

ORDINANCE NO. 22-203-14

AN ORDINANCE ANNEXING APPROXIMATELY 1.08 ACRES OF LAND COMPRISING 373 PATTERSON BRIDGE ROAD; AND ASSIGNING CITY ZONING DESIGNATIONS TO PROPERTIES WITHIN THE ANNEXED TERRITORY.

WHEREAS, Mr. Robert L. Pereira (“Owner”) is the owner of the property identified as Tax Lot 200 on Grant County Assessor’s Map 13S-31E-22C (the “Owner’s Property”); and

WHEREAS, the Owner’s Property is referred to herein as the “Annexed Territory”; and

WHEREAS, the Annexed Territory is unincorporated territory surrounded by the city limits; and

WHEREAS, the City, without the consent of the Owner of the Annexed Territory, made application under Planning File No. AMD-22-04 to annex the Annexed Territory into the City and change the Land Use Plan zoning designation for the Annexed Territory from County Industrial (MG) to General Industrial (GI); and

WHEREAS, City scheduled a public hearing on July 21, 2022 before the City’s Planning Commission on the proposed annexation and Zoning amendment; and

WHEREAS, after considering all the evidence and testimony in the record, and fully deliberating the matter, the Planning Commission recommended that the City Council approve the proposed annexation and zoning amendment; and

WHEREAS, City scheduled a public hearing before the City Council on August 23, 2022, provided required notice to affected parties, published notice in a local newspaper of general circulation for two consecutive weeks, and posted notice in four public places within the city limits (e.g. John Day City Hall, U.S. Post Office, Grant County Clerk’s Office, and Grant County Library) of such hearing; and

WHEREAS, City Council, after reviewing all relevant materials, evaluating compliance with applicable law, and considering written comments and public testimony, deliberated the matter fully, approved the annexation, and voted to dispense with submitting the question of annexation to the electors of the City; and

WHEREAS, City proclaims the Annexation approved as of September 24, 2022, the effective date of this Ordinance No. 22-203-14 (this “Ordinance”).

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

1. Findings. The findings stated above and those contained within the staff report for AMD-22-04 attached hereto as Exhibit A are hereby adopted.
2. Annexed Territory. The property identified in the attached Exhibit B, legally described in the attached Exhibit C and generally depicted on the attached Exhibit D, is hereby annexed and incorporated into the City.
3. Zoning Designation. City hereby amends its Zoning Map as shown on the attached Exhibit E. The zoning designations established by the City’s Comprehensive Plan Map, as amended, are hereby

assigned to the lands within the Annexed Territory. Land within the Annexed Territory is hereby subject to the City's land use regulations and the permitting requirements.

4. Assessment and Taxation. Land within the Annexed Territory shall be assessed and taxed in the same manner as other similarly situation property within the City as of the effective date of this Ordinance.

5. Notification to Appropriate Agencies and Utilities. The City Recorder will cause notice of the Annexation to be recorded with the Grant County Clerk within sixty (60) days of the date the City Council proclaims the Annexation approved.

The City Recorder will file with the Grant County Assessor and the Oregon Department of Revenue legal descriptions and accurate maps showing the Annexed Territory.

Notification will also be forwarded to the appropriate state agencies, Grant County Clerk, Grant County GIS Department, Grant County Community Development Department, to all utilities subject to notice pursuant to ORS 222.005, and to all other parties entitled to notice.

7. Authorization; Interpretation; Severability; Corrections. The City Manager is authorized to take all actions necessary or appropriate to effectuate the purposes of this Ordinance. All pronouns contained in this Ordinance and any variations thereof will be deemed to refer to the masculine, feminine, or neutral, singular or plural, as the identity of the parties may require. The singular includes the plural and the plural includes the singular. The word "or" is not exclusive. The words "include," "includes," and "including" are not limiting. Any reference to a particular law, statute, rule, regulation, code, or ordinance includes the law, statute, rule, regulation, code, or ordinance as now in force and hereafter amended.

If any section, subsection, sentence, clause, and/or portion of this Ordinance is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of this Ordinance.

This Ordinance may be corrected by order of the City Council to cure editorial and/or clerical errors.

[signatures on next page]

This Ordinance was PASSED and ADOPTED by the City Council by a vote of ___ for and ___ against and APPROVED by the mayor on this ___th day of _____, 2022.

Ron Lundbom, Mayor

ATTEST:

Corum Ketchum, Interim (Pro-Tem) City Manager

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EXHIBIT A.
STAFF REPORT FOR PLANNING FILE NO. AMD-22-04

[attached]

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EXHIBIT B.
LIST OF ANNEXED PROPERTIES

Tax Lots: Grant County Assessor's Map 13S-31E-22C, Tax Lot 200

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EXHIBIT C.
LEGAL DESCRIPTION OF ANNEXED TERRITORY

Pending

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EXHIBIT D.
MAP OF ANNEXED TERRITORY

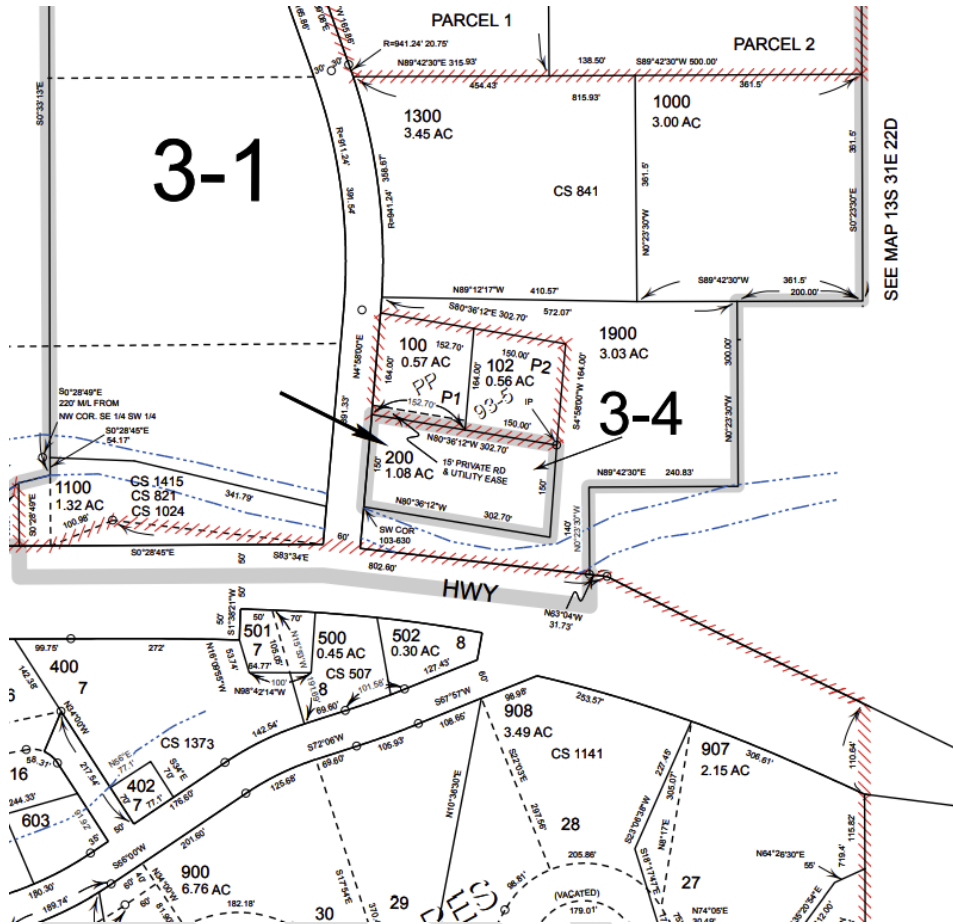


EXHIBIT E.
UPDATED CITY ZONING MAP

[attached]

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13S31E22C00200

Tax Lot Information

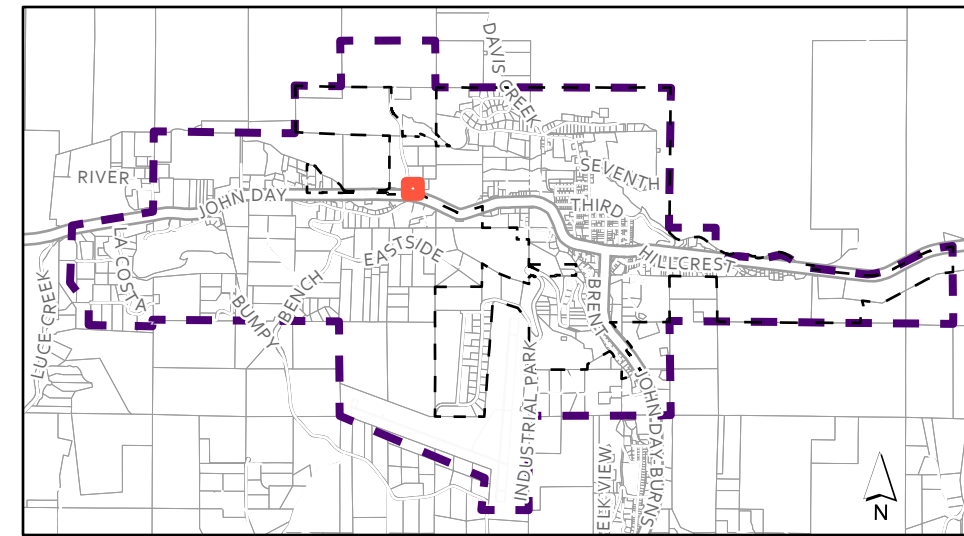
Owner: PEREIRA, ROBERT L

Other Owner:

Mail Address: 373 PATTERSON BRIDGE RD, JOHN DAY, OR 97845

Prop Address: 373 PATTERSON BRIDG RD

Acres: 1.08



- Regulatory Floodway
- 1% Chance Flood Zone
- 2% Chance Flood Zone
- Gen Ind City
- SR
- Tax Lots
- City Limits
- Urban Growth Boundary

