



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

Type of Action Requested

- |                                     |                      |                                     |             |
|-------------------------------------|----------------------|-------------------------------------|-------------|
| <input type="checkbox"/>            | Resolution           | <input checked="" type="checkbox"/> | Ordinance   |
| <input checked="" type="checkbox"/> | <b>Formal Action</b> | <input type="checkbox"/>            | Report Only |

**Applicant:** City of John Day  
**Subject Property:** All AIP zoned properties  
**Requested Action:** Text Amendment  
**Date Submitted:** July 14, 2022  
**Agenda Date Requested:** July 21, 2022

1. PROPOSAL SUMMARY

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

2. APPLICABLE CRITERIA

This request is a legislative amendment to the John Day Development Code. The applicable approval criteria are found in section 5-4.1.050(G), which incorporates compliance with Statewide Planning Goals and the John Day Comprehensive Plan.

3. PLANNING COMMISSION CONSIDERATIONS

The Planning Commission's review must focus on the relevant code criteria and follow the public hearing requirements for a Type IV Legislative Amendment under Section 5-4.7.020. The Commission should approve the request if it conforms to the approval criteria.

4. STAFF RECOMMENDATION

Staff recommends that the Commission **approve AMD-22-03 as submitted.**



**5. PUBLIC NOTIFICATION**

The City of John Day mailed public notice to affected property owners on July 1, 2022, and published a notice in the Blue Mountain Eagle on July 6, 2022, as required by the Development Code. Staff reports were made available for public inspection and sent to interested parties seven days prior to the hearing date.

**6. RECOMMENDED AMENDMENTS**

Exhibit C is a draft of proposed Ordinance No. 22-202-13, which contains the recommended code amendments.

**7. ADOPTION PROCEDURE AND FINDINGS**

The following section shown in italics and boldface provides the decision making criteria as required by John Day Development Code Section 5-4.1.050.G.

.....  
***Decision-Making Criteria. The recommendation by the Planning Commission shall be based on the following factors:***

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

**FINIDNG:** Specific findings of compliance with statewide land use goals are addressed below.

**Goal 1 - Citizen Involvement.**

**Finding:** The Code establishes procedures for text amendments such as the subject proposal to implement Goal 1. The Code specifically calls for various forms of notice and public hearings. The City has provided the requisite notices and held the requisite public hearings to satisfy the Code and therefore Goal 1. This criterion is met.

**Goal 2 - Land Use Planning.**

**Finding:** Staff is following the prescribed procedure for a text amendment to ensure adequate review of the proposed text amendment. This staff report identifies the basis for making a decision on the subject proposal pursuant to applicable code criteria. Staff finds Goal 2 is met.

**Goals 3 and 4, Agricultural and Forest Lands**

**Finding:** These Goals are not applicable as the proposed text amendments will not have any known impact on either Agricultural or Forest Lands.



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## **Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces.**

**Finding:** The proposed text amendments have no impact on Natural Resources, Scenic and Historic Areas, and Open Spaces. This Goal does not apply.

## **Goal 6 – Air, Water and Land Resources Quality.**

**Finding:** The proposed text amendments have no impact to City regulations to protect air, water, and land resources. This Goal does not apply.

## **Goal 7 – Areas Subject to Natural Hazards.**

**Finding:** The proposed text amendments have no impact on the City's ability to plan for natural hazards or do not otherwise amend the City's land use regulations governing natural hazards. This Goal does not apply.

## **Goal 8 – Recreational Needs.**

**Finding:** The proposed text amendments have no impacts on recreational needs. Goal 8 does not apply.

## **Goal 9 – Economic Development.**

**Finding:** The proposed amendments do not affect the City's supply of lands available for industrial or commercial uses or otherwise inhibit development of lands within the City for such uses. Rather, they expand the ability to create a wider variety of industrial developments that will likely lead to further economic development. This goal is met.

## **Goal 10 – Housing.**

**Finding:** The purpose of Goal 10 is to provide for the housing needs of citizens of the state. This Goal does not apply.

## **Goal 11 – Public Facilities and Services**

**Finding:** The proposed amendments do not impact the City's ability to plan for or supply public facilities or services. This Goal does not apply.

## **Goal 12 – Transportation**



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**Finding:** Goal 12 is implemented through OAR 660-012-0060 commonly known as the “transportation planning rule”. Per OAR 660-012-0060(1) additional analysis, and potentially mitigation, is required if an amendment would have a “significant effect on a transportation facility. There is no significant effect because the proposed do not allow for higher levels of development than presently permitted or otherwise change the function or classification of any transportation facility. Because text amendments have no impact on the City’s ability to plan for supply an adequate transportation system, the proposal complies with Goal 12.

## Goal 13 – Energy Conservation

**Finding:** The proposed text amendments have no impacts on energy use. This Goal does not apply.

## Goal 14 – Urbanization

**Finding:** The proposed text amendments do not impact that transition of rural land to urban uses. This provision does not apply.

## Goals 15 through 19.

**Finding:** Goals 15, 16, 17, 18 and 19 are not applicable because they only pertain to areas within Western Oregon.

## 2. *Approval of the request is consistent with the Comprehensive Plan; and*

**Finding:** The goals and policies of the City’s Comprehensive Plan largely mirror the Statewide Land Use Goal. Accordingly, those goals and policies are either satisfied or not applicable for the same reasons set out in findings for the corresponding statewide land use goal.

## 3. *The property and affected area is presently provided with adequate public facilities and services, including transportation, sewer and water systems, to support the use, or such facilities and services are provided for in adopted City plans and can be provided concurrently with the development of the property.*

**Finding:** The City is presently adequately providing public facilities and services for existing development within the City. If new residential dwellings are proposed, they are subject to requirements that there be adequate public facilities and services to support such development. Therefore, the amendments have no impact on the City’s ability to plan for or supply public facilities and services.

## 8. PLANNING COMMISSION MOTION



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After hearing the staff presentation and any public testimony, including any rebuttal, the Commission will close the hearing and deliberate.

**Staff recommends the Commission approve AMD-22-03 and recommend the city council adopt Ordinance No. 22-202-13, as submitted (or as amended by the Commission following public comment).**

*The staff report may be amended during the course of the hearing.*

Respectfully submitted this 14<sup>th</sup> day of July 2022

Nicholas Green  
City Planning Official  
City of John Day

Enclosures:

- Exhibit A. Affidavit of Publication
- Exhibit B. Certification of Public Notice
- Exhibit C. AMD-22-03 Adopting Ordinance 22-202-13 (Draft)