

(g) If toilets or handwashing sinks are of adult size, a certified child care center must provide easily-cleanable steps or a broad-based platform with a non-slip surface so that children can use the toilets and sinks comfortably and without adult assistance. **We have appropriate step stools for the two sinks that are not child-sized.**

For 414-305-0820 Water Supply and Plumbing (Please refer to the included Child Care Rules for the language we are responding to)

(1) We have city water.
(2) We have had the pipes lead tested. The results are included.
(3) We will keep up with lead tests every 6 years, per licensing requirements
(4) Our lead test was performed by the same lab that does John Day's water tests. They are accredited by the Oregon Laboratory Accreditation Program.
(5) We do not use well water for any part of childcare.
(6) We have told CCLD we have the test results, and they told us to include them in our application. We cannot submit an application for licensing until the Conditional Use process is completed.
(7) We do not have unsafe levels of lead. Refer to the lead test results
(8) We have a copy of the lead test results onsite already.
(9) We will post the approval/summary from CCLD as soon as we have it.

414-305-0839 Toilets, Sinks, and Bathing

(1) All bathrooms comply.
(2) All bathrooms comply.
(3) All bathroom sinks meet these requirements
(4) n/a
(5) There are two bathtubs that can be used when needed and will be inaccessible when not needed.

Further narrative:

Our childcare center will serve the families of John Day and the Grant County at large by providing a location for what we call "gap care". Gap care may also be known as drop-in care or backup care, and it is childcare that is needed on an unscheduled, non-contract basis. Families that utilize gap care may only need care one day a week or they may have a stay-at-home-parent who just needs to go to an appointment. There are many reasons that families may need gap care, and we are excited to provide that to the community. This house will not be the primary residence for any persons.

We will be initially licensed for 16 children as a Certified Childcare Center (CCC). This is different from the Certified Family Childcare (CFC) expressly allowed in John Day's Zoning, because of the way the license is held. As a nonprofit, we feel it is helpful to have the license tied to a building instead of a person. Here is a better breakdown of the differences between the allowed "family" childcare and the certified center childcare that we are asking to do instead:

	Certified Center	"Family" Childcare
Capacity	No limit, our center is limited to 42 by available space. We will start with 16 and will not exceed 40 at any point.	16
License Holder	Tied to the building	Tied to the provider
Licensing Requirements	Annual Renewal, 1 spot inspection/year	Annual or biannual renewal, 1 spot inspection/year
Fire Inspection	Required	Not Required
General Licensing	More strict and a greater number of requirements	Generally less strict/fewer requirements
Background checks for staff	Required	Required

We are choosing to pursue a Certified Center license (which requires this conditional use) rather than a Family Childcare license (which is permitted in Residential Limited zoning) because we would like to go over 16 children, and we would like the flexibility of having the license tied to the facility rather than a staff member. This type of license is stricter and holds us to a high standard. This is **not** a method of reducing licensing requirements. We've included a copy of the licensing rules we will have to follow.

We anticipate that we will start with 16 children and increase our capacity as parents' needs indicate. We anticipate that we will max out at 32 children, but we are allowed by licensing to have 42 children with its available space. We do plan to increase our childcare capacity to cover more children as there is a need in the community. At no time will we ever exceed 40 children.

Our operating hours will primarily be from 7am to 7pm. Initially, we will only be open Monday-Friday, but we may add weekends if there is a need. During special events (like the Fair concert or 62 Days), we may be open later to provide childcare for parents attending those events. We understand that we are in a neighborhood, and we will limit outdoor play to always begin after 9am. We will designate parking and drop-off zones to parents so that no parents park in front of our neighbors' houses. The proposed parking zones (as shown on our supplemental materials) both have indentations where the sidewalk allows for street parking that does not interfere with the course of traffic. This is true on both NW Bridge St and NW 2nd Ave. We will not have any outdoor play on the east side of the property (towards 120 NW 2nd Ave) to limit the impact of the childcare center on them. Likewise, we will have minimal noisy outdoor play on the north side of the property. We will abide by all

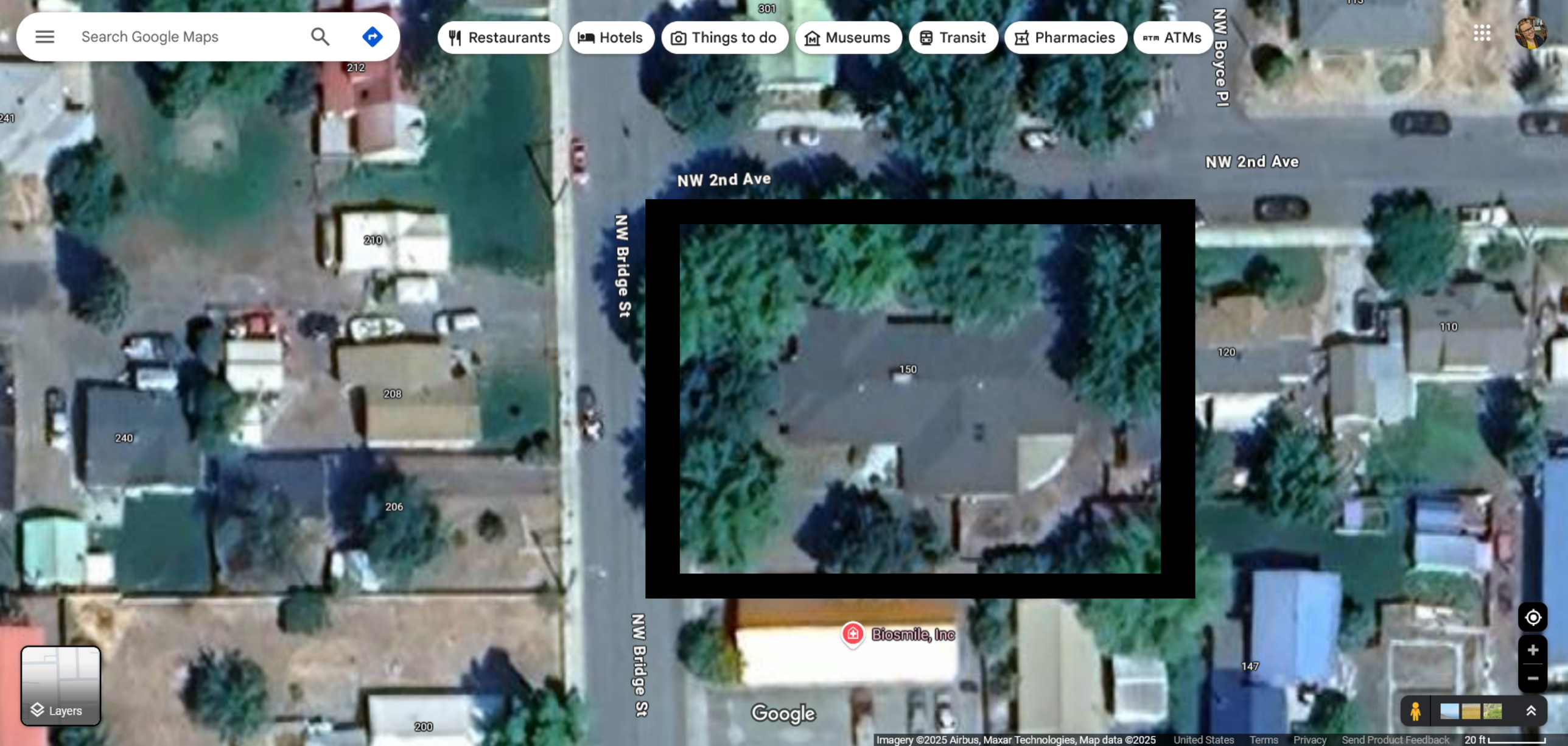
City ordinances and quite hours, and we will maintain good relationships with our neighbors.

As a drop-in childcare facility, we do not know how many children we will have on a day-to-day basis, and we hope to come to an agreement with the city for water and sewer rates as a “school” that reflects our varying attendance. A portion of our students will also be in diapers and will not be using the toilets. We do not anticipate more strain of the city’s sewer system than would be added by a typical Certified Family Childcare as already allowed by the Residential Limited Zoning. Water use should also be typical, if not less, than a residential building, as no one will be taking showers at this facility.

We have access to power with Oregon Trail Electric Cooperative (OTEC). We plan to have trash service through Clark’s Disposal. We will dispose of all trash into residential garbage bins provided by Clark’s, and not a commercial bin that may be unsightly to neighbors. We will have internet through Rally. The house is already wired for fiber optic internet, and it just needs to be reconnected. We have hired a landscaper to maintain the property. In many ways, this site will still look and operate like a residential building.

In the future, we would also like to add a play structure to our outdoor area that is compliant with "play areas” listed as accessory uses in John Day Development Code 5-1.3.430 (B). This play area would be located on the western side of the property, along Bridge Street. We understand if this is something that needs to have restrictions or conditions applied to it by the City. We will not engage in any use that is “not permitted” under Residential Limited Zoning by John Day Development Code.


SEE MAP 13S 31E 23CC
SEE MAP 13S 31E 23
SEE MAP 13S 31E 26BA
SEE MAP 13S 31E 26AB
SEE MAP 13S 31E 23
3-7
3-1
3-1
3-1
3-1
GEISLER ADDITION
BREEDLOVE
REPLAT OF THE W1/2 LOT 8 & ALL LOT 9 OF BREEDLOVE ADD
ADDITION
HERBURGER ADDITION
FIRST MUNICIPAL ADD
CANTON
NW
BRIDGE
NW BOYCE PLACE
BLVD
CANYON
NW 2ND AVE
NE 2ND AVE
NE 3RD ST
AVE
NE DAYTON
NE ELM ST
NW FIRST AVE
NE FIRST AVE
(3RD ST)
CS 556
CS 1008
1/16 COR
1/4 COR
INITIAL POINT
ASSESSED BY DOR
Revised: M


Search Google Maps
Restaurants
Hotels
Things to do
Museums
Transit
Pharmacies
ATMs
NW Boyce Pl
NW 2nd Ave
NW 2nd Ave
NW Bridge St
NW Bridge St
301
212
241
210
208
240
206
200
150
110
120
147
Biosmile, Inc
Google
Layers
Imagery ©2025 Airbus, Maxar Technologies, Map data ©2025
United States
Terms
Privacy
Send Product Feedback
20 ft

NW 2nd Ave

Parent Dropoff/Parking

Potential Sign Location

Staff Parking

Fire escape window

Parent Entry and Sign Location

Staff Entry

NW Bridge St

Extra Parent Parking along property on Bridge St.

Additional Exit

Additional Exit

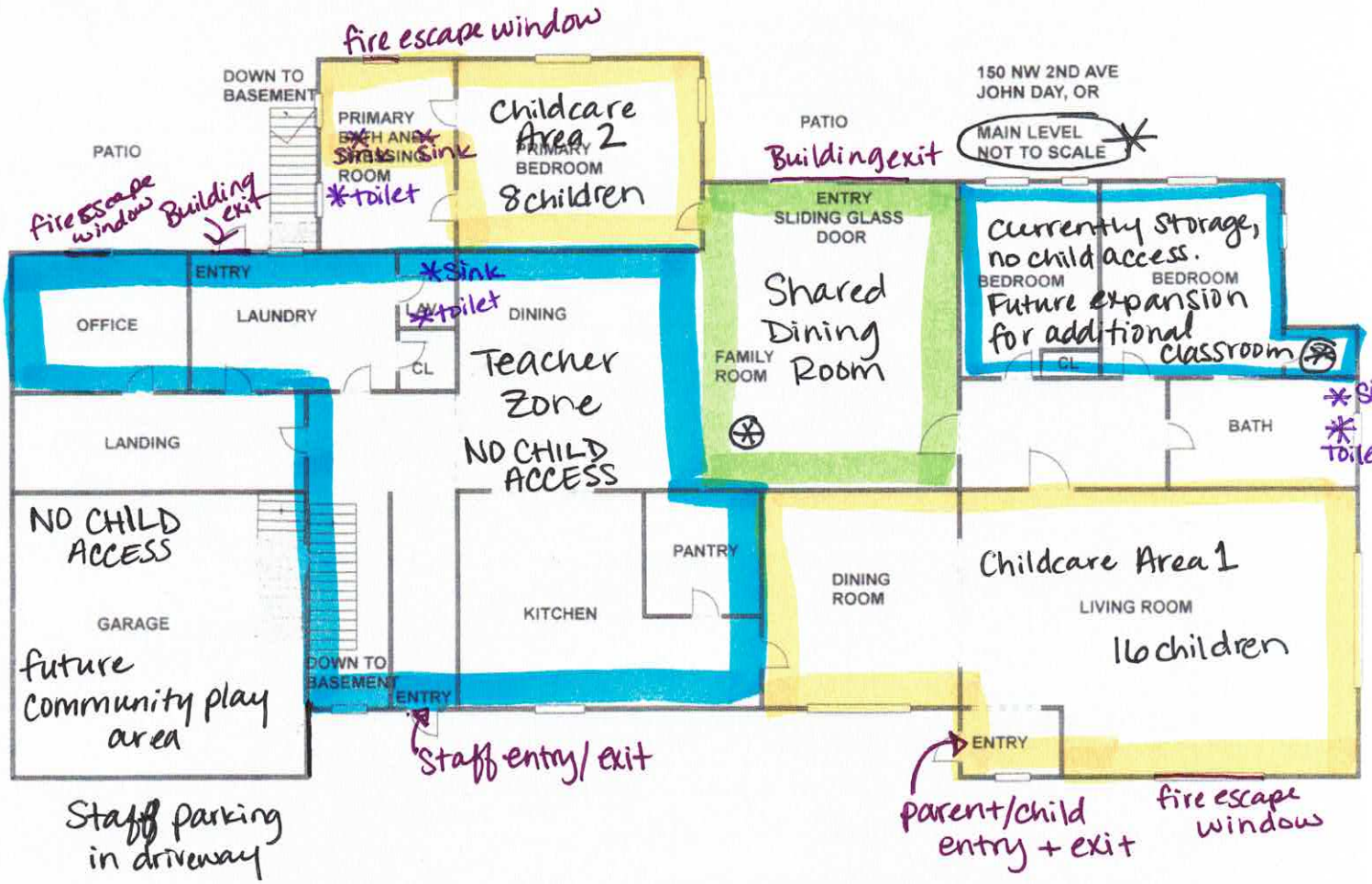
Outdoor Play area

Fire Escape Window

Area Not used for childcare


© 2024
Staff Parking
Parent Entry
Parent Drop Off Parking
NW 2nd Ave
Outdoor Play Area
Parent Parking
NW Bridge St

Biosmile / Dr. Klusmier



⊛ Rooms marked w/ this symbol are eligible + approved for childcare by CCLD for 8 children each.

Box R Water Analysis Laboratory
567 NW Second Street
Prineville, Oregon 97754
541-447-4911

Grant County Childcare Committee May 21, 2025

150 NW 2nd Ave.

John Day, OR 97845

Sample Nbrs: X062408 – 409 – 150 NW 2nd Ave.

Dear Grant County Childcare Committee,

Attached is a copy of your drinking water – Lead – test results, sampled on May 7, 2025, at 150 NW 2nd Ave., John Day, OR. Your analysis was performed by Neilson Research Corp. in Medford, OR. Please do not hesitate to call Box R Water Analysis Laboratory with any questions you may have in regards to your water testing.

Thank you for using Box R Water Analysis Laboratory, we appreciate your business.

Sincerely,

Sherri K. Miyazaki – Box R Water Analysis Laboratory Director

NEILSON RESEARCH CORPORATION

Neilson Research Corporation
245 S Grape St
Medford, OR 97501
TEL: (541) 770-5678 FAX: (541) 770-2901
Website: www.nrclabs.com

May 18, 2025

Sherri Miyazaki
Box R Waterlab
567 NW Second Street
Prineville, OR 97754
TEL: (541) 447-4911
FAX (541) 447-4917

RE: X062408-09 Grant County Childcare Comm Order No.: 25050637

Dear Sherri Miyazaki:

Neilson Research Corporation received 2 sample(s) on 5/13/2025 for the analyses presented in the following report.

The results relate only to the parameters tested or to the sample as received by the laboratory. This report shall not be reproduced except in full, without the written approval of Neilson Research Corporation. If you have any questions regarding these test results, please feel free to call.

Sincerely,
Neilson Research Corporation

Tamra Schmedemann

Tamra Schmedemann
Director of Project Management
245 S Grape St
Medford, OR 97501

Original

NEILSON RESEARCH CORPORATION

Neilson Research Corporation
245 S Grape St
Medford, OR 97501
TEL: (541) 770-5678 FAX: (541) 770-2901
Website: www.nrclabs.com

Case Narrative

WO#: **25050637**
Date: **5/18/2025**

CLIENT: Box R Waterlab
Project: X062408-09 Grant County Childcare Comm

The analyses were performed according to the guidelines in the Neilson Research Corporation Quality Assurance Program. This report contains analytical results for the sample(s) as received by the laboratory.

Neilson Research Corporation certifies that this report is in compliance with the requirements of NELAP. No unusual difficulties were experienced during analysis of this batch except as noted below or qualified with data flags on the reports.

NEILSON RESEARCH CORPORATION

Neilson Research Corporation
245 S Grape St
Medford, OR 97501
TEL: (541) 770-5678 FAX: (541) 770-2901
Website: www.nrclabs.com

Analytical Report

WO#: **25050637**
Date Reported: **5/18/2025**

CLIENT: Box R Waterlab
Lab ID: 25050637-01
Client Sample ID: X062408
Project: X062408-09 Grant County Childcare Comm
Sample Location: Kitchen Sink
Sample Address: 150 NW 2nd Ave
John Day, OR 97845

Collection Date: 5/7/2025 8:00:00 AM
Received Date: 5/13/2025 2:00:00 PM
Matrix: DRINKING WATER
PWS #:
Source ID:
Sample Collector: KATRINA RANDLEAS
Residual Chlorine:

Analyses	Method	NELAP Status	Result	Qual	DF	RL	Units	EPA Limit	Date Analyzed	Analyst
Lead	E200.8		2.29		1	0.500	ppb	15.0	05/15/25 18:34	KN

QUALIFIERS

C1	Sample container temperature is out of limit as specified at testcode
H	Holding times for preparation or analysis exceeded
ND	Not Detected at the Reporting Limit
DF	Dilution Factor
MI	Recovery outside comtrol limits due to Matrix Interference
RL	Reporting Limit

Original

NELAP

NEILSON RESEARCH CORPORATION

Neilson Research Corporation
245 S Grape St
Medford, OR 97501
TEL: (541) 770-5678 FAX: (541) 770-2901
Website: www.nrclabs.com

Analytical Report

WO#: **25050637**
Date Reported: **5/18/2025**

CLIENT: Box R Waterlab
Lab ID: 25050637-02
Client Sample ID: X062409
Project: X062408-09 Grant County Childcare Comm
Sample Location: Master Bath Faucet
Sample Address: 150 NW 2nd Ave
John Day, OR 97845

Collection Date: 5/7/2025 8:00:00 AM
Received Date: 5/13/2025 2:00:00 PM
Matrix: DRINKING WATER
PWS #:
Source ID:
Sample Collector: KATRINA RANDLEAS
Residual Chlorine:

Analyses	Method	NELAP Status	Result	Qual	DF	RL	Units	EPA Limit	Date Analyzed	Analyst
Lead	E200.8		0.543		1	0.500	ppb	15.0	05/15/25 18:37	KN

QUALIFIERS

C1	Sample container temperature is out of limit as specified at testcode
H	Holding times for preparation or analysis exceeded
ND	Not Detected at the Reporting Limit
DF	Dilution Factor
MI	Recovery outside comtrol limits due to Matrix Interference
RL	Reporting Limit

Original

NELAP

NEILSON RESEARCH CORPORATION

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245 S Grape St
Medford, OR 97501
TEL: (541) 770-5678 FAX: (541) 770-2901
Website: www.nrclabs.com

QC SUMMARY REPORT

WO#: **25050637**

19-May-25

Client: Box R Waterlab
Project: X062408-09 Grant County Childcare Comm

TestCode: **LEAD_SCHOOLS**

Sample ID: **MB-31292**	SampType: **MBLK**	TestCode: **LEAD_SCHO**	Units: **ppb**	Prep Date: **5/15/2025**	RunNo: **59506**
Client ID: **PBW**	Batch ID: **31292**	TestNo: **E200.8**	**E200.8**	Analysis Date: **5/15/2025**	SeqNo: **972552**

Analyte	Result	PQL	SPK value	SPK Ref Val	%REC	LowLimit	HighLimit	RPD Ref Val	%RPD	RPDLimit	Qual
Lead	ND	0.500									

Sample ID: **LCS-31292**	SampType: **LCS**	TestCode: **LEAD_SCHO**	Units: **ppb**	Prep Date: **5/15/2025**	RunNo: **59506**
Client ID: **LCSW**	Batch ID: **31292**	TestNo: **E200.8**	**E200.8**	Analysis Date: **5/15/2025**	SeqNo: **972553**

Analyte	Result	PQL	SPK value	SPK Ref Val	%REC	LowLimit	HighLimit	RPD Ref Val	%RPD	RPDLimit	Qual
Lead	96.0	0.500	100	0	96.0	85	115				

Sample ID: **25050720-01BMS**	SampType: **MS**	TestCode: **LEAD_SCHO**	Units: **ppb**	Prep Date: **5/15/2025**	RunNo: **59506**
Client ID: **BatchQC**	Batch ID: **31292**	TestNo: **E200.8**	**E200.8**	Analysis Date: **5/15/2025**	SeqNo: **972555**

Analyte	Result	PQL	SPK value	SPK Ref Val	%REC	LowLimit	HighLimit	RPD Ref Val	%RPD	RPDLimit	Qual
Lead	93.6	0.500	100	0.373	93.2	70	130				

Sample ID: **25050720-01BMSD**	SampType: **MSD**	TestCode: **LEAD_SCHO**	Units: **ppb**	Prep Date: **5/15/2025**	RunNo: **59506**
Client ID: **BatchQC**	Batch ID: **31292**	TestNo: **E200.8**	**E200.8**	Analysis Date: **5/15/2025**	SeqNo: **972556**

Analyte	Result	PQL	SPK value	SPK Ref Val	%REC	LowLimit	HighLimit	RPD Ref Val	%RPD	RPDLimit	Qual
Lead	94.2	0.500	100	0.373	93.8	70	130	93.6	0.644	20	

Qualifiers:

C1	Sample container temperature is out of limit as specified at testcode	DF	Dilution Factor	H	Holding times for preparation or analysis exceede
MI	Recovery outside control limits due to Matrix Interference	ND	Not Detected at the Reporting Limit	RL	Reporting Limit

Original

NEILSON RESEARCH CORPORATION

Neilson Research Corporation
245 S Grape St
Medford, OR 97501
TEL: (541) 770-5678 FAX: (541) 770-2901
Website: www.nrclabs.com

Sample Log-In Check List

Client Name: BOX_R_Waterlab Work Order Number: 25050637 RcptNo: 1

Logged by:	Ashley Spiegelberg	5/13/2025 2:00:00 PM	
Completed By:	Coni Boyko	5/16/2025 12:45:41 PM	Coni Boyko
Reviewed By:	Tamra Schmedemann	5/18/2025 8:38:41 AM	Tamra Schmedemann

Chain of Custody

1. Is Chain of Custody complete? — Yes ☑ No ☐ Not Present ☐
2. How was the sample delivered? — Client

Log In

3. Coolers are present? — Yes ☑ No ☐ NA ☐
4. Shipping container/cooler in good condition? — Yes ☑ No ☐
   Custody seals intact on shipping container/cooler? — Yes ☐ No ☐ Not Present ☑ NA ☐
   No. Seal Date: Signed By:
5. Was an attempt made to cool the samples? — Yes ☑ No ☐ NA ☐
6. Were all samples received at a temperature of >0° C to 6.0°C — Yes ☑ No ☐ NA ☐
7. Sample(s) in proper container(s)? — Yes ☑ No ☐
8. Sufficient sample volume for indicated test(s)? — Yes ☑ No ☐
9. Are samples (except VOA and ONG) properly preserved? — Yes ☑ No ☐
10. Was preservative added to bottles? — Yes ☑ No ☐ NA ☐ HNO3 pH<2
11. Is the headspace in the VOA vials less than 1/4 inch or 6 mm? — Yes ☐ No ☐ No VOA Vials ☑
12. Were any sample containers received broken? — Yes ☐ No ☑
13. Does paperwork match bottle labels? (Note discrepancies on chain of custody) — Yes ☑ No ☐
14. Are matrices correctly identified on Chain of Custody? — Yes ☑ No ☐
15. Is it clear what analyses were requested? — Yes ☑ No ☐
16. Were all holding times able to be met? (If no, notify customer for authorization.) — Yes ☑ No ☐

Special Handling (if applicable)

17. Was client notified of all discrepancies with this order? — Yes ☐ No ☐ NA ☑

Person Notified: _____ Date: _____
By Whom: _____ Via: ☐ eMail ☐ Phone ☐ Fax ☐ In Person
Regarding: _____
Client Instructions: _____

18. Additional remarks:

Cooler Information

Cooler No	Temp °C	Condition	Seal Intact	Seal No	Seal Date	Signed By
1	1.1	Good				DE

EXHIBIT B

AFFIDAVIT OF MAILING

LANE COUNCI L OF GOVERNMENTS
859 Willamette Street. Suite 500
Eugene, OR 97401

I, Henry Hearley, contracted planner, depose and state that I mailed, by regular first-class mail, on **7/22/25** a notice of a public hearing for a conditional use permit to operate a certified child care center with 16 or greater children on map and tax lot 13S-R31E-23-05500 to the addresses contained herein. Addresses obtained from Grant County GIS Taxlot layer data.

City File # CUP-25-01

Henry Hearley

_____
Signature

Henry Hearley

_____
Print Name

CITY OF JOHN DAY

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

Conditional Use Permit Notice of Application
APPLICATION NO. CUP 25-01

DATE OF NOTICE:	July 22, 2025
APPLICANT:	Grant County Childcare Committee
LOCATION:	150 NW 2nd Ave, John Day, OR 97845 Map: 13S-R31E-23-05500
SUBJECT:	Conditional Use Permit to Operate Certified Childcare Center with 16 or Greater Children

Dear Property Owner,

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

Requested Land Use Action:

Conditional Use Permit to Operate Certified Childcare Center with 16 or greater children. Applicant is seeking to operate a Certified Childcare Center not a "family" childcare center.

The John Day Planning Commission will hear this matter on August 13 at 6:30 PM. The hearing will be held at the John Day Fire Station at 316 S. Canyon Blvd.

The Commission's decision shall be mailed to the applicant and anyone else who submitted written comments or who is otherwise legally entitled to notice.

Applicable Criteria:

5-4.4.040 Conditional Use Permits – Criteria, Standards, and Conditions of Approval.

Notice Requirements:
The purpose of this notice is to give nearby property owners and other interested people the opportunity to submit written comments about the application before the Type III decision is made. The goal of this notice is to invite people to participate early in the decision-making process. The notice will be sent to all property owners within 100-feet of the subject site for which the application has been made and other appropriate agencies at least 20 days prior to the first public hearing.

If you would like to respond:
Written comments received or presented in person to John Day City Manager , 450 East Main Street, John Day prior to August 5 by 4:00 p.m. will be considered in rendering a decision. Written comments received by August 5 by 4:00 p.m. will be included in the staff report. A staff report will be available 7 days prior to the

hearing for public review. Issues must be addressed with sufficient specificity based on criteria with the John Day Development Code, upon which the 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 Commission to make this decision is in the public record, 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.

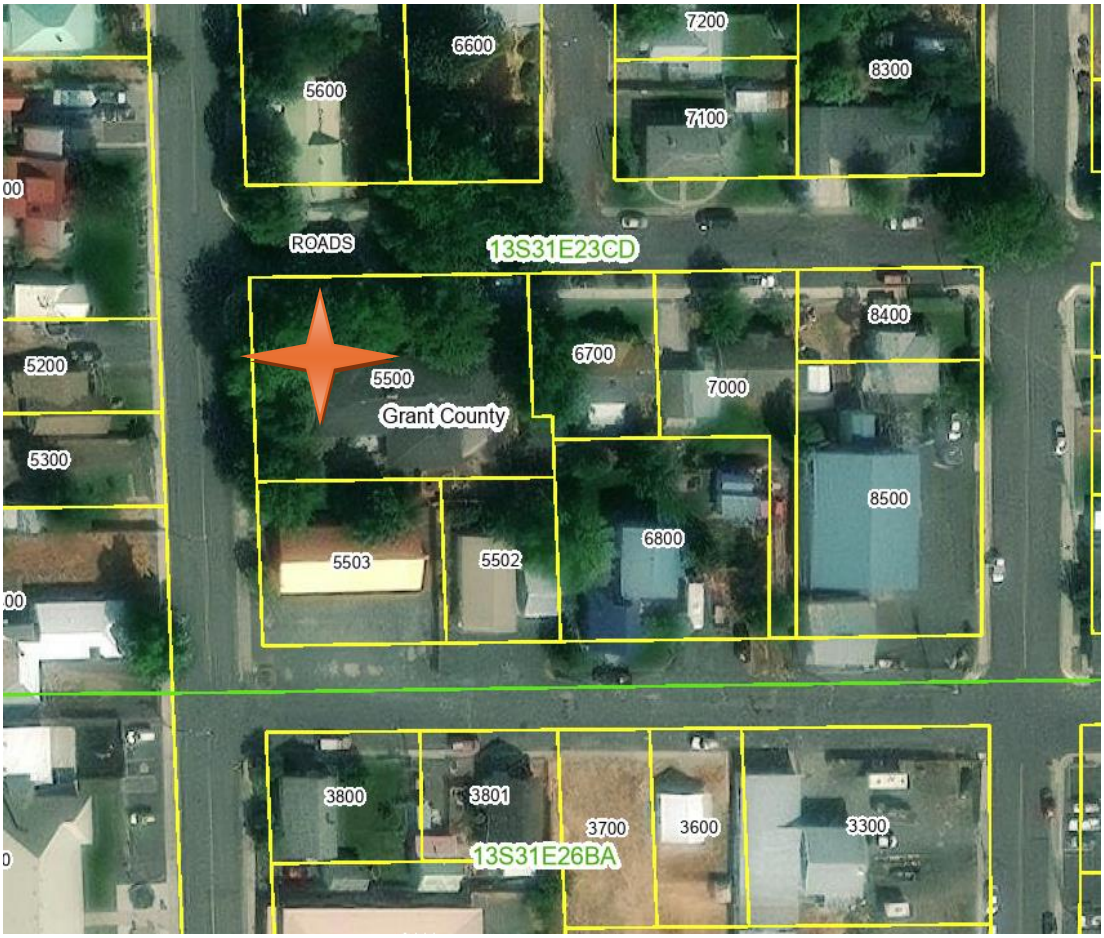
The Planning Commission shall hold a public hearing on August 13 at 6:30 PM at the John Day Fire Station, 316 S. Canyon Blvd. Public comment is welcome at the hearing on August 13.

Any questions regarding the hearing should be directed to the Melissa Bethel, City Manager at 450 E. Main Street, by email to Melissa Bethel, bethelm@grantcounty-or.gov or phone (541) 575-0028, Monday through Friday from 8:00 a.m. to 5:00 p.m.

John Day Planning Official

Enclosure:

Vicinity Map



CARPENTER, JAMES B & ANGELICA
110 NW 2ND AVENUE
JOHN DAY, OR, 97845

HARTWICK, TERRY & DIANE L
120 NW 2ND AVE
JOHN DAY, OR, 97845

ALICIA McLANE
150 NW 2ND AVE
JOHN DAY, OR, 97845

ASHMEAD, KELLY
208 NW BRIDGE ST
JOHN DAY, OR, 97845

PONOMAREV, YURIY
12314 SE TIBBETTS ST
PORTLAND, OR, 97236

HALLGARTH, CASEY & HEIDI
212 NW BRIDGE ST
JOHN DAY, OR, 97845

ODELL, MATTHEW W
11013 52ND AVE SE
EVERETT, WA, 97820

BUSH, ERIC JASON ETUX
P O BOX 422
CANYON CITY, OR, 97820

MANTEI, DENNIS & NICOLLE
P O BOX 1991
ESTACADA, OR, 97023

NORTHWAY, CHRIS & SHANNA
147 NW 1ST AVE
JOHN DAY, OR, 97845

CAUGHLIN, CHARLES
155 NW 1ST AVENUE
JOHN DAY, OR, 97845

BIOSMILE, INC.
165 NW 1ST STREET
JOHN DAY, OR, 97845

ALLEN, ROGER W - ETAL
1461 ARATA WAY
ONTARIO, OR, 97714

Grant County Childcare Committee Board of Directors
Monthly Meeting Minutes

June 10, 2025 8:15-10:00am The Village 150 NW 2nd Ave John Day, OR

1. **Call to Order**: 8:27 am
2. **Changes to Agenda**: Add 6e: "other program updates." Amend approval of minutes to 5-13-25.
3. **Approval of Minutes**
    a. **5-13-25**: Teresa made a motion to approve the minutes. Katrina seconded. Unanimous.
4. **Financial**
    a. **Report**: CCIF funds will come through soon after we submit the report. Kitman shared a few places where changes were made. SHARE and 2023 LCHP have been zeroed out.
    b. **Bills/Invoices**: We need to pay Patriot and Joel Coombs. Kitman set us up for autopay for insurance and City of John Day. We need to pay solutions. Kitman has not received a bill from OTEC. There are several checks that will need to be signed today. The CyberMill can stay open until December, so we only need to pay for what we have already purchased. We can track the money from the yard sale by having two people count and review the deposit.
5. **Old Business**
    a. **Grant Reports**: We will end up returning some funds due to the way the calculations were made by them. LCHP second grant report is done. We have provided care for 10 nights, six events. Discussed completing childcare for the fair concert. We could charge $10 per child and allow OHP covered children in free. The SHARE report is in process. There is no deadline, but Kitman is working on it. The CCIF report is also nearly complete. Look into OCF and Murdoch grants.
    b. Summer Care: The flyers have gone to the schools. There have been no responses since she handed out the flyer. Painted Sky is running a summer program. Kitman has been working on it less, because of the licensing issues. Today is the last day of school here in John Day. Tomorrow is the last day of school for Prairie City. The employment description is created for the childcare provider and will just need to be posted when we are ready.
    c. Licensing Discussions/Updates
        i. **Conditional Use**: We have to have a completed a conditional use permit to provide the childcare we are talking about. We can do a certified family home category, but it would have to be a director that we already have in mind. Discussion around the process. Consensus that we need to move forward on the conditional use permit. We will put the max number we can be certified for on the permit application. Nikki will be here 6/24/25 to work on certification. We need a fire and sanitation inspection. Consensus

that we should start that process now even before the conditional use permit. Alicia will work on the sanitation process and the conditional use permit.

6. **New Business**
    a. **Family Fun Day**: Alicia will be out of town. Kitman will have a GCCC booth.
    b. **CCS Contract**: The contract is signed. We will send invoices to Jo and Lisa. We can now approach BMH and ODHS to see if they are interested in a contract. Misty Robertson is the new BMH CEO.
    c. **News Article**: The article should come out soon. Justin took pictures and read Kitman the article.
    d. **Missing Mail**: Kitman will go to the post office today and check on mail that we have not received. Update mailing address with State and Federal entities.
    e. **Other Program Updates**: Head Start will no longer be active in Grant County. Kitman has spoken to Suellen and they might leave some supplies that we can have. The ESD has gotten more preschool promise slots. He is planning to ask the school board to make the rest of the preschool slots free. The school board meeting is next week and Kitman will attend. Kitman will continue to work with them to discuss Friday options.
7. **Unscheduled**: Continued work on board recruitment and attendance. Discussed possibilities of board members. The sprinklers are not running or at least there is one spot that isn't getting covered. We can hire a person to mow the grass and turn on the sprinklers. Teresa made a motion to hire Logan to mow and water. Alicia seconded. Katrina abstained. Unanimous.
8. **Next Meeting**
    a. 7-8-25 8:15
    b. **7-8-25 9:00** Committee
        i. Continue to promote Gap Care and board recruitment.
9. **Adjourn**: 9:50 am

Approved: Yes

Date: 7-8-2025

AMENDED ANNUAL REPORT

Corporation Division
sos.oregon.gov/business

E-FILED
Jan 08, 2025
OREGON SECRETARY OF STATE

REGISTRY NUMBER

206408791

REGISTRATION DATE

01/13/2023

BUSINESS NAME

GRANT COUNTY CHILDCARE COMMITTEE

BUSINESS ACTIVITY

OUR MISSION IS TO CREATE HIGH-QUALITY CHILDCARE OPPORTUNITIES THAT ARE EQUITABLE, AFFORDABLE, AND ACCESSIBLE FOR CHILDREN AND FAMILIES.

MAILING ADDRESS

401 S CANYON BLVD
JOHN DAY OR 97845 USA

TYPE

DOMESTIC NONPROFIT CORPORATION

PRIMARY PLACE OF BUSINESS

401 S CANYON BLVD
JOHN DAY OR 97845 USA

JURISDICTION

OREGON

REGISTERED AGENT

KITMAN KIENZLE
401 S CANYON BLVD
JOHN DAY OR 97845 USA
If the Registered Agent has changed, the new agent has consented to the appointment.

PRESIDENT

ALICIA GRIFFIN
309 E MAIN
JOHN DAY OR 97845 USA

SECRETARY

KATRINA RANDLEAS
401 SW BRENT DR
JOHN DAY OR 97845 USA

I declare, under penalty of perjury, that this document does not fraudulently conceal, fraudulently obscure, fraudulently alter or otherwise misrepresent the identity of the person or any officers, directors, employees or agents of the corporation on behalf of which the person signs. This filing has been examined by me and is, to the best of my knowledge and belief, true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment, or both.

By typing my name in the electronic signature field, I am agreeing to conduct business electronically with the State of Oregon. I understand that transactions and/or signatures in records may not be denied legal effect solely because they are conducted, executed, or prepared in electronic form and that if a law requires a record or signature to be in writing, an electronic record or signature satisfies that requirement.

ELECTRONIC SIGNATURE

NAME

KITMAN KIENZLE

TITLE

REGISTERED AGENT

DATE

01-08-2025

GRANT COUNTY CHILDCARE COMMITTEE

(A Nonprofit Corporation)

BY-LAWS

As of February 16, 2023

ARTICLE I

Name and Definition

Section 1. Name. The "Corporation" shall mean: Grant County Childcare Committee, its successors and assigns. It may be abbreviated as GCCC.

Section 2. Board. The "Board" shall mean the Board of Directors of the Grant County Childcare Committee.

ARTICLE II

Purposes, Objectives, and Governing Instruments

Section 1. Charitable, Educational, and Scientific Purposes and Powers. The purposes of the Corporation, as set forth in the Articles of Incorporation, are exclusively charitable and educational, within the meaning of section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or the corresponding provisions of any future Federal tax law ("Section 501(c)(3)"). In furtherance of such purposes, the Corporation shall have the same powers as an individual to do all the things necessary or convenient to carry out the purposes, as set forth in the Articles of Incorporation and these Bylaws.

Section 2. Mission and Purpose. The specific purposes of the Corporation are to support Child Care opportunities in Grant County, Oregon. Our mission is "to create high-quality childcare opportunities that are **equitable, affordable**, and **accessible** for children and families."

The specific purpose and objectives of this organization shall be:

a) To promote workforce stability in Grant County by facilitating predictable, consistent early childhood care.
b) To work towards increasing childcare offerings in Grant County, Oregon.
c) To work towards elevating Grant County out of the classification of "Severe Desert" in zero-to-three care.
d) To promote well-developed staff, classrooms, and intentional use of curriculum in Grant County, OR.

We will facilitate these purposes by supporting existing childcare opportunities in Grant County, creating partnerships to increase childcare opportunities, and helping to create new childcare opportunities where possible.

Section 3. Governing Instruments. The Corporation shall be governed by its Articles of Incorporation and its Bylaws.

Section 4. Nondiscrimination Policy. The Corporation will not practice or permit any unlawful discrimination on the basis of sex, age, race, color, national origin, religion, disability, or any other basis prohibited by law.

Section 5. Limitations on Activities. No part of the activities of the Corporation shall consist of participating in, or intervening in, any political campaign on behalf of or in opposition to any candidate for public office, nor shall the Corporation operate a social club or carry on business with the general public in a manner similar to an organization operate for profit. Notwithstanding any other provision of these Bylaws, the Corporation shall not carry on any activity not permitted to be carried on by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or the corresponding provisions of any future federal tax law.

ARTICLE III

Membership

The membership shall consist of the Board of Directors.

ARTICLE IV

Directors

Section 1. Annual Meeting. A meeting of the Board shall be held annually at such place, on such date and at such time as may be fixed by the Board, for the purpose of electing Directors, receiving annual reports of the Board and Officers, and for the transaction of such other business as may be brought before the meeting.

Section 2. Number. The number of Directors constituting the entire Board shall be fixed by the Board, but such number shall not be less than three (3) or more than thirteen (13).

Section 3. Qualification, Requirements, Election, and Term of Office. The initial Directors of the Corporation shall be those persons specified in the Certificate of Incorporation of the Corporation. Each Director shall hold office until the next annual meeting of the Board and until such Director's successor has been elected and qualified, or until his or her death, resignation, or removal. There shall be no limit on the number of terms a Board Member can serve.

Each Board Member shall be a resident of Grant County at least 6 months of the year and over the age of 18. Potential board members must also first attend three (3) consecutive meetings of the entire Committee before applying and put in a request in writing to join the Board by the first of the month.

Each member of the Board shall attend at least 75% of the Board Meetings per year.

Section 4. Powers, Duties, and Compensation. Subject to the provisions of law, of the Certificate of Incorporation, and these Bylaws, but in furtherance and not in limitation of any rights and powers thereby conferred, the Board shall have the control and management of the affairs and operations of the Corporation and shall exercise all the powers that may be exercised by the Corporation. The Board is responsible for overall policy and direction of the association, and delegates responsibility of day-to-day operations to the staff and committees. The Board receives no compensation other than reimbursement for reasonable and documented expenses.

Section 5. Additional Meetings. Regular meetings of the Board may be held at such times as the Board may from time to time determine. Special meetings of the Board may also be called at any time by the President or by a majority of the Directors then in office.

Section 6. Notice of Meetings. No notice need be given of any annual or regular meeting of the Board. Notice of a special meeting of the Board shall be given by service upon each Director in person or by mail or email (using the email or mailing address provided) with at least two business days' notice if given in person and four business days' notice if done via email/mail. Notice shall designate the place, date, and time of the meeting. Any Director may waive notice of any meeting.

Section 7. Quorum. At any meeting of the Board, a majority of the Directors present at the meeting shall constitute a quorum unless that number is less than one third (1/3) of the total Directors then in office, pursuant to OR65.351(2). However, should a quorum not be present, a majority of the Directors present may adjourn the meeting from time to time to another time and place, without notice other than announcement at such meeting, until a quorum shall be present.

Section 8. Voting. At all meetings of the Board, each Director shall have one (1) vote. In the event that there is a tie in any vote, the President shall have an additional vote to be the tiebreaker.

Section 9. Action Without a Meeting. Any action required or permitted to be taken by the Board may be taken without a meeting if all members of the Board consent in writing to the adoption of a resolution authorizing the action. The resolution and the written consents thereto by the members of the Board shall be filed with the minutes of the proceedings of the Board.

Section 10. Removal. Any Director may be removed for cause by vote of the Board provided there is a quorum of not less than a majority present at the meeting at which such action is taken. Removal of a Director is automatically added to the agenda if that Director has violated the terms of Section 3 of this Article IV.

Section 11. Resignation. Any Director may resign from office at any time by delivering a resignation in writing to the Board of Directors, and the acceptance of the resignation, unless required by its terms, shall not be necessary to make the resignation effective.

Section 12. Vacancies. Any newly created directorship and any vacancy occurring on the Board arising at any time and from any cause may be filled by a vote of the majority of the Directors then in office at any Director's meeting. A Director elected to fill a vacancy shall hold office for the unexpired term of his or her predecessor.

Section 13. Committees. The Board, by resolution adopted by the majority of the entire Board, may designate from among the Directors an executive committee and other standing committees,

each consisting of three or more Directors, to serve at the pleasure of the Board. Each committee, to the extend provided in such resolution, shall have the authority of the Board. The Board may designate one or more Directors as alternate members of any such committee, who may replace any absent member or members at any meeting of such committee.

Section 14. Participation by electronic means. Any one or more members of the Board may participate in a meeting of the Board by means of conference telephone, video conference, or similar communication that allows all persons participating in the meeting to hear each other at the same time. Participation by such means shall constitute presence in person at a meeting.

ARTICLE V

Officers

Section 1. Election and Qualifications; Term of Office. The Officers of the Corporation shall be a President, a Secretary, a Treasurer, and a Vice-President. The Officers shall be elected by the Board at the annual meeting of the Board and each Officer shall hold office for a term of one year and until such Officer's successor has been elected or appointed and qualified, unless such Officer shall have resigned or shall have been removed as provided in Sections 8 and 9 of this Article V. The same person may hold more than one office, except that the same person may not be both President and Secretary. The Board may appoint such other Officers as may be deemed desirable, including one or more Vice-Presidents, one or more Assistant Secretaries, and one or more Assistant Treasurers. Such Officers shall serve for such period as the Board may designate.

No Officer may be related to another Officer closer than first cousin.

Section 2. Vacancies. Any vacancy occurring in any office, whether because of death, resignation or removal, with or without cause, or any other reason, shall be filled by the Board.

Section 3. Powers and Duties of the President. The President shall be the Chief Executive Officer of the Corporation. The President shall from time to time make such reports of the affairs and operations of the Corporation as the Board may direct and shall preside at all meetings of the Board. The President shall have such other powers and shall perform such other duties as may from time to time be assigned to the President by the Board.

Section 4. Powers and Duties of the Vice-Presidents. Each of the Vice-Presidents, if any, shall have such powers and shall perform such duties as may from time to time be assigned to such Vice President by the Board.

Section 5. Powers and Duties of the Secretary. The Secretary shall record and keep the minutes of all meetings of the Board. The Secretary shall be the custodian of, and shall make or cause to be made the proper entries in, the minute book of the Corporation and such books and records as the Board may direct. The Secretary shall be the custodian of the seal of the Corporation and shall affix such seal to such contracts, instruments and other documents as the Board or any committee thereof may direct. The Secretary shall have such other powers and shall perform such other duties as may from time to time be assigned to the Secretary by the Board.

Section 6. Powers and Duties of the Treasurer. The Treasurer shall be the custodian of all funds and securities of the Corporation. Whenever so directed by the Board, the Treasurer shall

render a statement of the cash and other accounts of the Corporation, and the Treasurer shall cause to be entered regularly in the books and records of the Corporation to be kept for such purpose full and accurate accounts of the Corporation's receipts and disbursements. The Treasurer shall at all reasonable times exhibit the books and accounts to any Director upon application at the principal office of the Corporation during business hours. The Treasurer shall have such other powers and shall perform such other duties as may from time to time be assigned to the Treasurer by the Board.

Section 7. Delegation. In case of the absence of any Officer of the Corporation, or for any other reason that the Board may deem sufficient, the Board may at any time and from time to time delegate all or any part of the powers or duties of any Officer to any other Officer or to any Director or Directors.

Section 8. Removal. Any Officer may be removed from office at any time, with or without cause, by a vote of a majority of the Directors then in office at any meeting of the Board.

Section 9. Resignation. Any Officer may resign his or her office at any time, such resignation to be made in writing and to take effect immediately without acceptance by the Corporation.

ARTICLE VI

Director and Staff

Section 1. Executive Director. The executive director is hired by the board. The executive director has day-to-day responsibilities for the organization, including carrying out the organization's goals and policies. The executive director will attend all board meetings, report on the progress of the organization, answer questions of the board members and carry out the duties described in the job description. The board can designate other duties as necessary. The Executive Director shall not have a vote.

ARTICLE VII

Bank Accounts, Checks, and Contracts.

Section 1. Contracts and Other Writings. Except as otherwise provided by resolution or policy of the Board, all contracts, deeds, leases, mortgages, grants and other agreements of the Corporation shall be executed on its behalf by the treasurer or other persons to whom the Corporation has delegated authority to execute such documents in accordance with policies approved by the Board.

Section 2. Checks, Drafts. All checks, drafts, or other orders for payment of money, notes, or other evidence of indebtedness issued in the name of the Corporation, shall be signed by such officer or officers, agent or agents, of the Corporation and in such manner as shall from time to time be determined by a resolution.

Section 3. Deposits. All funds of the Corporation not otherwise employed shall be deposited from time to time to the credit of the Corporation in such banks, trust companies, or other depository as the governing body or a designated committee may select.

Section 4. Loans. No loans shall be contracted on behalf of the Corporation and no evidence of indebtedness shall be issued in its name unless authorized by resolution of the Board. Such authority may be general or confined to specific instances.

ARTICLE VIII

Indemnification

Section 1. Indemnity Under Law. The Corporation shall indemnify and advance the expanses of each person to the full extent permitted under law.

Section 2. Additional Indemnification.

a) The Corporation hereby agrees to hold harmless and indemnify each of its Directors, Officers, employees and agents (the "Indemnitee") from and against, and to reimburse the Indemnitee for, any and all judgments, fines, liabilities, amounts paid in settlement and reasonable expenses, including attorneys' fees actually and necessarily incurred, as a result of or in connection with any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative, other than one by or in the right of the Corporation to procure a judgment in its favor, including an action, suit or proceeding by or in the right of any other corporation of any type or kind, domestic or foreign, or any partnership, joint venture, trust, employee benefit plan or other enterprise for which the Indemnitee served in any capacity at the request of the Corporation, to which the Indemnitee is, was or at any time becomes a party, or is threatened to be made a party, or as a result of or in connection with any appeal therein, by reason of the fact that the Indemnitee is, was or at any time becomes a Director or Officer of the Corporation, or is or was serving or at any time serves such other corporation, partnership, joint venture, trust, employee benefit plan or other enterprise in any capacity, whether arising out of any breach of the Indemnitee's fiduciary duty as a Director, Officer, employee or agent of such other corporation, partnership, joint venture, trust, employee benefit plan or other enterprise under any state or federal law or otherwise; provided, however, that no indemnity pursuant to this Section 2 shall be paid by the Corporation (i) if a judgment or other final adjudication adverse to the Indemnitee establishes that the Indemnitee's acts were committed in bad faith or were the result of active and deliberate dishonesty and were material to the cause of action so adjudicated, or that the Indemnitee personally gained in fact a financial profit or other advantage to which the Indemnitee was not legally entitled; or (ii) if a final judgment by a court having jurisdiction in the matter shall determine that such indemnification is not lawful. The termination of any such civil or criminal action or proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent, shall not, of itself, create any presumption that the Indemnitee acted in bad faith and/or was dishonest.

b) The obligation of the Corporation to indemnify contained herein shall continue during the period the Indemnitee serves as a Director, Officer, employee or agent of the Corporation and shall continue thereafter so long as the Indemnitee shall be subject to any possible claim or threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative, by reason of the fact that the Indemnitee was a Director or Officer of the Corporation or served at the request of the Corporation in any capacity for any other corporation, partnership, joint venture, trust, employee benefit plan or other enterprise.

c) Promptly after receipt by the Indemnitee of notice of the commencement of any action, suit or proceeding, the Indemnitee will, if a claim in respect thereof is to be made against the Corporation under this Section 2, notify the Corporation of the commencement thereof; but the omission so to notify the Corporation will not relieve it from any liability which it may have to the Indemnitee otherwise than under this Section 2. With respect to any such action, suit or proceeding as to which the Indemnitee notifies the Corporation of the commencement thereof.

i) The Corporation will be entitled to participate therein at its own expense; and,

ii) Except as otherwise provided in the last sentence of this subpart ii, to the extent that it may wish, the Corporation jointly with any other indemnifying party similarly notified will be entitled to assume the defense thereof, with counsel satisfactory to the Indemnitee. After notice from the Corporation to the Indemnitee of its election so to assume the defense thereof, the Corporation will not be liable to the Indemnitee under this Section 2 for any legal or other expenses subsequently incurred by the Indemnitee in connection with the defense thereof other than reasonable costs of investigation or as otherwise provided in the last sentence of this subpart ii. The Indemnitee shall have the right to employ his or her own counsel in such action, suit or proceeding but the fees and expenses of such counsel incurred after notice from the Corporation of its assumption of the defense thereof shall be at the expense of the Indemnitee unless (A) the employment of counsel by the Indemnitee has been authorized by the Corporation in connection with the defense of such action, (B) the Indemnitee shall have reasonably concluded that there may be a conflict of interest between the Corporation and the Indemnitee in the conduct of the defense of such action, or (C) the Corporation shall not in fact have employed counsel to assume the defense of such action, in each of which cases the fees and expenses of counsel for the Indemnitee shall be borne by the Corporation (it being understood, however, that the Corporation shall not be liable for the expenses of more than one counsel for the Indemnitee in connection with any action or separate but similar or related actions in the same jurisdiction arising out of the same general allegations or circumstances). The Corporation shall not be entitled to assume the defense of any action, suit or proceeding brought by or on behalf of the Corporation or as to which the Indemnitee shall have made the conclusion provided for in clause (B) of the preceding sentence of this subpart ii.

iii) Anything in this Section 2 to the contrary notwithstanding, the Corporation shall not be liable to indemnify the Indemnitee under this Section 2 for any amounts paid in settlement of any action or claim effected without its written consent. The Corporation shall not settle any action or claim in any manner which would impose any penalty or limitation on the Indemnitee without the Indemnitee's written consent. Neither the Corporation nor any such person will unreasonably withhold their consent to any proposed settlement.

d) In the event of any threatened or pending action, suit or proceeding which may give rise to a right of indemnification from the Corporation to the Indemnitee pursuant to this Section 2, the Corporation shall pay, on demand, in advance of the final disposition thereof, expenses incurred by the Indemnitee in defending such action, suit or proceeding, other than those expenses for

which the Indemnitee is not entitled to indemnification pursuant to clause (ii) of the proviso to part (a) of this Section 2 or part (b) of this Section 2. The Corporation shall make such payments upon receipt of 1. a written request made by the Indemnitee for payment of such expenses, (ii) an undertaking by or on behalf of the Indemnitee to repay such amount if it shall ultimately be determined that he or she is not entitled to be indemnified by the Corporation hereunder, and (iii) evidence satisfactory to the Corporation as to the amount of such expenses. The Indemnitee's written certification together with a copy of the statement paid or to be paid by the Indemnitee shall constitute satisfactory evidence as to the amount of such expenses.

e) The rights to indemnification and advancement of expenses granted to the Indemnitee under this Section 2 shall not be deemed exclusive, or in limitation of any other rights to which the Indemnitee may now or hereafter be entitled under the Corporation's Certificate of Incorporation or otherwise under the Corporation's By-Laws, as now in effect or as hereafter amended, any agreement, any vote of members or Directors, any applicable law, or otherwise.

Section 3. Limitation. No amendment, modification, or rescission of this Article VIII shall be effective to limit any person's right to indemnification with respect to any alleged cause of action that accrues or other incident or matter that occurs prior to the date on which such modifications, amendment, or rescission is adopted.

ARTICLE IX

Miscellaneous

Section 1. Books and Records. The Corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of all meetings of its Board, a record or all actions taken by the Board of Directors without a meeting, and a record of all actions taken by committees of the organization. In addition, the Corporation shall keep a copy of the Corporation's Articles of Incorporation and Bylaws as amended to date.

Section 2. Fiscal Year. The fiscal year of the Corporation shall be from January 1 to December 31 of each year.

Section 3. Conflict of Interest. The board shall adopt and periodically review a conflict of interest policy to protect the Corporation's interest when it is contemplating any transaction or arrangement which may benefit any director, officer, employee, affiliate, or member of a committee with Board-delegated powers.

ARTICLE X

Document Retention Policy

Section 1. Purpose. The purpose of this document retention policy is establishing standards for document integrity, retention, and destruction and to promote the proper treatment of Grant County Childcare Committee's records.

Section 2. General Guidelines. Records should not be kept if they are no longer needed for the operation of the business or required by law. Unnecessary records should be eliminated from the

files. The cost of maintaining records is an expense which can grow unreasonably if good housekeeping is not performed.

A mass of records also makes it more difficult to find pertinent records. From time to time, Grant County Childcare Committee may establish retention or destruction policies or schedules for specific categories or records in order to ensure legal compliance, and also to accomplish other objectives, such as preserving intellectual property and cost management. Several categories of documents that warrant special consideration are identified below.

While minimum retention periods are established, the retention of the documents identified below and of documents not included in the identified categories should be determined primarily by the application of the general guidelines affecting document retention, as well as the exception for litigation relevant documents and any other pertinent factors.

Section 2. Exception for Litigation Relevant Documents. Grant County Childcare Committee expects all officers and employees to comply fully with any published records retention or destruction policies and schedules, provided that all officers and employees should note the following general exception to any stated destruction schedule: If you believe, or the Grant County Childcare Committee informs you, that corporate records are relevant to litigation, or potential litigation (i.e., a dispute that could result in litigation), then you must preserve those records until it is determined that the records are no longer needed. That exception supersedes any previously or subsequently established destruction schedule for those records.

Section 3. Minimum Retention Periods for Specific Categories.

Corporate Documents. Corporate records include the Corporation's Articles of Incorporation, By-Laws, and IRS Form 1023 and Application for Tax Exemption. Corporate records should be retained permanently. IRS regulations require that the Form 1023 be available for public inspection upon request as set forth in these bylaws.

Tax Records. Tax records include, but may not be limited to, documents concerning payroll, expenses, proof of contributions made by donors, accounting procedures, and other documents concerning the Corporation's revenues. Tax records should be retained for at least seven (7) years from the date of filing the applicable return.

Employment Records/Personnel Records. State and federal statutes require the Corporation to keep certain recruitment, employment, and personnel information. The Corporation should also keep personnel files that reflect performance reviews and any complaints brought against the Corporation or individual employees under applicable state and federal statutes. The Corporation should also keep in the employee's personnel file all final memoranda and correspondence reflecting performance reviews and actions taken by or against personnel. Employment applications should be retained for three (3) years. Retirement and pension records should be kept permanently. Other employment and personnel records should be retained for seven (7) years.

Board and Committee Materials. Meeting minutes should be retained in perpetuity in the Corporation's minute book. A clean copy of all other Board and Committee materials should be kept for no less than three (3) years by the Corporation.

Press Releases/Public Filings. The Corporation should retain permanent copies of all press releases and publicly filed documents under the theory that the Corporation should have its own copy to test the accuracy of any document a member of the can theoretically produce against the Corporation.

Legal Files. Legal counsel should be consulted to determine the retention period of particular documents, but legal documents should generally be maintained for a period of ten (10) years.

Marketing and Sales Documents. The Corporation shall keep final copies of marketing and sales documents for the same periods of times it keeps other corporate files, generally three (3) years. An exception to the three-year policy may be sales invoices, contracts, leases, licenses, and other legal documentation. These documents should be kept for at least three (3) years beyond the life of the agreement.

Development/Intellectual Property and Trade Secrets. Development documents are often subject to intellectual property protection in their final form (e.g., patent and copyrights). The documents detailing the development process are often also of value to the Corporation and are protected as a trade secret where the Corporation derives independent economic value from the secrecy of the information; and has taken affirmative steps to keep the information confidential.

The Corporation should keep all documents designated as containing trade secret information for at least the life of the trade secret.

Contracts. Final, execution copies of all contracts entered into by the Corporation should be retained. The Corporation should retain copies of the final contracts for at least three (3) years beyond the life of the agreement, and longer in the case of publicly filed contracts.

Correspondence. Unless correspondence falls under another category listed elsewhere in this policy, correspondence should generally be saved for two (2) years.

Banking and Accounting. Accounts payable ledgers and schedules should be kept for seven (7) years. Bank reconciliations, bank statements, deposit slips, and checks (unless for important payments and purchases) should be kept for three (3) years. Any inventories of products, materials, and supplies and any invoices should be kept for seven (7) years.

Insurance. Expired insurance policies, insurance records, accident reports, claims, etc. should be kept permanently.

Audit Records. External audit reports should be kept permanently. Internal audit reports should be kept for three (3) years.

Section 4. Electronic Mail. Email that needs to be saved should be either: (a)printed in hard copy and kept in the appropriate file or (b) downloaded to a computer file and kept electronically or on a disk as a separate file. The retention period depends of the subject matter of the email, as covered elsewhere in this policy.

ARTICLE XI

Transparency and Accountability: Disclosure of Financial Information

Section 1. Purpose. By making full and accurate information about its mission, activities, finances, and governance publicly available, Grant County Childcare Committee practices and encourages transparency and accountability to the general public. This policy will:

a) Indicate which documents and materials produced by the Corporation are presumptively open to all staff and/or the public.
b) Indicate which documents and materials produced by the Corporation are presumptively closed to staff and/or the public.
c) Specify the procedures whereby the open/closed status of documents and materials can be altered.

Section 2. Financial and IRS Documents. Grant County Childcare Committee shall provide its Internal Revenue forms 990, 990-T, 1023 and 5227 (and attachments), IRS determination letter, bylaws, conflict of interest policy, and financial statements to the general public for inspection free of charge.

Section 3. Means and Conditions of Disclosure. It is the goal of Grant County Childcare Committee to make the aforementioned documents "widely accessible" on its internet website.

a) The documents shall be posted in a format that allows an individual using the Internet to access, download, view, and print them in a manner that exactly reproduces the image of the original document filed with the IRS (except information exempt from public disclosure requirements, such as contributor lists).
b) The website shall clearly inform the reads that the document is available an provide instructions for downloading it.
c) Grant County Childcare Committee shall not charge a fee for downloading the information. Documents shall not be posted in a format that would require special computer hardware or software (other than software readily available to the public free of charge).
d) Grant County Childcare Committee shall inform anyone requesting the information where this information can be found, including the web address. This information must be provided immediately for in-person requests and within seven (7) days for mailed requests.

Until such time as Grant County Childcare Committee can get a website set up, Grant County Childcare Committee will make the aforementioned documents available to the public upon request. Grant County Childcare Committee has a small staff and a shared office. If a request is made in person at the office, it will be granted by the next business day. Mailed requests will be granted within seven (7) days. There shall be no charge for these documents.

Section 4. IRS Annual Information Returns (Form 990). Grant County Childcare Committee shall submit the Form 990 to its governing body prior to the filing of the Form 990. While neither the approval of the Form 990 or a review of the 990 is required under federal law, the Corporation's Form 990 shall be submitted to each member of the governing body via hard copy or email at least 10 days before the Form 990 is filed with the IRS.

Section 5. Board. All Board minutes shall be open to the public once accepted by the board, except where a motion is passed to make any specific portion confidential.

Section 6. Staff Records.

a) All staff records shall be available for consultation by the staff member concerned or by their legal representatives.
b) No staff records shall be made available to any person outside the corporation except the authorized government agencies.
c) Within the Corporation, staff records shall be made available only to those persons with managerial or personnel responsibilities for that staff member, except that:
d) Staff records shall be made available to the board when requested.

Section 7. Donor Records.

a) All donor records shall be available for consultation by the members and donors concerned or by their legal representatives.
b) No donor records shall be made available to any other person outside the Corporation except the authorized governmental agencies.
c) Within the Corporation, donor records shall be made available only to those persons with managerial or personnel responsibilities for dealing with those donors, except that
d) Donor records shall be made available to the board when requested.

ARTICLE XII

Code of Ethics and Whistle-Blower Policy

Section 1. Purpose. Grant County Childcare Committee requires and encourages its directors, officers, and employees to observe and practice high standards of business and personal ethics in the conduct of their duties and responsibilities. The employees and their representatives of the Corporation must practice honesty and integrity in fulfilling their responsibilities and comply with all applicable laws and regulations.

It is the intent of Grant County Childcare Committee to adhere to all laws and regulations that apply to the Corporation and the underlying purpose of this policy is to support the Corporation's goal of legal compliance. The support of all corporate staff is necessary to achieving compliance with various laws and regulations.

Section 2. Reporting Violations. If any officer, staff, or employee reasonably believes that some policy, practice, or activity of Grant County Childcare Committee is a violation of law, a written complaint must be filed by that person with the vice president or president.

Section 3. Acting in Good Faith. Anyone filing a complaint concerning a violation or suspected violation must be acting in good faith and have reasonable ground for believe the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false shall be subject to civil and criminal review.

Section 4. Retaliation. Said person is protected from retaliation only if he/she brings the alleged unlawful activity, policy, or practice to the attention of Grant County Childcare Committee and provides Grant County Childcare Committee with a reasonable opportunity to investigate and correct the alleged unlawful activity.

The protection described below is only available to individuals that comply with this requirement. Grant County Childcare Committee shall not retaliate against any officer, staff, or employee who in

good faith, has made a protest or raised a complaint against some practice of Grant County Childcare Committee or of another individual or entity with whom Grant County Childcare Committee has a business relationship, on the basis of a reasonable belief that the practice is in violation of law, or a clear mandate of public policy.

Grant County Childcare Committee shall not retaliate against any officer, staff, or employee who disclose or threaten to disclose to a supervisor or public body, any activity, policy, or practice of Grant County Childcare Committee that the individual reasonably believes is in violation of a law, rule, or regulation mandated pursuant to law or is in violation of a clear mandate of public policy concerning the health, safety, welfare, or protection of the environment.

Section 5. Confidentiality. Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations shall be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

Section 6. Handling of Reported Violations. The president or vice president shall notify the sender and acknowledge receipt of the reported violation or suspected violation within five business days. All reports shall be promptly investigated by the board and its appointed committee and appropriate corrective action shall be taken if warranted by the investigation.

This policy shall be made available to all directors, officers, staff, or employees through these Bylaws and they shall have the opportunity to ask questions about this policy.

ARTICLE XIII

Dissolution

The Corporation may be dissolved only upon adoption of a plan of dissolution and distribution of assets by the Board that is consistent with the Certificate of Incorporation and with State law.

ARTICLE XIV

Amendments

Section 1. Amendments to the Articles of Incorporation. Any amendments to the Articles of Incorporation may be adopted by approval of two-thirds (2/3) of the Board.

Section 2. Amendments to the Bylaws. These Bylaws may be amended, altered, repealed or restated by a vote of the majority of the directors then in office at a meeting of the Board, provided, however;

a) That no amendment shall be made to these Bylaws which would cause the Corporation to cease to qualify as a tax-exempt corporation under Section 501(c)(3) of the Internal Revenue Code of 1986, or the corresponding section of any future Federal tax code.
b) That an amendment does not affect the voting rights of the directors. An amendment that does affect the voting rights of the directors further requires ratification by a two-thirds (2/3) vote of a quorum.

c) That all amendments are consistent with the Articles of Incorporation.

ARTICLE XV

Construction

In the case of any conflict between the Certificate of Incorporation of the Corporation and these By-Laws, the Certificate of Incorporation of the Corporation shall control.

I do hereby certify that the above stated Bylaws of Grant County Childcare Committee were approved by the Grant County Childcare Committee Board of Directors on February 27, 2023 and constitute a complete copy of the Bylaws of the Corporation.

SIGNED 2-27-2023, see PDF Copy

Katrina Randleas, Secretary Date

Alicia Griffin, President Date