



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol St NE Ste 150

Salem, OR 97301-2540

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Measure 49 Fax: (503) 378-5318

Web Address: <http://www.oregon.gov/LCD>

NOTICE OF ADOPTED AMENDMENT

December 23, 2010



TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Angela Houck, Plan Amendment Program Specialist

SUBJECT: City of John Day Plan Amendment
DLCD File Number 002-10

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Friday, January 07, 2011

This amendment was submitted to DLCD for review 45 days prior to adoption and the jurisdiction determined that emergency circumstances required expedited review. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Peggy Gray, City of John Day
Gloria Gardiner, DLCD Urban Planning Specialist
Grant Young, DLCD Regional Representative
Gary Fish, DLCD Transportation Planner
Thomas Hogue, DLCD Regional Representative

<paa> YA





FORM 2

DLCD

Notice of Adoption

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

In person electronic mailed

DATE
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DEPT OF

DEC 20 2010

**LAND CONSERVATION
AND DEVELOPMENT**

Jurisdiction: **City of John Day**

Local file number:

Date of Adoption: **December 14, 2010**

Date Mailed: **December 17, 2010**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 10/13/2010

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Ordinance No. 10-145-05 amended the zone classification of the area annexed into the City of John Day by Ordinance No. 10-144-04 from county-zone classifications "GI" General Industrial and "SR1" Suburban Residential 1 to the city-zone classification "AIP" Airport Industrial Park and "RG" Residential General. The City of John Day is in the process of updating the zoning map and will send to DLCD as soon as it is available.

Does the Adoption differ from proposal? No.

Plan Map Changed from: _____ to: _____

Zone Map Changed from: **County "GI" and "SR-1"** to: **City "AIP" and "RG"**

Location: **Grant County, OR, T13S, R31E, W.M., Sections 26 and 27** Acres Involved: _____

Specify Density: Previous: **N/A** New: **N/A**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing? Yes No

If no, do the statewide planning goals apply? Yes No

If no, did Emergency Circumstances require immediate adoption? Yes No

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Grant County

Local Contact: **Peggy Gray**

Phone: (541) 575-0028 Extension: _____

Address: **450 East Main Street**

Fax Number: **541-575-3668**

City: **John Day**

Zip: **97845**

E-mail Address: **grayp@grantcounty-or.gov**

ORDINANCE NO. 10-145-05

ADOPTED DEC.14, 2010

ORDINANCE NO. 10-145-05

**AN ORDINANCE AMENDING THE ZONE
CLASSIFICATION OF THE AREA ANNEXED INTO
THE CITY OF JOHN DAY BY ORDINANCE NO. 10-
144-04 FROM COUNTY-ZONE CLASSIFICATIONS
“GI” GENERAL INDUSTRIAL AND “SR1”
SUBURBAN RESIDENTIAL 1 TO THE CITY-ZONE
CLASSIFICATION “AIP” AIRPORT INDUSTRIAL
PARK AND “RG” RESIDENTIAL GENERAL AND
DECLARING AN EMERGENCY**

THE CITY COUNCIL FOR THE CITY OF JOHN DAY MAKES THE FOLLOWING FINDINGS:

The City Council of the City of John Day, the legislative body of the City of John Day, approved Ordinance 10-144-04 on the 14th day of September, 2010 annexing the real property described therein and in Exhibit 1 which is attached hereto and incorporated herein by this reference.

To complete the annexation process, the City Council must provide a City-Zone Classification for said annexed area which was originally County-Zone Classifications “GI” General Industrial and “SR1” Suburban Residential.

The current land uses in said annexation area include a light industrial park currently with three (3) tenants, a small residential subdivision and undeveloped parcels.

The City Council finds it is in the public welfare to continue such uses in the Exhibit 1 area and believes the City-Zone Classification of “AIP” Airport Industrial Park and “RG” Residential General are best suited for such uses now and in the future.

The City Council agrees with the findings of the Planning Staff Report a copy of which is attached as Exhibit 2 and incorporated herein by this reference. The City

Council finds the City-Zone Classification of "AIP" and "RG" for the Exhibit 1 area is in Compliance with the City of John Day Comprehensive Plan adopted June 10, 2003 and City ordinances as required by John Day City Development Code Chapter 5-4.1.500.

THE CITY OF JOHN DAY ORDAINS AS FOLLOWS:

Section 1: The City Council of the City of John Day adopts the findings stated above and in said Planning Staff Report hereto attached as Exhibit 2.

Section 2: The City Council of the City of John Day grants the Exhibit 1 area the City-Zone Classification of AIP and RG as set forth on the map attached hereto as Exhibit 3, which zoning is in compliance with the City's comprehensive plan and City's Development Code concerning the rezoning of annexed properties for compatibility with existing uses and/or previous Grant County zoning designations.

Section 3: The City of John Day does hereby find and declare there exists an urgent necessity that this ordinance take effect as soon as possible for the immediate preservation of the public peace, health and safety of the City of John Day, an emergency is hereby declared to exist and therefore this ordinance shall take effect immediately upon adoption by majority vote of the quorum of Council members present at the meeting wherein this ordinance is enacted.

ADOPTED by the City Council of the City of John Day at a regular meeting thereof this 14th of DECEMBER, 2010 and filed with the City Recorder this same day.

Approved by Mayor Bob Quinton this 14th day of DECEMBER, 2010.


Bob Quinton, Mayor

Attest:


Peggy Gray, City Manager

SUMMARY OF VOTES:

YES or NO

Ordinance No. 10-145-05

Mayor Bob Quinton
Council Steve Schuette
Council Gene Officer
Council Chris Labhart
Council Donn Willey
Council Don Caldwell

YES or NO
YES or NO
YES or NO
YES or NO *Absent*
YES or NO
YES or NO

EXHIBIT 1

ORDINANCE NO. 10-144-04

AN ORDINANCE IDENTIFYING THE BOUNDARIES OF THE AREA IN THE CITY OF JOHN DAY URBAN GROWTH BOUNDARY "GI" ZONE AND "SR1" ZONE TO BE ANNEXED INTO THE CITY OF JOHN DAY, STATING THE BENEFITS OF ANNEXATION TO THE CITY OF JOHN DAY AND THE REAL PROPERTY OWNERS WHO PETITIONED AND CONSENTED TO ANNEXATION IN WRITING AND PROCLAIMING THE ANNEXATION OF THE REAL PROPERTY LOCATED IN GRANT COUNTY, OREGON, T13S, R31E, W.M., SECTION 26 AND SECTION 27 MORE FULLY DESCRIBED IN EXHIBIT A AND DECLARING AN EMERGENCY

THE CITY COUNCIL FOR THE CITY OF JOHN DAY MAKES THE FOLLOWING FINDINGS:

The City Council of the City of John Day, the legislative body of the City of John Day owns the Grant County Airport Industrial Park located within the John Day Urban Growth Boundary and wishes to annex said real property into the City of John Day. The City of John Day also received a petition and consent form on file in the City Records from the following real property owners contiguous to the Grant County Airport Industrial Park in the City of John Day's Urban Growth Boundary GI Zone and SR1 Zone seeking annexation of the their real property into the City of John Day that is currently located in Grant County, Oregon:

1. On March 16, 2010, Ansel J. Krutsinger and Judy E. Krutsinger, two registered voters on the real property located at 477 SW 4th, John Day, Grant County, Oregon in Township 13S, R31E, W.M., Section 26: Land situated in the SW1/4NW1/4 and in the NW1/4SW1/4 described as follows:

Parcel 1 and that portion of Parcel 3 of Land Partition No. 98-41 currently lying outside the John Day City Limits, as shown on the plat of said Land Partition No. 98-41, on file and of record in the office of the County Clerk of Grant County, Oregon;

Parcel 2 of Land Partition No. 2003-18, as shown on the plat thereof on file and of record in the office of the County Clerk of Grant County, Oregon;

Parcel 3 of Land Partition No. 2005-13, as shown on the plat thereof on file and of record in the office of the County Clerk of Grant County, Oregon;

Parcels 1, 2, and 3 of Land Partition No. 2006-12, as shown on the plat thereof on file of record in the office of the County clerk of Grant County, Oregon.

This real property is not currently up for sale.

2. On March 18, 2010, Garald Lee Davidson and Arlene Carol Davidson, no registered voters on the real property located at Crisp Heights, John Day, Grant County, Oregon in Township 13S, R31E, W.M., Section 26 more fully described as Parcel 1, Land Partition No. 2003-18 and Parcel 1, Land Partition No. 2005-13 and identified in the Grant County Assessor Records as Map13-31-26BC Tax Lot 900 and Map 13-31-26BC Tax lot 1200.

This real property is not currently up for sale.

3. On March 30, 2010, J. Mark Moulton, no registered voters on the real property located at Grant County Airport Industrial Park, John Day, Grant County, Oregon in Township 13S, R31E, W.M., Section 27 more fully described as Lot 18, Grant County Industrial Park Subdivision in the Grant County Records and in the Grant County Assessor Records as Map 13-31-27D Tax Lot 500. This real property is not currently up for sale.
4. On March 19, 2010, Scott L. Knepper, no registered voters on the real property located at Crisp Heights, John Day, Grant County, Oregon, in Township 13S, R31E, W.M. Section 26 and in the Grant County Assessor Records as Map 13-31-26 Tax Lot 3100 and Map 13-31-26 Tax Lot 3104. This real property is not currently up for sale.
5. On May 4, 2010, Jesse Madden, no registered voters on the real property located at 120 Skyline Road, John Day, Grant County, Oregon more fully described in the Grant County Assessor Records as Map 13-31-26BC Tax Lot 1000. This real property is not currently up for sale.
6. On May 11, 2010, Michael Shuken, no registered voters on the real property located at adjacent to the Grant County Airport Industrial Park, John Day, Grant County, Oregon in Township 13S, R31E, W.M. Section 27 more fully described as Tax Lot 1205, Parcel 2 of Land Partition 2003-19 and in the Grant County Assessor Records as Map 13-31-27 Tax Lot 1200. This real property is not currently up for sale.
7. On May 17, 2010, Michael D. Slinkard, no registered voters on the real property located at the Grant County Industrial Park, John Day, Grant County, Oregon in Township 13S, R31E, W.M., Section 27 more fully described as Lot 14, Lot 15, Lot 16 in the Grant County Airport Industrial Park Subdivision and in the Grant County Assessor Records as Map 13-31-27D Tax Lot 100, Map 13-31-27D Tax Lot 200, Map 13-31-27D Tax Lot 300. This real property is not currently up for sale.
8. On April 7, 2010, Grant County Judge Mark E. Webb, no registered voters on the real property located at the Grant County industrial Park, John Day, Grant County, Oregon in Township 13S, R31E, W.M., Section 27 more fully described as Lot 26 and Lot 27 in the Grant County Airport Industrial Park Subdivision and in the Grant County Assessor Records as Map 13-31-27D Tax Lot 1300 and Map 13-31-27D Tax Lot 1400. This real property is not currently up for sale.
9. On April 15, 2010, Eva M. Harris, Trustee, the Eva M. Harris Trust, no registered voters on the real property located adjacent to Industrial Road and Airport Road, John Day, Grant County, Oregon in Township 13S., R31E, W.M., Section 27 more fully described as Parcel 1 of Land Partition No. 2003-19 and in the Grant County Assessor Records as Map 13-31-27 Tax Lot 1200. This real property is not currently up for sale.
10. On April 15, 2010, Eva M. Harris, Trustee, the Eva M. Harris Trust, no registered voters on the real property located adjacent to Industrial Road and Airport Road, John Day, Grant County, Oregon in Township 13S, R31E, W.M., Section 26 more fully described as a tract of land situated in the SW1/4NW1/4 and in the NW1/4SW1/4 described as follows: All that portion of the SW1/4NW1/4 and all that portion of the NW1/4SW1/4 lying West of Grant County Road No. 80, Airport Road. SAVE & EXCEPT the North 45.0 feet of said SW1/4NW1/4. SAVE & EXCEPT that portion conveyed to Grant County, Oregon by deed recorded March 31, 2003, Instrument No. 030979 and in the Grant County Assessor Records as Map 13-31-26 Tax Lot 3105. This real property is not currently up for sale.

The address of the petitions for annexation show John Day, Oregon in their address only because this relates to the post office used by that address. Said real properties are not located in John Day, Oregon but in Grant County, Oregon. The above stated real property is eligible for annexations because it is located in the City of John Day's urban growth boundary.

In 2003, the City of John Day and Grant County, Oregon entered into an agreement titled "City of John Day and Grant County Urban Growth Management Agreement" which provides guidance in the annexation process. Grant County was advised of this annexation 15 days prior to the September 14, 2010 meeting on this matter and has not objected.

The City Council for the City of John Day wants the annexation of the above stated real properties. The real property to be annexed is described in Exhibit A which is attached hereto and incorporated herein by this reference.

All eleven (11) real property owners noted above consented to the annexation of the above described real property in writing which is on file in the City records.

The real property noted above has two (2) registered voters. All two (2) registered voters consented to this annexation. One hundred percent (100%) of the real property owners residing in the Exhibit A annexation area consented in writing to having their real property described above annexed into the City of John Day. One hundred percent (100%) of the legal voters in the annexation area consenting to the annexation.

The City Council determined that an election is not necessary because the City has the facts as noted in ORS 222.125 that all of the real property owners in the Exhibit A annexation area and not less than 50 percent of the electors, if any, residing in the Exhibit A annexation area consent in writing to the annexation of the land into the City of John Day and filed a statement of consent with the City Council for the City of John Day prior to this hearing.

The consent of one hundred percent (100%) of the total real property owners in the Exhibit A annexation area and one hundred percent (100%) of the total legal voters in the Exhibit A annexation area satisfies ORS 222.125 and qualifies for waiving ORS 222.120 requirements and the election requirements.

The reason for the annexation is that it benefits the City of John Day and the real property owners. The City receives additional revenue from franchises which include Century Link telephone, Blue Mountain TV Cable, Clark's Disposal, and Oregon Trail Electric who are all currently located in the Exhibit A annexation area as well as current real property taxes in the amount \$2.9915 for every one thousand dollars of assessed real property value noted in the Grant County Assessor's records for the real property in the Exhibit A annexation area. The real property owners receive additional services which include police and fire protection.

This annexation is in compliance with the City of John Day's Comprehensive Plan. The land is contiguous with the City limits and within the Urban Growth Boundary. The development of the property is compatible with the rational and logical extension of utilities and roads to the surround area. The City is capable of providing and maintaining the full range of urban services to the property without negatively impacting the City's ability to adequately serve all areas within the existing City limits. The City presently provides water service to the annexation area and the sewer treatment facility was designed to adequately serve the annexation area.

On March 11, 2010, all of the real property owners in the Exhibit A annexation area were sent a letter estimating the real property taxes the property owner would have paid to the City of John Day had the real property owner been annexed into the City of John Day in 2009. This estimate did not include Measure 50 compression costs. No negative responses to this letter were received by the City from the real property owners noted above.

It is in the best interest of the City and beneficial to the public welfare of the City of John Day to approve the Exhibit A annexation area.

THE CITY OF JOHN DAY ORDAINS AS FOLLOWS:

Section 1: The City Council of the City of John Day adopts the findings stated above.

Section 2: The City Council of the City of John Day sets the final boundaries of the area to be annexed to the legal description described in the attached Exhibit A.

Section 3: The City Council of the City of John Day sets the terms for the Exhibit A area to be annexed as follows:

3.1 The real property located in the Exhibit A annexation are subject to all City of John Day laws, rules, regulations, assessments, fees, charges and costs; and where applicable County, State and Federal laws and regulations.

3.2 The real property located in the Exhibit A annexation area shall be taxed by the City of John Day at the rate of \$2.9915 for every \$1,000.00 in the total assessed real property valuation as stated in the Grant County Assessor records each year. This tax rate may be changed if allowed by law and the discretion of the City Council after applicable laws are followed.

Section 4: The City Council for the City of John Day proclaims the annexation of the Exhibit A legal description into the City of John Day and is withdrawn from the John Day Rural Fire Protection District.

Section 5: The City of John Day does hereby find and declare there exists an urgent necessity that this ordinance take effect as soon as possible for the immediate preservation of the public peace, health and safety of the City of John Day, an emergency is hereby declared to exist and therefore this ordinance shall take effect immediately upon adoption by majority vote of the quorum of Council members present at the meeting wherein this ordinance is enacted.

ADOPTED by the City Council of the City of John Day at a regular meeting thereof this 14th of September, 2010 and filed with the City Recorder this same day.

Approved by Mayor Bob Quinton, this 14th day of Sept, 2010.


Bob Quinton, Mayor

Attest:


Peggy Gray, City Manager

SUMMARY OF VOTES:

YES or NO

Mayor Bob Quinton	<input checked="" type="radio"/> YES or NO	Absent
Council Steve Schuette	<input checked="" type="radio"/> YES or NO	
Council Jack Grubbs	<input checked="" type="radio"/> YES or NO	
Council Chris Labhart	<input checked="" type="radio"/> YES or NO	
Council Donn Willey	<input checked="" type="radio"/> YES or NO	
Council Don Caldwell	<input checked="" type="radio"/> YES or NO	
Council Gene Officer	<input checked="" type="radio"/> YES or NO	

EXHIBIT A

Legal Description for Annexation of Land to the City of John Day, Oregon

All of the following described land not currently lying within the city limits of John Day, Oregon, and lying within the following described tracts of land:

Twp. 13 S., R. 31 E., W.M., Grant County, Oregon, described as follows:

Section 26: A tract of land situated in the NW1/4 and SW1/4 described as follows:

Beginning at the Southwest corner of the NE1/4SW1/4 of said Section 26,
thence East along the south line of said NE1/4SW1/4 of said Section 26
320 feet, more or less, to the Southwest corner of the Bert Miller
property;
thence North along the west line of said Miller property, 100 feet to the
Northwest Corner of said Miller property
thence N.58°49'E., along the northwest line of said Miller property, 812.1
feet, more or less, to the west bank of Canyon Creek;
thence Northwesterly along the west bank of Canyon Creek to its
intersection with the south boundary of Amended Crisp Heights
Homesites;
thence along the southerly boundary of said Amended Crisp Heights
Homesites the following courses and distances:
107.74 feet along the arc of a 86.62 foot radius curve right;
N.46°29'00"W., 6.55 feet;
102.57 feet along the arc of a 575.00 foot radius curve right;
S.84°54'40"W., 452.48 feet to a point on the south right of way
line of Skyline Road;
thence along the southerly and westerly right of way lines of Skyline Road
the following courses and distances:
N.71°37'20"W., 513.52 feet;
N.03°37'00"W., 451.96 feet;
N.17°14'00"E., 414.34 feet;
188.64 feet along the arc of a 735.25 foot radius curve left;
N.02°32'00"E., 391.13 feet to the Northwest Corner of said
Amended Crisp Heights Homesites;
thence N.02°32'00"E., 45 feet, more or less, to a point on the north line of
the SW1/4NW1/4 said Section 26;
thence Westerly along the north line of the SW1/4NW1/4 said Section 26
to its intersection with the Northeasterly right of way line of
Aviation Drive – County Road 80, said intersection being 37.5 feet
right, when measured at right angles, from approximate centerline
station 11+65.1;
thence along the northerly, westerly and southerly right of way lines of
said Aviation Drive the following courses and distances:
103.26 feet along the arc of a 937.50 foot radius curve left (the
long chord of which bears N.59°42'40"W., 103.20 feet);
N.62°52'00"W., 282.62 feet;
90.72 feet along the arc of a 787.50 foot radius curve left (the long
chord of which bears N.66°10'00"W., 90.67 feet);
N.69°28'00"W., 27.30 feet;
308.70 feet along the arc of a 107.50 foot radius curve left (the
long chord of which bears S.28°16'00"W., 213.04 feet);
79.93 feet along the arc of a 202.50 foot radius curve left (the long
chord of which bears S.65°18'25"E., 79.41 feet), to a point which
is 37.5 feet distant, when measured at right angles, from centerline
station 19+26.66, said point also being the intersection of said
county road southerly right of way line and the west line of said
Section 26;

thence Southerly along the West line of said Section 26 to the Southwest Corner of the NW1/4SW1/4 said Section 26;
thence Easterly along the south line of the NW1/4SW1/4 said Section 26 to the point of beginning.

EXCEPTING THEREFROM the following tract of land described in deed book 80, pages 570-572, more particularly described as follows:

Beginning at a 1/2 inch iron pipe set in a rock mound which bears S.32°58'W., a distance of 552.24 feet and S.0°08'W., a distance of 50.0 feet and S.89°42'E., a distance of 50.0 feet from the SE Corner of the SW1/4NW1/4 of Section 26, T.13S., R.31E., W.M., which is marked by a 1-1/2" iron pipe set 8 inches above the ground;
thence N.89°42'W., a distance of 150.0 feet to a 1/2" iron pipe set in a rock mound;
thence N.0°08'E., a distance of 100.0 feet to a 1/2" iron pipe set in a rock mound;
thence S.89°42'E., a distance of 150.0 feet to a 5/8" iron pipe set in a rock mound;
thence S.0°08'W., a distance of 100.0 feet to the point of beginning, all being situated in Grant County, Oregon.

Section 27: A tract of Land situated in the NE1/4 and SE1/4 described as follows:

Beginning at the Initial Point of Grant County Airport Industrial Park Subdivision, said point also being the S1/4 Corner of said Section 27, thence along the west and north boundaries of said subdivision the following courses and distances:

N.01°18'42"W., 2662.78 feet;
N.01°17'24"W., 998.56 feet;
N.88°36'53"E., 1318.81 feet, to a point on the west line of Parcel 1 of said Land Partition No. 2003-19;

thence along the west, north and east boundaries of said Land Partition No. 2003-19 the following courses and distances:

N.00°29'00"W., 652 feet, more or less, to the Northwest Corner of Parcel 1 of said Land Partition No. 2003-19;
S.60°09'20"E., 579.25 feet;
S.68°33'00"E., 368.1 feet;
S.74°01'20"E., 496.98 feet to the east line of said Section 27;
S.00°45'24"E., 1090.68 feet along said east line to the E1/4 Corner of said Section 27;

thence, continuing along the east line of said Section 27, S.00°36'56"E., 534.59 feet to a point on the west right of way line of Industrial Park Road-County Road 80-A, said point being 40.00 feet left, when measured at right angles from centerline station 0+99.04;

thence the following courses and distances along the westerly and southerly right of way lines of said County Road 80-A:

144.55 feet along the arc of a 340.00 foot radius curve right (the long chord of which bears N.12°20'37"W., 143.47 feet);
N.00°36'56"W., 534.59 feet;
214.63 feet along the arc of a 360.00 foot radius curve left (the long chord of which bears N.17°14'36"W., 211.46 feet);
N.34°19'22"W., 304.22 feet;
N.37°09'54"W., 90.27 feet;
N.73°29'00"W., 660.00 feet to the Northeast Corner of Parcel 2 of Land Partition No. 2003-19;

thence along the east line of Parcel 2 of said Land Partition the following courses and distances:

S.50°43'13"W., 98.64 feet;
S.04°01'08"W., 212.83 feet to the Northeast corner of Lot 14 of Grant County Airport Industrial Park Subdivision;

thence along the east and south boundary lines of said Grant County Airport Industrial Park Subdivision the following courses and distances:

S.02°56'00"W., 3002.97 feet to the Southeast Corner of said Grant County Airport Industrial Park Subdivision;
S.88°42'14"W., 1387.53 feet to the Southwest Corner of said Grant County Airport Industrial Park Subdivision and the point of beginning.

Prepared by:
Benchmark Land Surveying
217 N. Canyon blvd.
John Day, OR 97845
541-575-1251

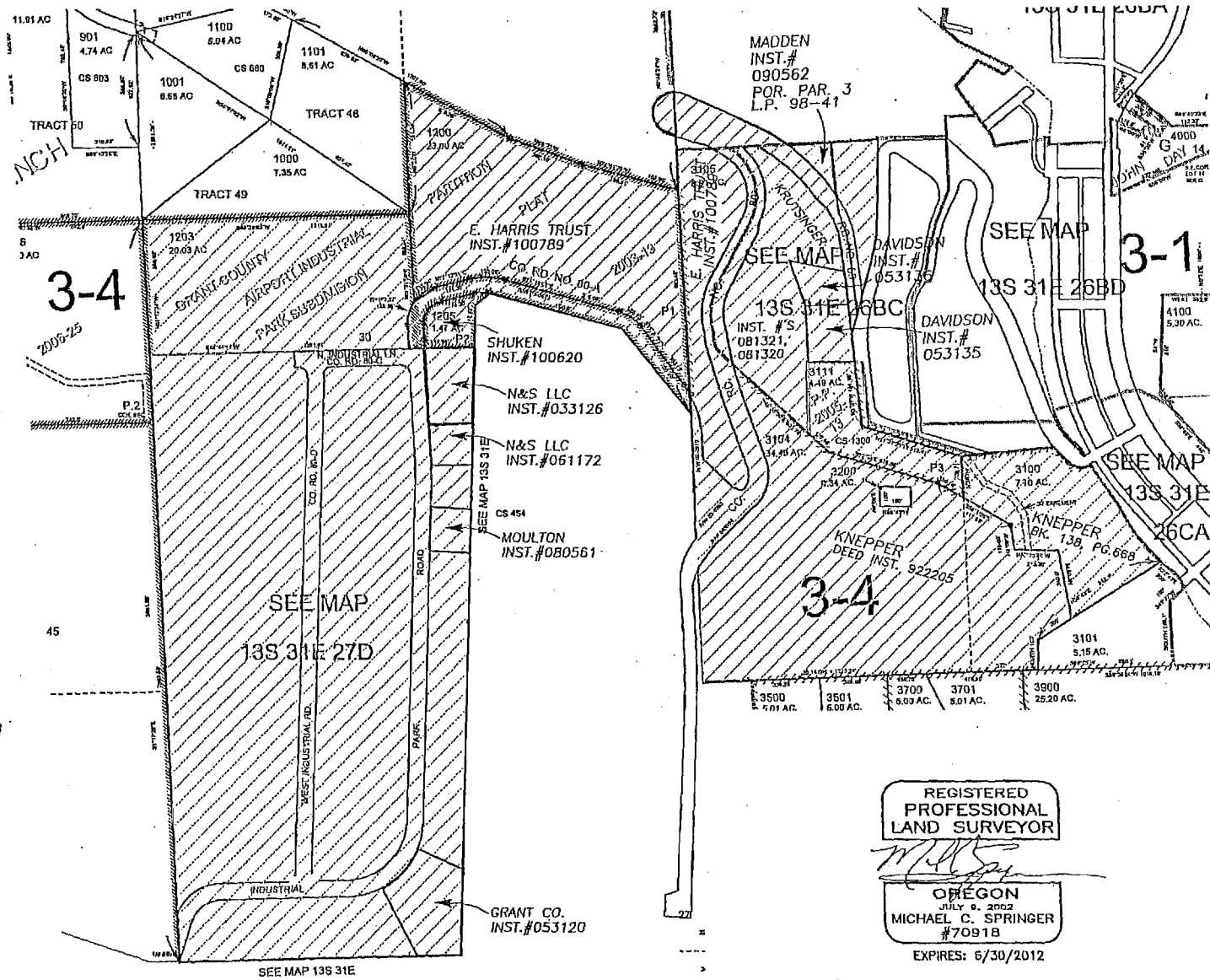
July 9, 2010





NOT TO SCALE

SKETCH
SHOWING A PROPOSED ANNEXATION
BY
THE CITY OF JOHN DAY
AUGUST 5, 2010



PETITION FOR ANNEXATION AND CONSENT

The undersigned real property owner(s) at the following mailing address P.O. Box 547, John Day, OR 97845, who is the owner of real property in the proposed area to be annexed (attach tax statement and area map) hereby petitions for annexation and consents to the annexation of the following described real property in the City of John Day, Grant County, Oregon.

Insert address to be annex: 477 SW 4th, John Day, OR 97845

Insert or attach legal description of the real property to be annex:

See Attached

The undersigned real property owner hereby gives express, continuing, written consent to annexation of the property described herein to the City of John Day, and does hereby agree to execute such separate, further or additional application, petition and consent as may be hereafter required by the City, or the laws of the State, as now or hereafter required by the City, or the laws of the State, as now or hereafter enacted for such annexation. The undersigned intends this consent to comply with all requirements of law for annexation of the property described herein. The undersigned and City of John Day intend that this consent shall constitute a covenant running with the real property described herein, binding on the undersigned and the undersigned's heirs, successors, or assigns.

The undersigned is No (insert yes or no) currently selling the real property described herein by either land sale contract or trust deed. If yes, please provide the name and the address of the purchaser

Please state the names of all residents living on the real property who are 18 years of age or older who are registered voters within Grant County.

Ansel Krutsinger and Judy E. Krutsinger

The undersigned represents that the undersigned is a real property owner of the real property described herein and has the right to petition and consent to its annexation. All property owners should sign. If there are more than two property owners, please complete an additional petition and consent.

Dated this 16 day of MARCH, 2010.

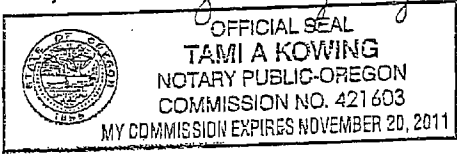
Property owner: Ansel Krutsinger

Property owner: Judy Krutsinger

STATE OF OREGON, County of Grant) ss.

The foregoing instrument was acknowledged before me this 16th day of March, 2010 by Ansel Krutsinger + Judy Krutsinger

(Seal Here)

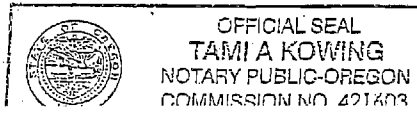


Jami A. Kowing
Notary Public for Oregon
My Commission Expires: 4/20/11

STATE OF OREGON, County of Grant) ss.

The foregoing instrument was acknowledged before me this 16th day of March, 2010 by Judy Krutsinger

(Seal Here)



Jami A. Kowing
Notary Public for Oregon
My Commission Expires: 4/20/11

EXHIBIT A
LEGAL DESCRIPTION

Land in Grant County, Oregon, as follows:

In Twp. 13 S., R.31 E., W.M.,

Section 26: Land situated in the SW1/4NW1/4 and in the NW1/4SW1/4 described as follows:

Parcel 1 and that portion of Parcel 3 of Land Partition No. 98-41 currently lying outside the John Day City Limits, as shown on the plat of said Land Partition No 98-41, on file and of record in the office of the County Clerk of Grant County, Oregon;

Parcel 2 of Land Partition No. 2003-18, as shown on the plat thereof on file and of record in the office of the County Clerk of Grant County, Oregon;

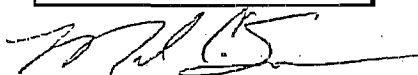
Parcel 3 of Land Partition No. 2005-13, as shown on the plat thereof on file and of record in the office of the County Clerk of Grant County, Oregon;

Parcels 1, 2 and 3 of Land Partition No. 2006-12, as shown on the plat thereof on file and of record in the office of the County Clerk of Grant County, Oregon.

Prepared by:
Bagett, Griffith & Blackman
Professional Land Surveyors
217 N. Canyon Blvd.
John Day, Oregon

June 28, 2007

REGISTERED
PROFESSIONAL
LAND SURVEYOR

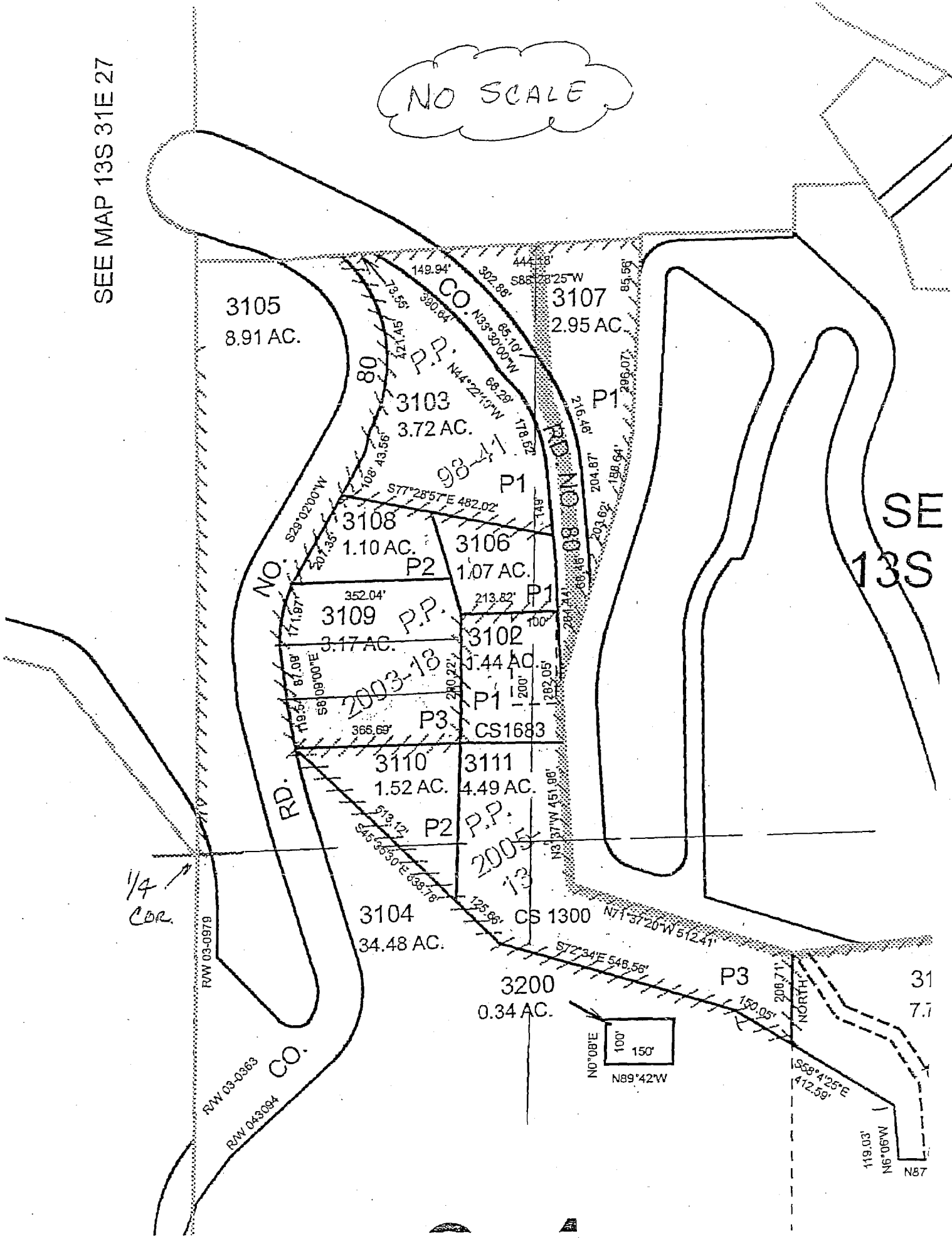


OREGON
JULY 9, 2002
MICHAEL C. SPRINGER
#70918

EXPIRES: 6/30/2008

SEE MAP 13S 31E 27

NO SCALE



3105
8.91 AC.

3107
2.95 AC.

3103
3.72 AC.

3108
1.10 AC.

3106
1.07 AC.

3109
3.17 AC.

3102
1.44 AC.

3110
1.52 AC.

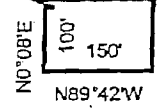
3111
4.49 AC.

3104
34.48 AC.

3200
0.34 AC.

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31
7.1



NORTH

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N6°06'W
N87

R/W 03-0979

R/W 03-0363

R/W 04-3084

1/4
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CO.

NO.

80

98

2003-18

2005-13

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P2

P.P.

P1

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P.P.

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P1

PETITION FOR ANNEXATION AND CONSENT

The undersigned real property owner(s) at the following mailing address PO Box 97 Canyon
City 97820 (insert mailing address) who is the owner of real property in the proposed area to
be annexed (attach tax statement and area map) hereby petitions for annexation and consents to the
annexation of the following described real property in the City of John Day, Grant County, Oregon.

Insert address to be annex:

Insert or attach legal description of the real property to be annex:

Parcel 1; Land Partition Plat 2003-18
Parcel 1; Land Partition Plat 2005-13

The undersigned real property owner hereby gives express, continuing, written consent to
annexation of the property described herein to the City of John Day, and does hereby agree to execute such
separate, further or additional application, petition and consent as may be hereafter required by the City, or
the laws of the State, as now or hereafter required by the City, or the laws of the State, as now or hereafter
enacted for such annexation. The undersigned intends this consent to comply with all requirements of law
for annexation of the property described herein. The undersigned and City of John Day intend that this
consent shall constitute a covenant running with the real property described herein, binding on the
undersigned and the undersigned's heirs, successors, or assigns.

The undersigned is NO (insert yes or no) currently selling the real property described herein by
either land sale contract or trust deed. If yes, please provide the name and the address of the purchaser

Please state the names of all residents living on the real property who are 18 years of age or older
who are registered voters within Grant County.

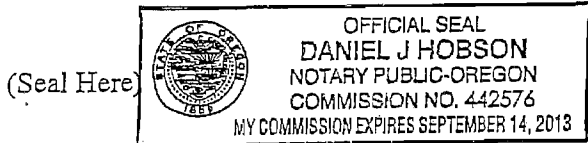
The undersigned represents that the undersigned is a real property owner of the real property
described herein and has the right to petition and consent to its annexation. All property owners should
sign. If there are more than two property owners, please complete an additional petition and consent.

Dated this 18 day of MARCH, 20 10.

Property owner: Ronald Lee Davidson
Property owner: Arlene Carol Davidson

STATE OF OREGON, County of Grant) ss.

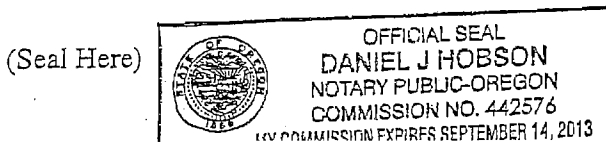
The foregoing instrument was acknowledged before me this 18th day of March, 2010
by Ronald Lee Davidson.



[Signature]
Notary Public for Oregon
My Commission Expires: 9/14/2013

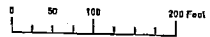
STATE OF OREGON, County of Grant) ss.

The foregoing instrument was acknowledged before me this 18th day of March, 2010
by Arlene Carol Davidson.



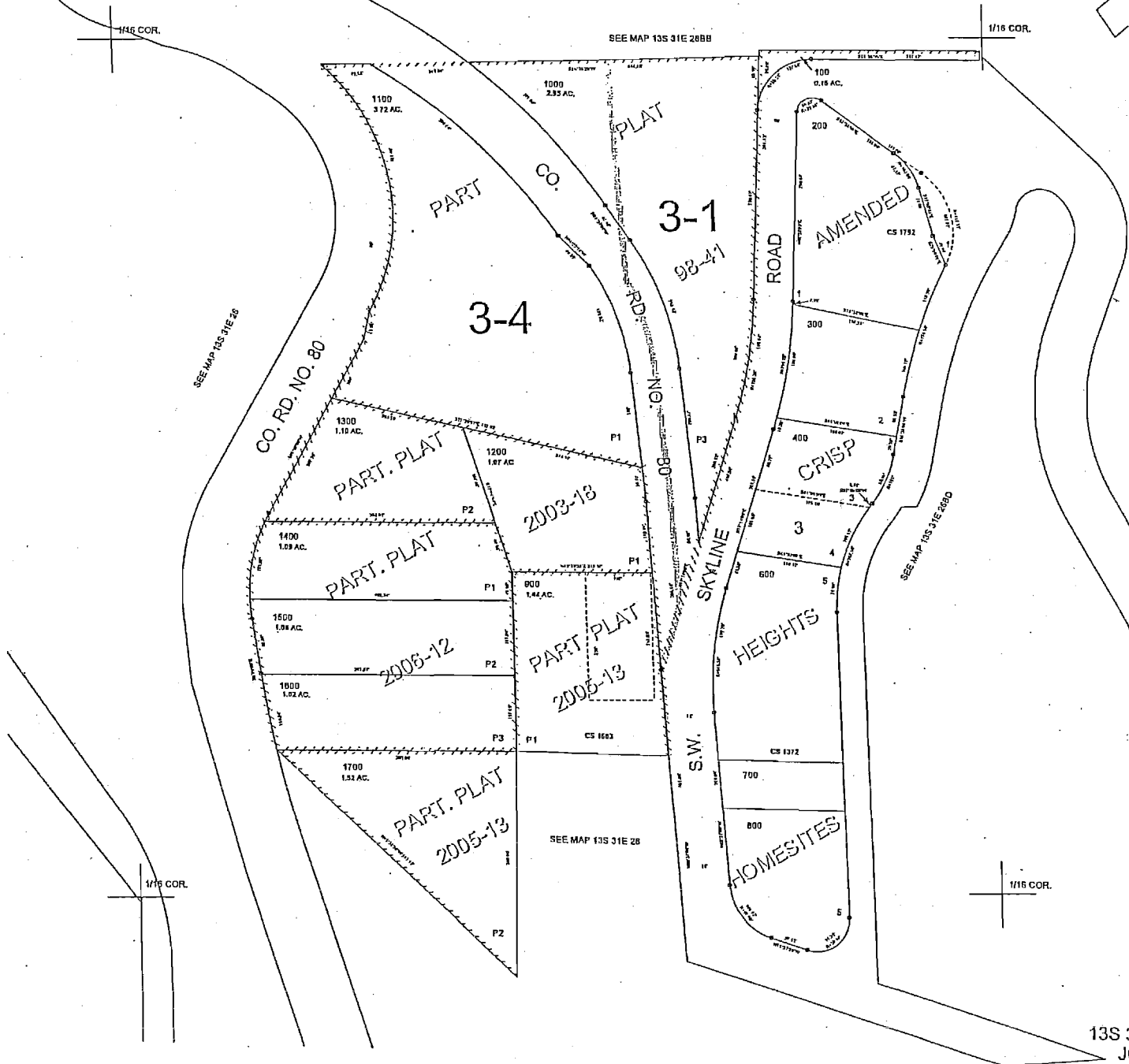
[Signature]
Notary Public for Oregon
My Commission Expires: 9/14/2013

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY



SW1/4 NW1/4 SECTION 26 T.13S. R.31E. W.M.
GRANT COUNTY
1" = 100'

13S 31E 26BC
JOHN DAY
CANCELLED NO. 800



Revised CS
7/18/2007

13S 31E 26BC
JOHN DAY

PETITION FOR ANNEXATION AND CONSENT

The undersigned real property owner(s) at the following mailing address P.O. Box 9, Canyon City, OR, 97820 who is the owner of real property in the proposed area to be annexed (attach tax statement and area map) hereby petitions for annexation and consents to the annexation of the following described real property in the City of John Day, Grant County, Oregon.

Insert address to be annex: 57060 Industrial Park Rd., John Day, OR 97845

Insert or attach legal description of the real property to be annex:

Grant Co Airport Industrial Park Subdivision Lot 18.

The undersigned real property owner hereby gives express, continuing, written consent to annexation of the property described herein to the City of John Day, and does hereby agree to execute such separate, further or additional application, petition and consent as may be hereafter required by the City; or the laws of the State, as now or hereafter required by the City, or the laws of the State, as now or hereafter enacted for such annexation. The undersigned intends this consent to comply with all requirements of law for annexation of the property described herein. The undersigned and City of John Day intend that this consent shall constitute a covenant running with the real property described herein, binding on the undersigned and the undersigned's heirs, successors, or assigns.

The undersigned is NO (insert yes or no) currently selling the real property described herein by either land sale contract or trust deed. If yes, please provide the name and the address of the purchaser

Please state the names of all residents living on the real property who are 18 years of age or older who are registered voters within Grant County.

The undersigned represents that the undersigned is a real property owner of the real property described herein and has the right to petition and consent to its annexation. All property owners should sign. If there are more than two property owners, please complete an additional petition and consent.

Dated this 30 day of MARCH, 2010

Property owner:

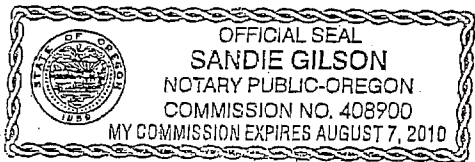
J. Mark Mall

Property owner:

STATE OF OREGON, County of Grant) ss.

The foregoing instrument was acknowledged before me this 30 day of March, 2010 by J. Mark Houston

(Seal Here)



S. Gilson
Notary Public for Oregon

My Commission Expires: 8/7/2010

STATE OF OREGON, County of Grant) ss.

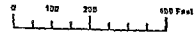
The foregoing instrument was acknowledged before me this _____ day of _____, 20____ by _____

(Seal Here)

Notary Public for Oregon

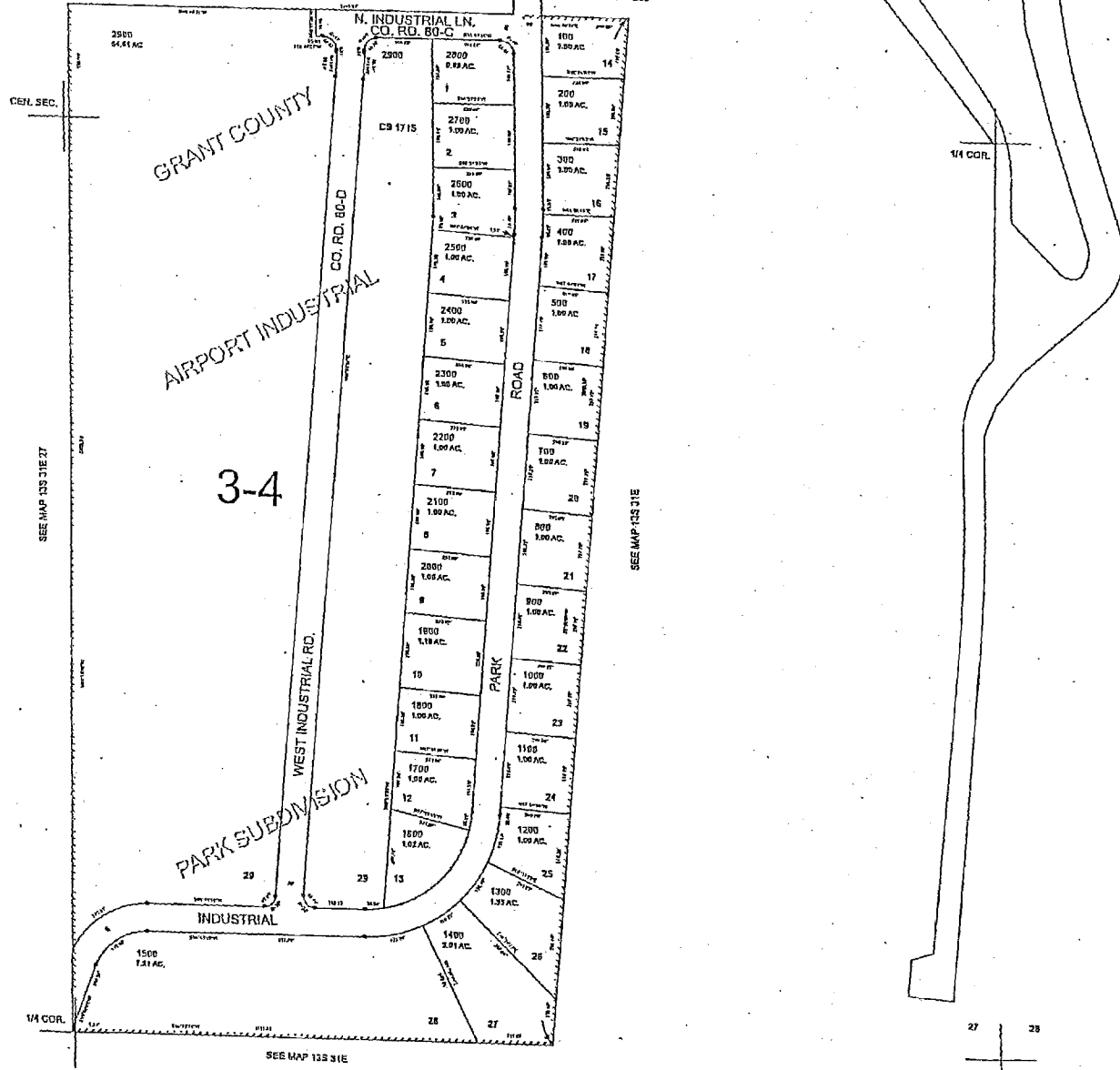
My Commission Expires: _____

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY



SE 1/4 SECTION 27 T.13S. R.31E. W.1M
GRANT COUNTY
1" = 200'

13S 31E 27D



PETITION FOR ANNEXATION AND CONSENT

The undersigned real property owner(s) at the following mailing address 25919 Hwy 395 S Canyon City, OR 97820 (insert mailing address) who is the owner of real property in the proposed area to be annexed (attach tax statement and area map) hereby petitions for annexation and consents to the annexation of the following described real property in the City of John Day, Grant County, Oregon.

Insert address to be annex: none assigned - Industrial Rd & Airport Rd

Insert or attach legal description of the real property to be annex: attached

The undersigned real property owner hereby gives express, continuing, written consent to annexation of the property described herein to the City of John Day, and does hereby agree to execute such separate, further or additional application, petition and consent as may be hereafter required by the City, or the laws of the State, as now or hereafter required by the City; or the laws of the State, as now or hereafter enacted for such annexation. The undersigned intends this consent to comply with all requirements of law for annexation of the property described herein. The undersigned and City of John Day intend that this consent shall constitute a covenant running with the real property described herein, binding on the undersigned and the undersigned's heirs, successors, or assigns.

The undersigned is no (insert yes or no) currently selling the real property described herein by either land sale contract or trust deed. If yes, please provide the name and the address of the purchaser

Please state the names of all residents living on the real property who are 18 years of age or older who are registered voters within Grant County.

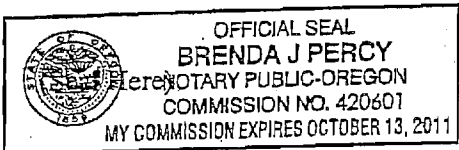
The undersigned represents that the undersigned is a real property owner of the real property described herein and has the right to petition and consent to its annexation. All property owners should sign. If there are more than two property owners, please complete an additional petition and consent.

Dated this 15 day of April, 2010.

Property owner: Eva M Harris Trustee
Property owner: The Eva M. Harris Trust

STATE OF OREGON, County of Grant) ss.

The foregoing instrument was acknowledged before me this 15 day of April, 2010 by Eva M Harris Trustee



[Signature]
Notary Public for Oregon
My Commission Expires: 10-13-2011

STATE OF OREGON, County of Grant) ss.

The foregoing instrument was acknowledged before me this ___ day of _____, 20__ by _____.

(Seal Here)

Notary Public for Oregon
My Commission Expires: _____

In Township 13 South, Range 31 East, Willamette Meridian, Grant County, Oregon
Section 26: A tract of land situated in the SW¹/₄NW¹/₄ and in the NW¹/₄SW¹/₄ described as follows:

All that portion of the SW¹/₄NW¹/₄ and all that portion of the NW¹/₄SW¹/₄ lying West of Grant County Road No. 80, Airport Road. SAVE & EXCEPT the North 45.0 feet of said SW¹/₄NW¹/₄. SAVE & EXCEPT that portion conveyed to Grant County, Oregon, by deed recorded March 31, 2003, Instrument No. 030979.

Subject to and excepting all liens, easements, and encumbrances of record.

PETITION FOR ANNEXATION AND CONSENT

The undersigned real property owner(s) at the following mailing address 25719 Hwy 395 S Canyon City, OR 97820 (insert mailing address) who is the owner of real property in the proposed area to be annexed (attach tax statement and area map) hereby petitions for annexation and consents to the annexation of the following described real property in the City of John Day, Grant County, Oregon.

Insert address to be annex: none assigned - Industrial Road

Insert or attach legal description of the real property to be annex:

Parcel 1 of Land Partition No. 2003-19

The undersigned real property owner hereby gives express, continuing, written consent to annexation of the property described herein to the City of John Day, and does hereby agree to execute such separate, further or additional application, petition and consent as may be hereafter required by the City, or the laws of the State, as now or hereafter required by the City, or the laws of the State, as now or hereafter enacted for such annexation. The undersigned intends this consent to comply with all requirements of law for annexation of the property described herein. The undersigned and City of John Day intend that this consent shall constitute a covenant running with the real property described herein, binding on the undersigned and the undersigned's heirs, successors, or assigns.

The undersigned is no (insert yes or no) currently selling the real property described herein by either land sale contract or trust deed. If yes, please provide the name and the address of the purchaser

Please state the names of all residents living on the real property who are 18 years of age or older who are registered voters within Grant County.

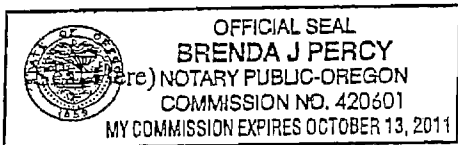
The undersigned represents that the undersigned is a real property owner of the real property described herein and has the right to petition and consent to its annexation. All property owners should sign. If there are more than two property owners, please complete an additional petition and consent.

Dated this 15 day of April, 2010.

Property owner: Eva M. Harris Trustee
The Eva M. Harris Trust
Property owner: _____

STATE OF OREGON, County of Grant) ss.

The foregoing instrument was acknowledged before me this 15 day of April, 2010 by Eva M. Harris Trustee



[Signature]
Notary Public for Oregon
My Commission Expires: 10.13.2011

STATE OF OREGON, County of Grant) ss.

The foregoing instrument was acknowledged before me this _____ day of _____, 20____ by _____.

(Seal Here)

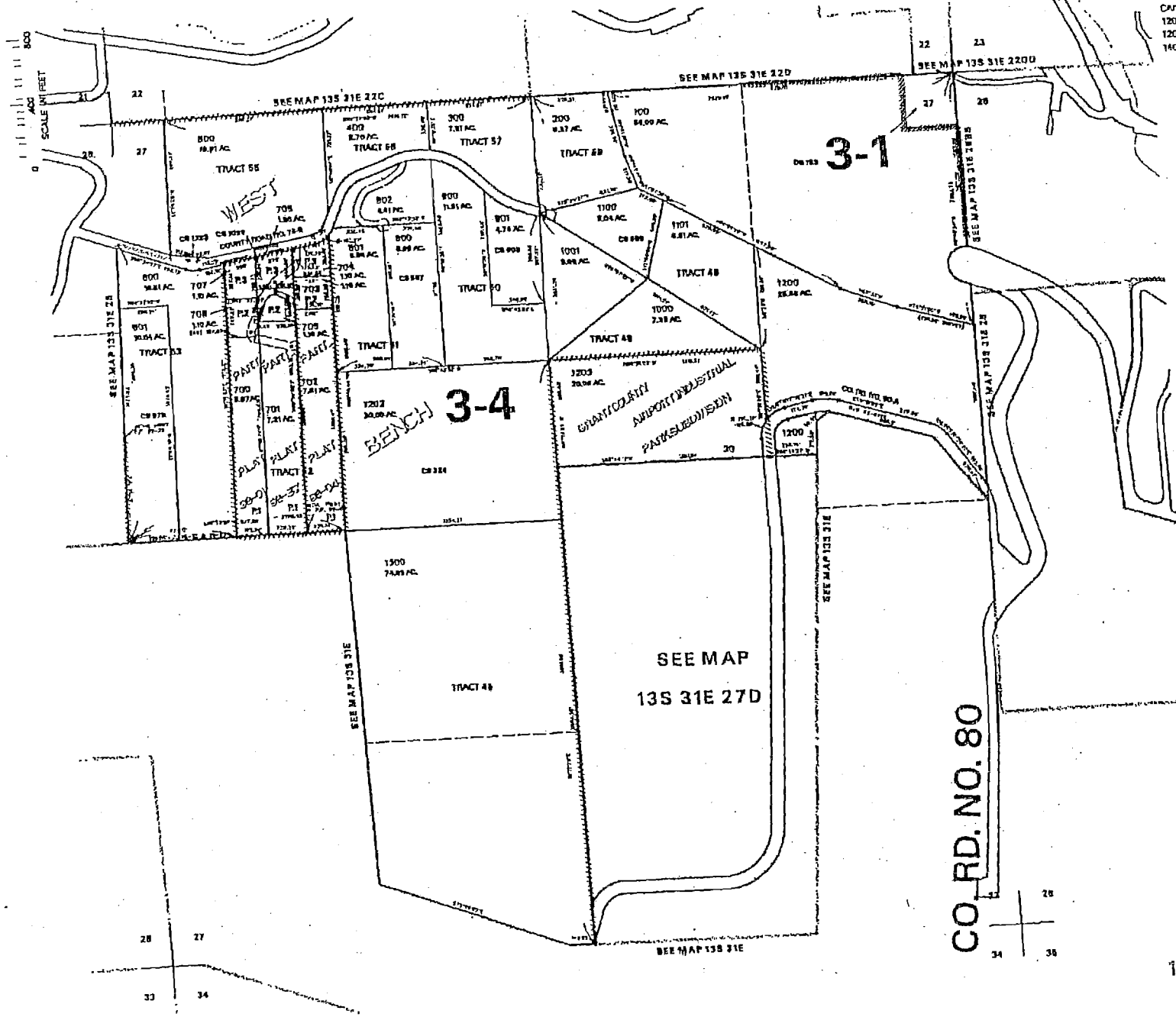
Notary Public for Oregon
My Commission Expires: _____

SECTION 27 T.13S. R.31E. W.M.
GRANT COUNTY
1" = 400'

13S 31E 27
& INDEX

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

CANCELLED NO.
1201
1204
1400



REVISED: J.D.
11/24/03
13S 31E 27
& INDEX

PETITION FOR ANNEXATION AND CONSENT

The undersigned real property owner(s) at the following mailing address P.O. Box 5171, Portland, OR 97208, who is the owner of real property in the proposed area to be annexed (attach tax statement and area map) hereby petitions for annexation and consents to the annexation of the following described real property in the City of John Day, Grant County, Oregon.

Insert address to be annex:

Insert or attach legal description of the real property to be annex:

Tax Lot 3100, Map 13S31E26

The undersigned real property owner hereby gives express, continuing, written consent to annexation of the property described herein to the City of John Day, and does hereby agree to execute such separate, further or additional application, petition and consent as may be hereafter required by the City, or the laws of the State, as now or hereafter required by the City, or the laws of the State, as now or hereafter enacted for such annexation. The undersigned intends this consent to comply with all requirements of law for annexation of the property described herein. The undersigned and City of John Day intend that this consent shall constitute a covenant running with the real property described herein, binding on the undersigned and the undersigned's heirs, successors, or assigns.

The undersigned is No (insert yes or no) currently selling the real property described herein by either land sale contract or trust deed. If yes, please provide the name and the address of the purchaser

Please state the names of all residents living on the real property who are 18 years of age or older who are registered voters within Grant County.

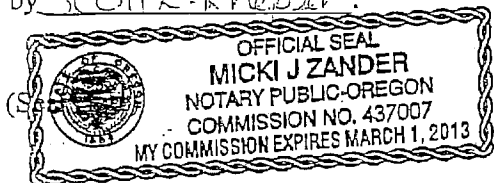
None

The undersigned represents that the undersigned is a real property owner of the real property described herein and has the right to petition and consent to its annexation. All property owners should sign. If there are more than two property owners, please complete an additional petition and consent.

Dated this 19th day of March, 20 10
Property owner: Scott L. Knepper
Property owner: _____

STATE OF OREGON, County of Grant) ss.

The foregoing instrument was acknowledged before me this 19th day of March, 2010 by Scott L. Knepper.



Micki Zander
Notary Public for Oregon
My Commission Expires: 3/1/2013

STATE OF OREGON, County of Grant) ss.

The foregoing instrument was acknowledged before me this _____ day of _____, 20____ by _____.

(Seal Here)

Notary Public for Oregon
My Commission Expires: _____

PETITION FOR ANNEXATION AND CONSENT

The undersigned real property owner(s) at the following mailing address P.O. Box 5171, Portland, OR 97208, who is the owner of real property in the proposed area to be annexed (attach tax statement and area map) hereby petitions for annexation and consents to the annexation of the following described real property in the City of John Day, Grant County, Oregon.

Insert address to be annex:

Insert or attach legal description of the real property to be annex:

Tax Lot 3104, Map 13S31E26

The undersigned real property owner hereby gives express, continuing, written consent to annexation of the property described herein to the City of John Day, and does hereby agree to execute such separate, further or additional application, petition and consent as may be hereafter required by the City, or the laws of the State, as now or hereafter required by the City, or the laws of the State, as now or hereafter enacted for such annexation. The undersigned intends this consent to comply with all requirements of law for annexation of the property described herein. The undersigned and City of John Day intend that this consent shall constitute a covenant running with the real property described herein, binding on the undersigned and the undersigned's heirs, successors, or assigns.

The undersigned is No (insert yes or no) currently selling the real property described herein by either land sale contract or trust deed. If yes, please provide the name and the address of the purchaser

Please state the names of all residents living on the real property who are 18 years of age or older who are registered voters within Grant County.

None

The undersigned represents that the undersigned is a real property owner of the real property described herein and has the right to petition and consent to its annexation. All property owners should sign. If there are more than two property owners, please complete an additional petition and consent.

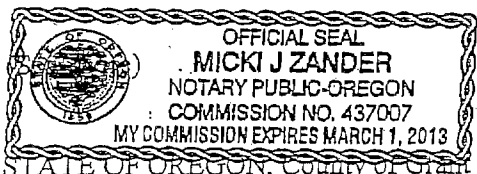
Dated this 19th day of March, 2010

Property owner: Scott L. Knepper

Property owner: _____

STATE OF OREGON, County of Grant) ss.

The foregoing instrument was acknowledged before me this 19th day of March, 2010 by Scott L. Knepper.



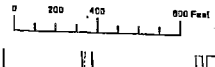
Micki Zander
Notary Public for Oregon
My Commission Expires: 3/1/2013

STATE OF OREGON, County of Grant) ss.
The foregoing instrument was acknowledged before me this _____ day of _____, 20____ by _____.

(Seal Here)

Notary Public for Oregon
My Commission Expires: _____

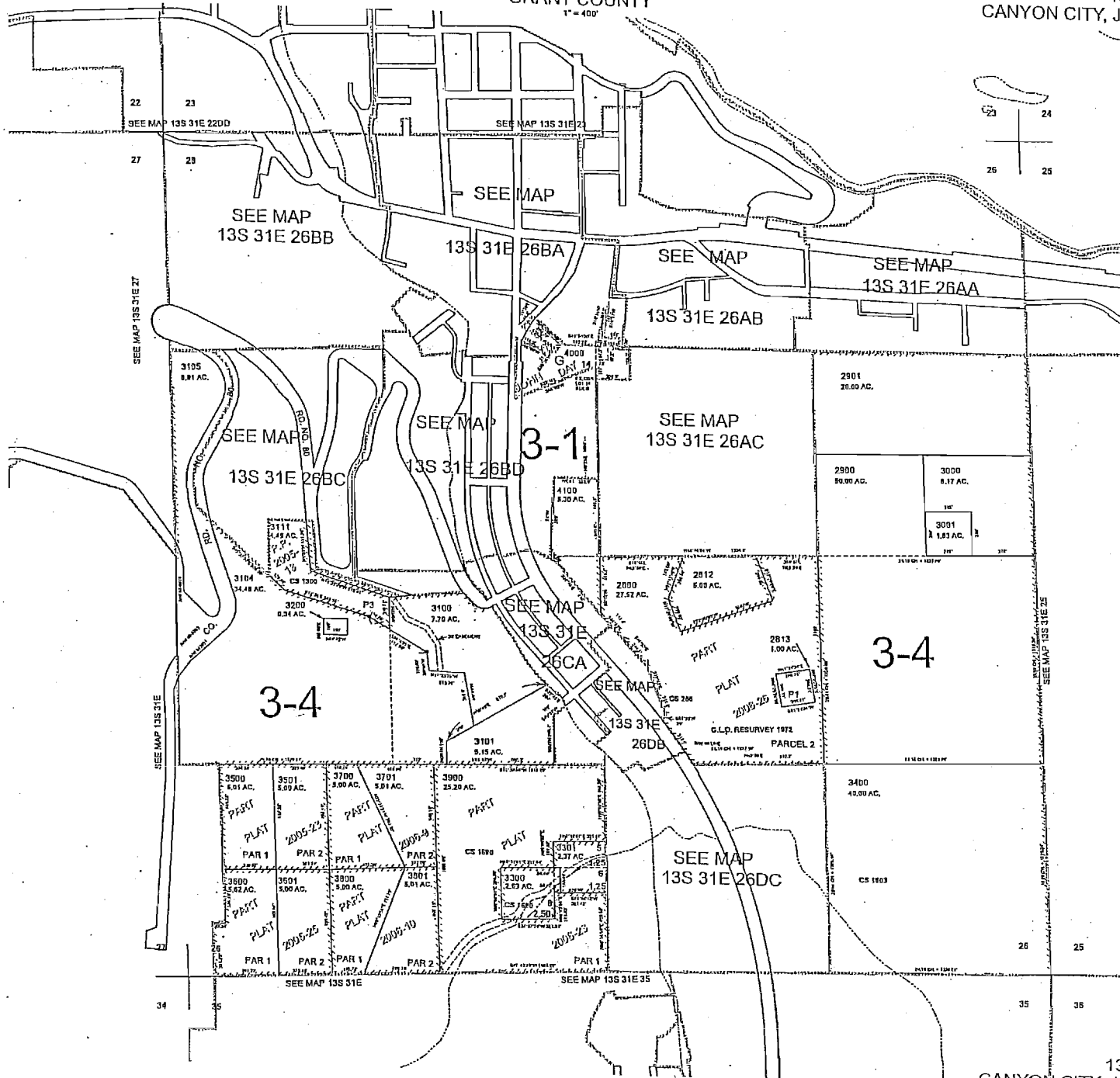
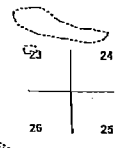
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY



SECTION 26 T.13S. R.31E. W.M.
GRANT COUNTY
1" = 400'

13S 31E 26
CANYON CITY, JOHN DAY

- CANCELLED NO.
- 2603 THRU
- 2611
- 3102
- 3103
- 3106
- 3107
- 3108
- 3109
- 3110



Revised 9C
4/20/2007

13S 31E 26
CANYON CITY, JOHN DAY

PETITION FOR ANNEXATION AND CONSENT

The undersigned real property owner(s) at the following mailing address P.O. Box 237
Grant County 97826 (insert mailing address) who is the owner of real property in the proposed area to
be annexed (attach tax statement and area map) hereby petitions for annexation and consents to the
annexation of the following described real property in the City of John Day, Grant County, Oregon.

Insert address to be annex:

Insert or attach legal description of the real property to be annex: part of B531526 BC Tax
Lot 1000

The undersigned real property owner hereby gives express, continuing, written consent to
annexation of the property described herein to the City of John Day, and does hereby agree to execute such
separate, further or additional application, petition and consent as may be hereafter required by the City, or
the laws of the State, as now or hereafter required by the City, or the laws of the State, as now or hereafter
enacted for such annexation. The undersigned intends this consent to comply with all requirements of law
for annexation of the property described herein. The undersigned and City of John Day intend that this
consent shall constitute a covenant running with the real property described herein, binding on the
undersigned and the undersigned's heirs, successors, or assigns.

The undersigned is No (insert yes or no) currently selling the real property described herein by
either land sale contract or trust deed. If yes, please provide the name and the address of the purchaser

Please state the names of all residents living on the real property who are 18 years of age or older
who are registered voters within Grant County.

The undersigned represents that the undersigned is a real property owner of the real property
described herein and has the right to petition and consent to its annexation. All property owners should
sign. If there are more than two property owners, please complete an additional petition and consent.

Dated this 4th day of May, 2010.

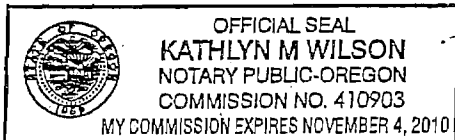
Property owner: Jesse Menden

Property owner: _____

STATE OF OREGON, County of Grant) ss.

The foregoing instrument was acknowledged before me this 4th day of May, 2010
by Jesse Menden.

(Seal Here)



Kathryn M Wilson
Notary Public for Oregon
My Commission Expires: 11/4/2010

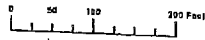
STATE OF OREGON, County of Grant) ss.

The foregoing instrument was acknowledged before me this _____ day of _____, 20____
by _____.

(Seal Here)

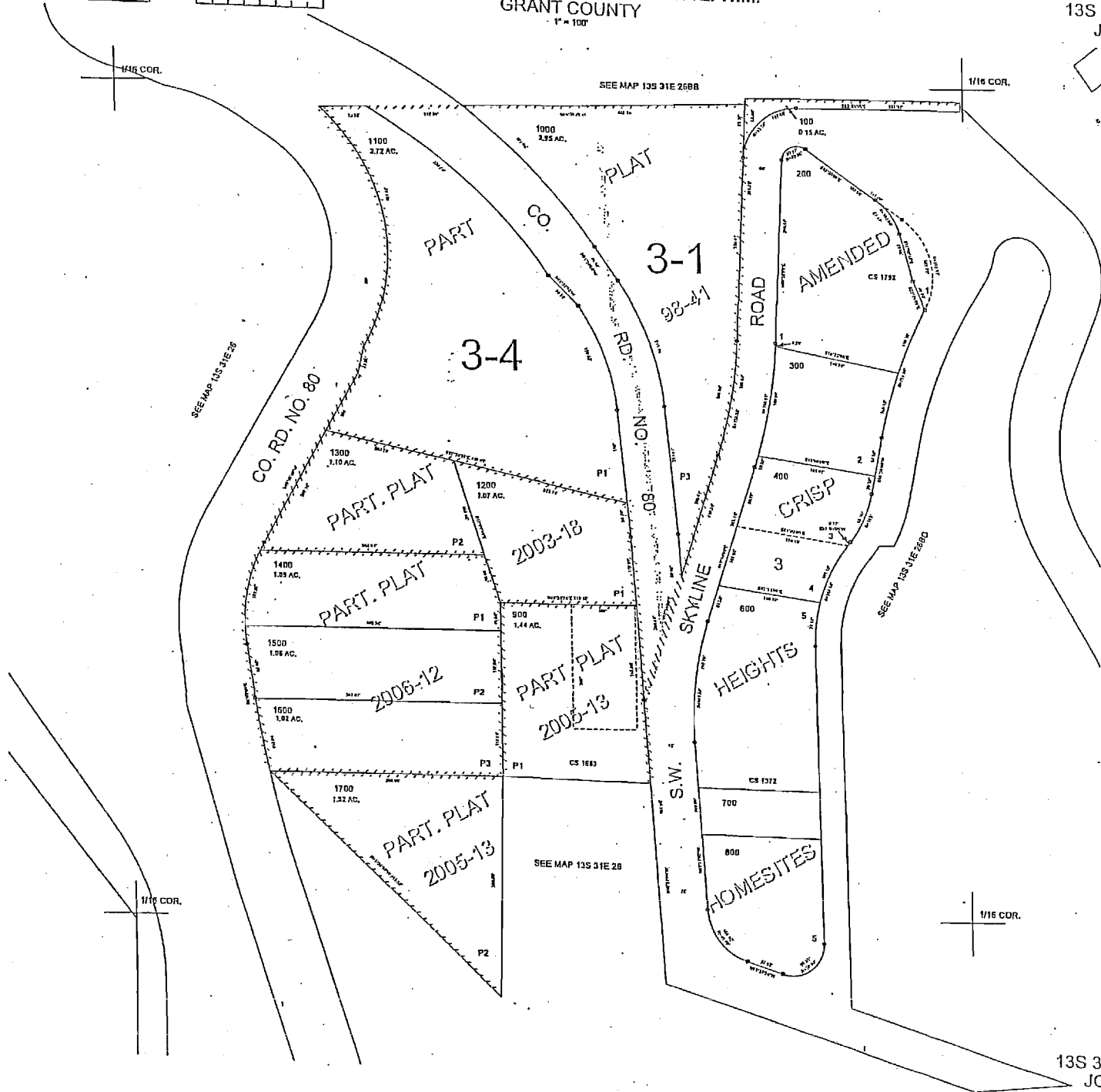
Notary Public for Oregon
My Commission Expires: _____

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY



SW1/4 NW1/4 SECTION 26 T.13S. R.31E. W.M.
GRANT COUNTY
1" = 100'

13S 31E 26BC.
JOHN DAY
CANCELLED NO.
509



Revised CS
7/18/2007

13S 31E 26BC
JOHN DAY

RECEIVED

MAY 17 2010

PETITION FOR ANNEXATION AND CONSENT

CITY OF JOHN DAY

The undersigned real property owner(s) at the following mailing address 837 GRANADA LN. VACAVILLE, CA 95688 (insert mailing address) who is the owner of real property in the proposed area to be annexed (attach tax statement and area map) hereby petitions for annexation and consents to the annexation of the following described real property in the City of John Day, Grant County, Oregon.

Insert address to be annex: Tax Lot 1205, Parcel 2 off Airport Rd

Insert or attach legal description of the real property to be annex:

SEE ATTACHMENT

The undersigned real property owner hereby gives express, continuing, written consent to annexation of the property described herein to the City of John Day, and does hereby agree to execute such separate, further or additional application, petition and consent as may be hereafter required by the City, or the laws of the State, as now or hereafter required by the City, or the laws of the State, as now or hereafter enacted for such annexation. The undersigned intends this consent to comply with all requirements of law for annexation of the property described herein. The undersigned and City of John Day intend that this consent shall constitute a covenant running with the real property described herein, binding on the undersigned and the undersigned's heirs, successors, or assigns.

The undersigned is No (insert yes or no) currently selling the real property described herein by either land sale contract or trust deed. If yes, please provide the name and the address of the purchaser

Please state the names of all residents living on the real property who are 18 years of age or older who are registered voters within Grant County.

NONE

The undersigned represents that the undersigned is a real property owner of the real property described herein and has the right to petition and consent to its annexation. All property owners should sign. If there are more than two property owners, please complete an additional petition and consent.

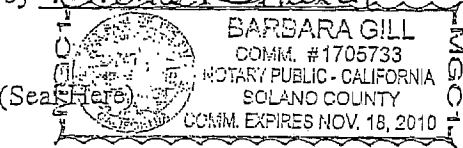
Dated this 11 day of MAY, 2010

Property owner: MICHAEL SHUKEN

Property owner: [Signature]

STATE OF OREGON, County of Grant) ss.

The foregoing instrument was acknowledged before me this 11th day of May, 2010 by Michael Shuken



[Signature]
Notary Public for Oregon CA.
My Commission Expires: 11-18-10

STATE OF OREGON, County of Grant) ss.

The foregoing instrument was acknowledged before me this ___ day of ___, 20__ by _____

(Seal Here)

Notary Public for Oregon
My Commission Expires:

The Eva M. Harris Trust

25919 Hwy 395 South
Canyon City, OR 97820
541-575-1065
byramgulch@centurytel.net

April 15, 2010

Peggy Gray, City Manager
City of John Day
450 E. Main Street
John Day, OR 97845

Dear Peggy,

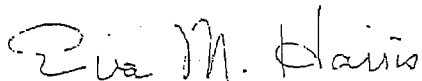
I am submitting the petitions for annexation on tax lots 3105 and 1200 adjacent to the Industrial Site.

Tax lot 1205, which is Parcel 2 of Land Partition 2003-19 (map attached), was transferred by deed to:

Michael Shuken
837 Granada Lane
Vacaville, CA 95688

on April 8, 2010, document number 20100620D. I have sent him a copy of your cover letter to me along with the petition form.

Sincerely,



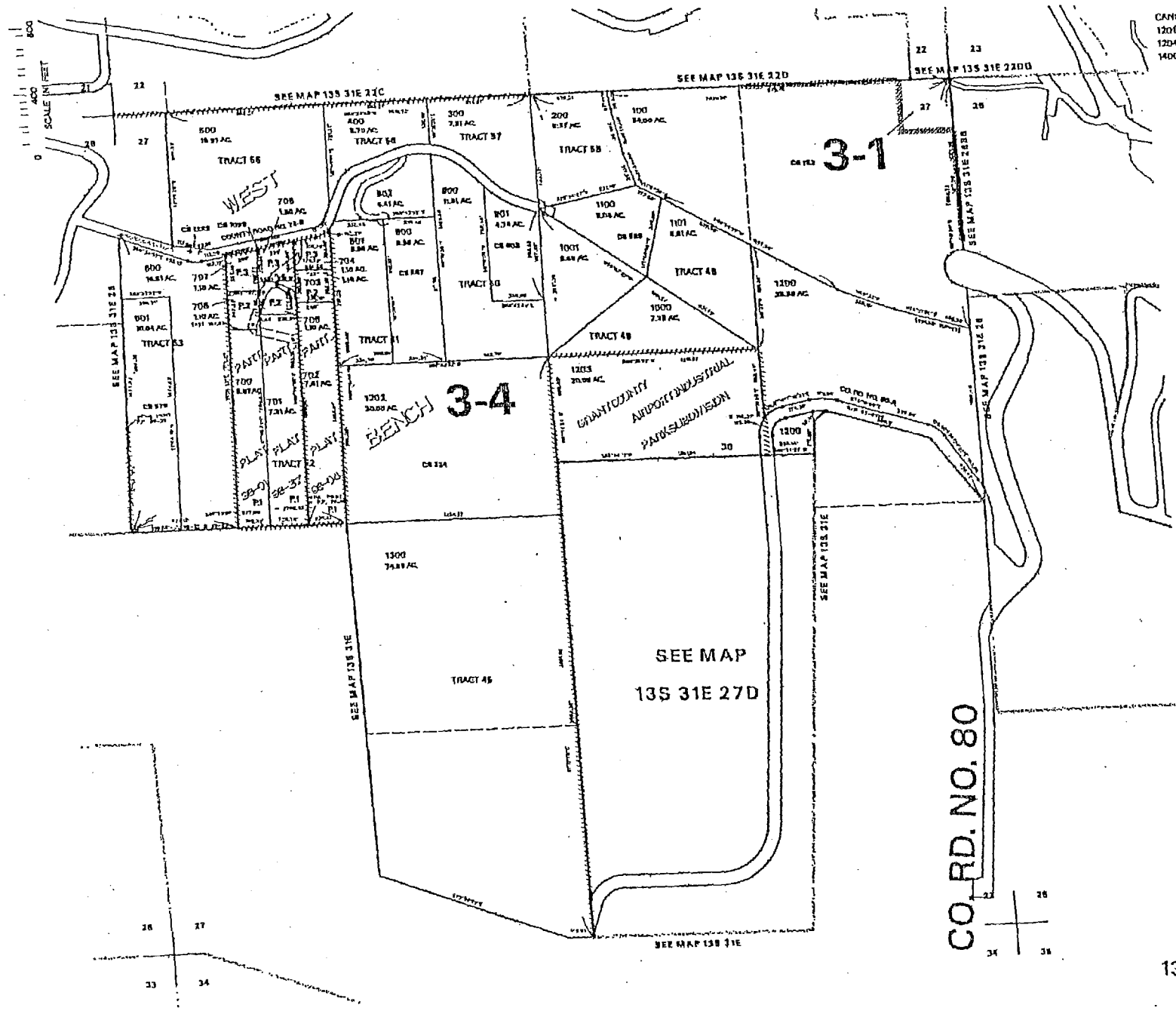
Eva M. Harris, Trustee
The Eva M. Harris Trust

SECTION 27 T.13S. R.31E. W.M.
GRANT COUNTY
1"=400'

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

13S 31E 27
& INDEX

CANCELLED NO.
1201
1204
1400



REVISED JD
11/24/03
13S 31E 27
& INDEX

PETITION FOR ANNEXATION AND CONSENT

The undersigned real property owner(s) at the following mailing address 5800 INDUSTRIAL PARK RD (insert mailing address) who is the owner of real property in the proposed area to be annexed (attach tax statement and area map) hereby petitions for annexation and consents to the annexation of the following described real property in the City of John Day, Grant County, Oregon.

Insert address to be annex: SAME AS ABOVE

RECEIVED

Insert or attach legal description of the real property to be annex: Grant Co. Airport Industrial Park Subdivision
13S31E27D TL 100, Lot 14
13S31E27D TL 200, Lot 15
13S31E27D TL 300, Lot 16

APR 01 2010
CITY OF JOHN DAY

The undersigned real property owner hereby gives express, continuing, written consent to annexation of the property described herein to the City of John Day, and does hereby agree to execute such separate, further or additional application, petition and consent as may be hereafter required by the City, or the laws of the State, as now or hereafter required by the City, or the laws of the State, as now or hereafter enacted for such annexation. The undersigned intends this consent to comply with all requirements of law for annexation of the property described herein. The undersigned and City of John Day intend that this consent shall constitute a covenant running with the real property described herein, binding on the undersigned and the undersigned's heirs, successors, or assigns.

The undersigned is NO (insert yes or no) currently selling the real property described herein by either land sale contract or trust deed. If yes, please provide the name and the address of the purchaser

Please state the names of all residents living on the real property who are 18 years of age or older who are registered voters within Grant County.

none

The undersigned represents that the undersigned is a real property owner of the real property described herein and has the right to petition and consent to its annexation. All property owners should sign. If there are more than two property owners, please complete an additional petition and consent.

Dated this 29 day of MARCH, 2010

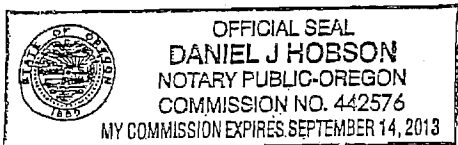
Property owner: MICHAEL D SLINKARD

Property owner: [Signature]

STATE OF OREGON, County of Grant) ss.

The foregoing instrument was acknowledged before me this 17 day of MAY, 2010 by Mica Slinkard.

(Seal Here)



[Signature]
Notary Public for Oregon
My Commission Expires: 9/14/2013

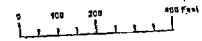
STATE OF OREGON, County of Grant) ss.

The foregoing instrument was acknowledged before me this ___ day of ___, 20__ by _____.

(Seal Here)

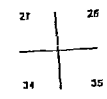
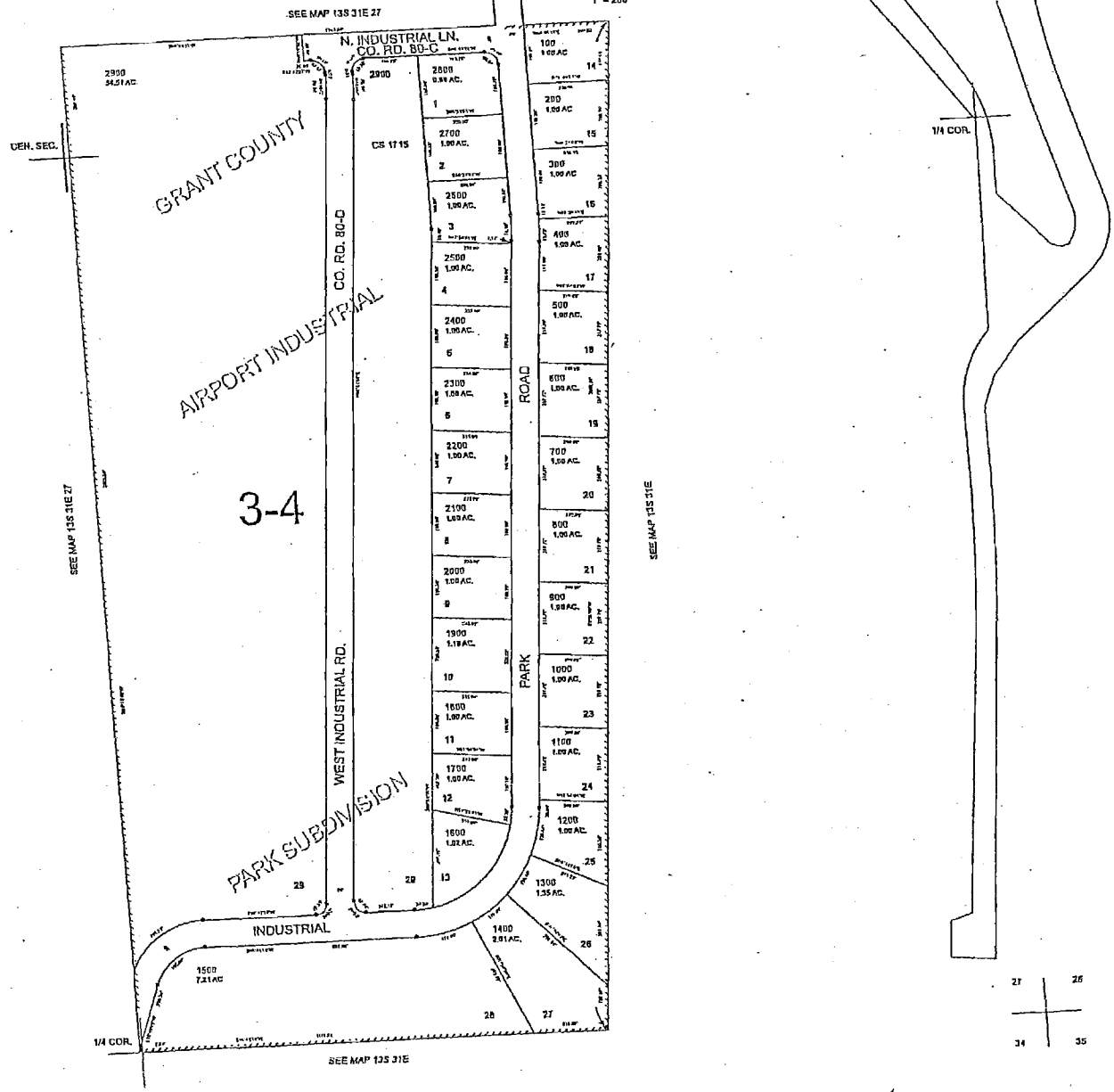
Notary Public for Oregon
My Commission Expires: _____

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY



SE 1/4 SECTION 27 T. 13S. R. 31E. W-M
GRANT COUNTY
1" = 200'

13S 31E 27D



Printed on Oct 12, 2005
13S 31E 27D

PETITION FOR ANNEXATION AND CONSENT

The undersigned real property owner(s) at the following mailing address 201 S. Humbolt St., Ste. 2 Canyon City OR (insert mailing address) who is the owner of real property in the proposed area to be annexed (attach tax statement and area map) hereby petitions for annexation and consents to the annexation of the following described real property in the City of John Day, Grant County, Oregon:

Insert address to be annex: none

Insert or attach legal description of the real property to be annex: attached

The undersigned real property owner hereby gives express, continuing, written consent to annexation of the property described herein to the City of John Day, and does hereby agree to execute such separate, further or additional application, petition and consent as may be hereafter required by the City, or the laws of the State, as now or hereafter required by the City, or the laws of the State, as now or hereafter enacted for such annexation. The undersigned intends this consent to comply with all requirements of law for annexation of the property described herein. The undersigned and City of John Day intend that this consent shall constitute a covenant running with the real property described herein, binding on the undersigned and the undersigned's heirs, successors, or assigns.

The undersigned is not (insert yes or no) currently selling the real property described herein by either land sale contract or trust deed. If yes, please provide the name and the address of the purchaser

Please state the names of all residents living on the real property who are 18 years of age or older who are registered voters within Grant County.

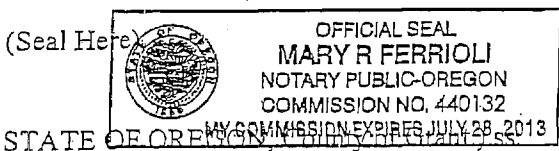
The undersigned represents that the undersigned is a real property owner of the real property described herein and has the right to petition and consent to its annexation. All property owners should sign. If there are more than two property owners, please complete an additional petition and consent.

Dated this 7th day of April, 2010.

Property owner: Grant County
Mark R Webb
Mark R. Webb, County Judge

STATE OF OREGON, County of Grant) ss.

The foregoing instrument was acknowledged before me this 7th day of April, 2010 by Mark R. Webb



Mary R Ferrioli
Notary Public for Oregon
My Commission Expires: July 28, 2013

The foregoing instrument was acknowledged before me this _____ day of _____, 20____ by _____

(Seal Here) _____
Notary Public for Oregon
My Commission Expires: _____

13S	31E	27	D	1300		3-4		
TWP.	RGE.	SEC.	1/4	1/16	PARCEL NUMBER	Type	Spec. Int. In	CODE AREA NUMBER
MAP NUMBER					REAL PROP.			
TAX LOT NUMBER					FORMERLY PART OF 13S31E27 1201			

OFFICIAL RECORD OF DESCRIPTIONS
OF REAL PROPERTY

Grant COUNTY ASSESSOR'S OFFICE

Indent each new course to this point	DESCRIPTION AND RECORD OF CHANGE	Date of entry on this card	Deed Record	Acres Remaining
Grant County Airport Industrial Park Subd. Lot 26	JV#49031 SUB JV#51355 QC	11/20/2003 11-22-05	053120	1.35

OFFICIAL RECORD OF DESCRIPTIONS
OF REAL PROPERTY

Grant COUNTY ASSESSOR'S OFFICE

13S	31E	27	D		1400			3-4
TWP.	RGE.	SEC.	1/4	1/16	PARCEL NUMBER	Type	Spec. Int. In REAL PROP.	CODE AREA NUMBER
MAP NUMBER					TAX LOT NUMBER			

FORMERLY PART OF 13S31E27 1201

Indent each new course to this point	DESCRIPTION AND RECORD OF CHANGE	Date of entry on this card	Deed Record	Acres Remaining
Grant County Airport Industrial Park Subd. Lot 27	JV#49031	SUB	11/20/2003	2.01
	JV#51355	QC	11-22-05	053120

EXHIBIT 2

PLANNING STAFF REPORT

CITY OF JOHN DAY

TO: City Planning Commission
City of John Day

SUBJECT: City-Zone Classification of Annexed Area
The City of John Day has annexed the Grant County Airport Industrial Park and property contiguous to the Grant County Airport Industrial Park. This section is currently County-zoned as "GI" General Industrial and "SR-1" Suburban Residential One (1) Acre. To complete said annexation, the City of John Day must change the subject property County-zoned designation to a City-zone designation.

HEARING DATE: December 14, 2010, 7:00 p.m.
Council Chambers

FINDINGS:

The Exhibit 1 real property was recently annexed into the City of John Day. Prior to the City's annexation, the real property was located in the Urban Growth Boundary and contained the Grant County Zone Classifications of "GI" General Industrial and "SR-1" Suburban Residential One (1)Acre. The Exhibit 1 real property now needs a City-Zone Classification. City of John Day Development Code Article 5-2, Chapters 5-2.2, 5-2.4 and 5-2.5, 5-2.6, 5-2.10; Article 5-4, Chapters 5-4.1, 5-4.2, 5-4.3, 5-4.4, 5-4.5, 5-4.6, 5-4.7, 5-6; the City of John Day Comprehensive Plan adopted June 10, 2003; and the current and anticipated future use of the subject property as outlined in attached Exhibit 1 support the zone change to said area to "AIP" Airport Industrial Park District for property located within the Grant County Airport Industrial Park and "RG" Residential General District for property that is contiguous to the Grant County Airport Industrial Park.

Chapter 5-2.4 Industrial (I) Districts of the John Day Development Code defines the purpose of the Zoning Ordinance as follows:

5-2.4.010 Industrial Districts - Purpose

Chapter 5-2.4 accommodates a range of industrial and commercial land uses in three Industrial Districts, Light Industrial (LI), General Industrial (GI), and Airport Industrial Park (AIP). The districts are intended to provide for land use compatibility while providing a high-quality environment for businesses and employees. The AIP district is

also intended to provide for compatible land use adjacent to Ogilvie Field, and provide for economic development consistent with Oregon's Certified Industrial Lands program. The GI district is intended to provide suitable locations for heavy industrial uses (e.g., raw materials processing; and manufacturing, assembly, packaging or distribution of heavy or large goods) that would not otherwise be compatible in other districts. Chapter 5-2.4 guides the orderly development of industrial areas based on the following objectives:

- Provide for efficient use of land and public services;
- Provide appropriately zoned land with a range of parcel sizes for industry;
- Provide transportation options for employees and customers;
- Locate business services close to major employment centers;
- Ensure compatibility between industrial uses and nearby commercial, airport, and residential areas;
- Provide appropriate design standards to accommodate a range of industrial users;
- Provide attractive locations for business to locate; and
- Accommodate mixed-use development of light industrial areas.

Table 5-2.4.020 Land Uses Allowed in Industrial Districts

Table 5-2.4.020 identifies the land uses that are allowed in the Industrial Districts hereto attached as Exhibit A. The specific land use categories are described and uses are defined in Chapter 5-1.3 and 5-6.1.

Chapter 5-2.2 – Residential Land Use Districts of the John Day Development Code defines the purpose of the Zoning Ordinance as follows:

5-2.2.010 Residential Districts – Purpose

The Residential Districts are intended to promote the livability, stability and improvement of the City's neighborhoods. Three districts are provided: 1) The Residential Limited (RL) district is intended to accommodate a wide variety of housing types, including attached and detached housing on small to medium size lots in the neighborhoods close to downtown. The RL district also supports parks, schools, places of worship, and other services at an appropriate neighborhood scale; 2) The Residential General (RG) district is intended to accommodate household living at somewhat lower densities than the RL district because it applies to the hillsides of John Day; and 3) The Residential-Commercial (RC) district is intended to encourage business formation, housing options, and transportation efficiency by combining a variety of housing, like that allowed in the RL district, with public and commercial services at an appropriate neighborhood scale. This chapter provides standards for land use and development in each of the three districts, based on the following principles:

- Promote the orderly expansion and improvement of neighborhoods.
- Make efficient use of land and public services and implement the Comprehensive Plan.
- Designate land for the range of housing types and densities needed by the

- community, including owner-occupied and rental housing.
- Provide flexible lot standards that encourage compatibility between land uses, efficiency in site design, and environmental compatibility.
 - Provide for compatible building and site design at an appropriate neighborhood scale; provide standards that are in character with the landforms and architecture existing in the community.
 - Apply the minimum amount of regulation necessary to ensure compatibility with existing residences, schools, parks, transportation facilities, and neighborhood services.
 - Reduce reliance on the automobile for neighborhood travel and provide options for walking, bicycling.
 - Provide direct and convenient access to schools, parks and neighborhood services.
 - Maintain and enhance the City's historic character and traditional neighborhoods.

5-2.2.020 Residential District – Allowed Land Uses

Table 5-2.2.020 identifies the land uses that are allowed in the Residential Districts hereto attached as Exhibit B. The specific land use categories are described and uses are defined in Chapter 5-1.3 and 5-6.1.

Other Sections of the Zoning Ordinance of John Day, Oregon that apply to this case include:

Chapter 5-4.7 Land Use District Map and Text Amendments

5-4.7.010 Amendments - Purpose

The purpose of this chapter is to provide standards and procedures for legislative and quasi-judicial amendments to this Code and the land use district map. These will be referred to as “map and text amendments.” Amendments may be necessary from time to time to reflect changing community conditions, needs and desires, to correct mistakes, or to address changes in the law.

5-4.7.020 Legislative Amendments

Legislative amendments are policy decisions made by City Council. They are reviewed using the Type IV procedure in Section 5-4.1.050 and shall conform to the Transportation Planning Rule provisions in Section 5-4.7.060, as applicable.

5-4.7.030 Quasi-Judicial Amendments

A. **Applicability of Quasi-Judicial Amendments.** Quasi-judicial amendments are those that involve the application of adopted policy to a specific development application or Code revision, and not the adoption of new policy (i.e., through legislative decisions). Quasi-judicial district map amendments and application of master planned development overlay zones to individual properties shall follow the Type III procedure, as governed by Section 5-4.1.040, using standards of approval in Section 5-4.7.030.B. The approval authority shall be as follows:

1. The Planning Commission shall review and recommend land use district map changes that do not involve comprehensive plan map amendments;
2. The Planning Commission shall make a recommendation to the City Council on an application for a comprehensive plan map amendment. The City Council shall decide such applications; and
3. The Planning Commission shall make a recommendation to the City Council on a land use district change application that also involves a comprehensive plan map amendment application. The City Council shall decide both applications.

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

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

5-4.7.040 Conditions of Approval for Quasi-Judicial Amendments

A quasi-judicial decision may be for denial, approval, or approval with conditions; conditions shall be based on applicable regulations and factual evidence in the record. A legislative amendment may only be approved or denied.

5-4.7.050 Record of Amendments

The City Recorder shall maintain a record of amendments to the text of this Code and the land use districts map in a format convenient for public use. This shall be located in Article 6.

5-4.7.060 Transportation Planning Rule Compliance

A. **Review of Applications for Effect on Transportation Facilities.** When a development application includes a proposed comprehensive plan amendment or land use district change, the proposal shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060 (Transportation Planning Rule - TPR) and the Traffic Impact Analysis provisions of Section 5-4.1.090. "Significant" means the proposal would:

1. Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors). This would occur, for example, when a proposal causes future traffic to exceed the levels associated with a "collector" street classification, requiring a change in the classification to an "arterial" street, as identified by the Transportation System Plan; or
2. Change the standards implementing a functional classification system; or
3. As measured at the end of the planning period identified in the Transportation System Plan or the adopted plan of any other applicable roadway authority, allow types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility; or
4. Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in road authority's adopted plan; or
5. Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the road authority's adopted plan.
6. Where the City lacks specific transportation policies or standards, the City Council shall be consulted, as provided under Section 5-4.1.050 (Type IV Legislative Review).

B. **Amendments That Affect Transportation Facilities.** Except as provided in subsection C, amendments to the Comprehensive Plan and land use regulations which

significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:

1. Adopting measures that demonstrate that allowed land uses are consistent with the planned function of the transportation facility; or
 2. Amending the Comprehensive Plan to provide transportation facilities, improvements, or services adequate to support the proposed land uses; such amendments shall include a funding plan to ensure the facility, improvement, or service will be provided by the end of the planning period; or
 3. Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes of transportation; or
 4. Amending the planned function, capacity or performance standards of the transportation facility; or
 5. Providing other measures as a condition of development or through a development agreement or similar funding method, specifying when such measures will be provided.
- C. **Exceptions.** Amendments to the Comprehensive Plan or land use regulations with a significant effect on a transportation facility, where the facility is already performing below the minimum acceptable performance standard identified in the Transportation System Plan, may be approved when all of the following criteria are met:
1. The amendment does not include property located in an interchange area, as defined under applicable law;
 2. The currently planned facilities, improvements or services are not adequate to achieve the standard;
 3. Development resulting from the amendment will, at a minimum, mitigates the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development; and

The road authority provides a written statement that the proposed funding and timing for the proposed development mitigation are sufficient to avoid further degradation to the facility.

The industrial, airport industrial park and residential zones are defined in the City of John Day Comprehensive Plan adopted July 2003 as follows:

Industrial

To provide areas suitable and desirable for the industrial activities needed to maintain or improve area economy and employment. The principal purpose of this classification is to encourage new industrial development or expansion of existing industries to locate away from the residential area in order to minimize the conflicts between housing and industrial activities while maintaining proximity to utility and transportation facilities and City services. The area designated industrial as shown on the Plan Map (attached) is located north of the John Day Highway, bordered by the Urban Growth Boundary on the west, and the planned residential areas on the north and east, and including the municipal sewerage treatment facilities and associated property. The industrial areas comprise approximately 10 percent of the total area within the Urban Growth Boundary (See Comp Plan pages 75-76).

Airport Industrial Park

The Grant County Airport Industrial Park is targeted to grow into a 103-acre public industrial complex situated near the Grant County Regional Airport in John Day. The project is a joint effort between the City of John Day and Grant County in cooperation with other state and federal economic development agencies. The City of John Day has purchased approximately 88 acres in addition to the 15 acres of land acquired previously from private owners, for a total of 103 acres. Preliminary engineering has been completed. It is the City's desire to offer properties within the Park to light industrial firms whose products are related to the area at a significantly reduced price. These reduced prices, with other incentives (example: enterprise zone), are structured to encourage economic growth within Grant County. (See Comp Plan page 76-80)

Residential

To provide areas suitable and desirable for residential uses. The area designated residential as shown on the Plan Map encompasses the existing residential development and the balance of the City considered suitable for urbanization exclusive of commercial, industrial, public, greenway, and open space. The residential area comprises approximately 65 percent of the total areas within the Urban Growth Boundary. (See Comp Plan page 74-75)

The Comprehensive Plan requires the City "To insure that implementing regulations provide maximum protection for existing industry and for expansion thereof, and to provide ample land area for additional industrial growth" and "To encourage and support industrial development and diversification" (See Comp Plan page 48, #3 and #7) and "Industrial development shall be concentrated in existing and designated area. (See Comp Plan page 81).

The residential (urbanization and housing) elements of the Comprehensive Plan requires the City to conform to the following general policies.

1. All new residential developments should occur with housing densities at levels sufficient to support public services and facilities.
2. All residential areas should be provided with public services and facilities necessary for safe, healthful, convenient urban living consistent with base urban development policies. Additional residential growth should occur as an extension of existing development and City services.
3. Residential development should be coordinated with other land use elements and community facilities which are consistent with projected development patterns and densities.
4. Variety in types of residential uses consistent with housing density increases and area characteristics should be encouraged. (See Comp Plan page 5).

The Grant County “GI” and “SR-1” Zone Classification uses are attached as Exhibit C.

FACT AND CONCLUSIONS:

The current zoning of the annexed area is Grant County-Zone Classification General Industrial (GI) and Suburban Residential One (1) Acre (SR-1). The City-Zone Classification of Airport Industrial Park (AIP) supports the existing uses currently located at the Grant County Regional Airport Industrial Park and the Residential General (RG) supports the existing use and future use in the annexed area contiguous to the industrial park.

The industrial park existing users are manufacturing and production (bowstrings and motion targets); warehouse and freight movement (hunter clothing); and cabinet manufacturing. The AIP zone is compatible with the zones to the east and south of the annexed area. These uses include the Grant County Regional Airport and the USDA Forest Service Heliport. The annexed area will be subject to the Airport Safety and Compatibility Overlay (ASSC). The purpose of this overlay zone is to encourage and support the continued operation and vitality of Ogilvie Field and to support compatible land uses adjacent to the airport. The overlay establishes land use compatibility and navigational safety standards to reduce potential safety hazards for persons living, working and recreating near Ogilvie Field, consistent with applicable State law and administrative rules. [ORS 836.600; ORS 836.619; OAR 660-013-0070; OAR 660-013-0080] (See John Day Development Code Chapter 5-2.5)

The City of John Day Comprehensive Plan encourages new industrial development or expansion of existing industries and the principal purpose of this classification is to encourage new industrial development or expansion of existing industries to locate away from residential area in order to minimize the conflicts between housing and industrial activities while maintaining proximity to utility and transportation facilities and City services. The AIP District was specifically created for the industrial park and guides the orderly development of the industrial area.

The land north and east of the industrial consists of vacant land east to Ansel Krutsinger’s property which contains one structure, a city-owned water reservoir and there is one new residential home currently under construction. This annexed area is contiguous to the current Residential General (RG) District and is consistent with the RG District and

consistent with the John Day Development Code which is intended to accommodate household living at somewhat lower densities because it applies to the hillsides of John Day.

The City of John Day Comprehensive Plan states all new residential developments should occur with housing densities at level sufficient to support public services and facilities and addition residential growth should occur as an extension of existing development and City services.

The John Day Development Code; said Comprehensive Plan and the current and anticipated future use of the subject property as outlined in the Comprehensive Plan support the zone change of the newly annexed Grant County Industrial Park to "AIP" Airport Industrial Park District.

The John Day Development Code; said Comprehensive Plan and the current and anticipated future use of the subject property as outlined in the Comprehensive Plan support the zone change of the newly annexed real property as petitioned by property owners as described in Exhibit 1 support the zone change to "RG" Residential General.

The City-Zone "AIP" classification is consistent with Grant County's "GI" Zone-Classification and consistent with the Development Code of John Day, Oregon, City of John Day Comprehensive Plan and the State Planning Goals as required by Chapter 5-4.1.050 of the John Day Development Code.


The City-Zone "RG" classification is consistent with Grant County's "SR-1" Zone-Classification and consistent with the Development Code of John Day, Oregon, City of John Day Comprehensive Plan and the State Planning Goals as required by Chapter 5.4.1.050 of the John Day Development Code.

PLANNING COMMISSION MOTION:

After reviewing the Staff Report and any public testimony at the public meeting, the Planning Commission will deliberate. The following motion is recommended:

"I move that the John Day Planning Commission recommend the John Day City Council adopt Ordinance No. 10-145-05, an ordinance amending the zone classification of the area annexed into the City of John Day by Ordinance No. 10-144-04 from County-zone classification "GI" General Industrial and "SR-1" Suburban Residential 1 to the City-Zone Classification "AIP" Airport Industrial Park and "RG" Residential General and declaring an emergency."

Respectfully submitted this 1st day of December 2010,


Peggy Gray

City Manager/Planning Official

Attachments: Exhibit 1 Ordinance No. 10-144-04
Exhibit A Table 5-2.4.020
Exhibit B Table 5-2.2.020
Exhibit C Grant County "GI" and "SR-1" Zone Classification

5-2.4.020 Industrial Districts – Allowed Land Uses

Table 5-2.4.020 identifies the land uses that are allowed in the Industrial Districts. The specific land use categories are described and uses are defined in Chapter 5-1.3 and 5-1.4.

Table 5-2.4.020 – Land Uses Allowed in Industrial Districts			
<i>Uses</i>	<i>Status of Use in District</i>		
Use Categories <i>(Examples of uses are in Chapter 5-1.4; definitions are in Chapter 5-6.1.)</i>	General Industrial (GI)	Light Industrial (LI)	Airport Industrial Park (AIP)
Residential Categories			
Household Living			
Residential Uses (Household Living and Group Living) allowed, if:			
- Lawfully existing as of November 24, 2005	P	P	N
- New dwelling built in conjunction with a permitted commercial or industrial use (residential use is allowed <i>above</i> ground floor only)	N	P	N
- Manufactured dwelling on an individual lot, subject to Section 5-2.2.100F.	N	N	N
- Manufactured dwelling park	N	N	N
<i>Group Living Uses, if allowed above, shall conform to the provisions in Section 5-2.2.100D.</i>			

Key:
 P = Permitted, subject to site/development review
 S = Permitted with standards (See cross-reference)
 CU = Conditional Use permit required (Chapter 5-4.4)
 N = Not permitted

Table 5-2.4.020 – Land Uses Allowed in Industrial Districts			
Uses	Status of Use in District		
Use Categories <i>(Examples of uses are in Chapter 5-1.4; definitions are in Chapter 5-6.1.)</i>	General Industrial (GI)	Light Industrial (LI)	Airport Industrial Park (AIP)
Commercial Categories			
Drive-Up/Drive-In/Drive-Through (drive-up windows, kiosks, ATM's, similar uses/facilities), per Section 5-2.3.100A for uses in LI District	P	S	N except "P" when accessory to a industrial use
Bed and Breakfast Inn	N	N	N
Educational Services, not a school (e.g., tutoring or similar services)	N	CU	N
Entertainment, Major Event	N	CU	N
Offices	P	P	P
Outdoor Recreation, Commercial	N	CU	N
Parking Lot (when not an accessory use)	CU	CU	N
Quick Vehicle Servicing or Vehicle Repair (See also Drive-Up Uses, Section 5.2.3.100A)	P	S	N
Retail Sales and Commercial Service, <ul style="list-style-type: none"> - less than 10,000 square feet floor area - greater than 10,000 square feet floor area, per Section 5-2.4.050 See also, Drive-Up Uses	CU N	P N	N N
Self-Service Storage	P	CU	N

Table 5-2.4.020 – Land Uses Allowed in Industrial Districts			
<i>Uses</i>	<i>Status of Use in District</i>		
Use Categories <i>(Examples of uses are in Chapter 5-1.4; definitions are in Chapter 5-6.1.)</i>	General Industrial (GI)	Light Industrial (LI)	Airport Industrial Park (AIP)
Industrial Categories			
Industrial Service (See also Drive-Up Uses) - fully enclosed (e.g., office) - not enclosed	P P	P CU	P P
Manufacturing and Production - fully enclosed - not enclosed	P P	P CU	P P
Warehouse and Freight Movement	P	CU	P
Waste-Related	CU	N	N
Wholesale Sales, per Section 5-2.4.050 - fully enclosed - not enclosed	P P	P CU	N except "P" when accessory to a industrial use
Institutional Categories			
Basic Utilities	P	P	N except "P" for utilities required to serve AIP district
Community Service, except as otherwise allowed by Public Facilities Overlay zone	N except "P" for public safety facilities	N except "P" for public safety facilities	N except "P" for public facilities

Key:

- P = Permitted, subject to site/development review
- S = Permitted with standards (See cross-reference)
- CU = Conditional Use permit required (Chapter 5-4.4)
- N = Not permitted

5-2.4 – Industrial (I) Land Use Districts

Table 5-2.4.020 – Land Uses Allowed in Industrial Districts			
Uses	Status of Use in District		
Use Categories <i>(Examples of uses are in Chapter 5-1.4; definitions are in Chapter 5-6.1.)</i>	General Industrial (GI)	Light Industrial (LI)	Airport Industrial Park (AIP)
Daycare	N	N	N
Parks and Open Space, except open space areas are permitted by right when accessory to a primary permitted use	CU	CU	CU
Religious Institutions and Houses of Worship	N	CU	N
Schools, except education uses are permitted by right when accessory to a primary permitted use (e.g., flight instruction at airport, or vocational instruction in conjunction with industrial use)	N	CU	N
Other Categories			
Accessory Structures (with a permitted use)	P	P	P
Agriculture – Animals, when			
- existing use as of November 24, 2005	P	P	Not applicable
- accessory to a permitted industrial use	P	N	P
- new use	N	N	N
Agriculture – Nurseries and similar horticulture (See also, Wholesale and Retail Uses)	P	P	N
Buildings and Structures Exceeding the Height Limits in Section 5-2.3.030	CU	CU	N Except as required per Ogilvie Field Airport Master Plan
Mining	CU	N	N

Key:

- P = Permitted, subject to site/development review
- S = Permitted with standards (See cross-reference)
- CU = Conditional Use permit required (Chapter 5-4.4)
- N = Not permitted

Uses Use Categories <i>(Examples of uses are in Chapter 5-1.4; definitions are in Chapter 5-6.1.)</i>	Status of Use in District		
	General Industrial (GI)	Light Industrial (LI)	Airport Industrial Park (AIP)
Radio Frequency Transmission Facilities - within height limit of district - exceeds height limit (free-standing or building-mounted facilities)	P CU	P CU	N except "P" in conjunction with airport operations
Rail Lines and Utility Corridors, except those existing prior to November 24, 2005 are allowed.	CU	CU	P
Temporary Uses (limited to "P" and "CU" uses), per Section 5-4.9.010.	P/CU	P/CU	P/CU
Transportation Facilities (operation, maintenance, preservation, and construction in accordance with the City's Transportation System Plan)	P	P	P

5-2.4.030 Industrial Districts – Setback Yards; Industrial Buffers

A. Purpose. Setback yards and buffers provide separation between industrial and non-industrial uses for fire protection/security, building maintenance, sunlight and air circulation, noise buffering, airport operations, and visual separation.

B. Applicability. The setback yard and buffer standards in subsections 5-2.4.030.C-F are minimum standards that apply to buildings, accessory structures, parking areas, mechanical equipment, and other development. In granting a Conditional Use Permit, the approval body may increase the standard yards and/or buffers consistent with the criteria in Chapter 5-4.4. The approval body may also decrease the standard yards and/or buffers through the CUP process, provided that all applicable building and fire safety codes are met.

C. Front and Street Yard Setbacks. The following setbacks may be increased by the approval body for development adjacent to streets with substandard right-of-way; in such cases, additional setback shall be required to reserve space for the ultimate right-of-way required for the subject street classification, in accordance with the Transportation System Plan.

1. General Industrial (GI) District: Minimum of 20 feet;
2. Light Industrial (LI) District: Minimum of 10 feet
3. Airport Industrial Park (AIP) District: Minimum of 10 feet

D. Rear Yard Setbacks.

1. General Industrial (GI) District: Minimum of 20 feet where adjacent to a Commercial or

Exhibit B

5-2.2 – Residential (R) Land Use Districts – Allowed Land Uses

5-2.2.020 Residential Districts – Allowed Land Uses

Table 5-2.2.020 identifies the land uses that are allowed in the Residential Districts. The specific land use categories are described and uses are defined in Chapter 5-1.3.

Table 5-2.2.020 – Land Uses Allowed in Residential Districts (RL, RG, RC)				
Uses	Status of Use in District			
	Residential Limited (RL)	Residential General (RG)	Residential Commercial (RC)	[Reserve]
Use Categories <i>(Examples of uses are in Chapter 5-1.3; definitions are in Chapter 5-6.1)</i>				
Residential Categories				
Household Living				
Single Family (not attached)	P	P	P	
Accessory Dwelling, per Section 5-2.2.100A.	S	S	S	
Duplex (2 dwellings sharing a common wall on one lot)				
- One duplex on a corner lot	P	P	P	
- One duplex on an interior lot	P	P	P	
- More than one duplex (4+ units), per Section 5-2.2.100B	S	S	S	
Single Family Attached (2 or more common-wall single family dwellings), each on its own lot, per Section 5-2.2.100B	S	S	S	
Cottage Cluster (2-4 single family dwellings on one lot, accessed via an alley and oriented to a common green of at least 200 sq ft per unit, and each unit containing not more than 1,000 square feet of floor area)	P	P	P	
Manufactured Home, per Section 5-2.2.100F	S	S	S	
Manufactured Home Park, per Section 5-2.2.100G.	CU	S	CU	

Key:

- P = Permitted, subject to site/development review
- S = Permitted with standards (Section 5-2.2.100)
- CU = Conditional Use permit required (Chapter 5-4.4)
- N = Not permitted

5-2.2 – Residential (R) Land Use Districts – Allowed Land Uses

Table 5-2.2.020 – Land Uses Allowed in Residential Districts (RL, RG, RC)				
Uses	Status of Use in District			
	Residential Limited (RL)	Residential General (RG)	Residential Commercial (RC)	[Reserve]
Use Categories (Examples of uses are in Chapter 5-1.3; definitions are in Chapter 5-6.1)				
Zero Lot Line Housing (not common wall), per Section 5-2.2.100J	S	S	S	
Multifamily (3 or more dwellings on lot), except as provided for Cottage Housing; includes Senior Housing, Assisted Living, and Single Room Occupancy Uses, but not Group Living), per Section 2.2.100H	S	S	S	
Group Living				
Group Care Home, per Section 5-2.2.100D	S	S	S	
Group Care Facility, per Section 5-2.2.100D	N	S	S	
Commercial Categories				
Drive-Up/Drive-In/Drive-Through (drive-up windows, kiosks, ATM's, similar uses/facilities), per Section 5-2.3.100A	N	N	N	
Bed and Breakfast Inn, per Sec. 5-2.2.100C	CU+S	CU+S	S	
Educational Services, not a school (e.g., tutoring or similar services), floor area limited to 2,000 square feet per use	N	N	P	
Entertainment, Major Event	N	N	N	
Home Occupation, per the standards in Section 5-2.2.100E and the procedures in Section 5-4.9.020.	S	S	S	

Key:

- P = Permitted, subject to site/development review
- S = Permitted with standards (Section 5-2.2.100)
- CU = Conditional Use permit required (Chapter 5-4.4)
- N = Not permitted

5-2.2 – Residential (R) Land Use Districts – Allowed Land Uses

Table 5-2.2.020 – Land Uses Allowed in Residential Districts (RL, RG, RC)

Uses	Status of Use in District			
	Residential Limited (RL)	Residential General (RG)	Residential Commercial (RC)	[Reserve]
Use Categories <i>(Examples of uses are in Chapter 5-1.3; definitions are in Chapter 5-6.1)</i>				
Office, floor area (limited to 2,000 square feet floor area per use)	N	N	P	
Outdoor Recreation, Commercial	N	N	N	
Quick Vehicle Servicing or Vehicle Repair	N	N	N	
Retail Sales and Commercial Services (limited to 2,000 square feet floor area per use)	N	N	P	
Self-Service Storage	N	N	N	
Short-Term Vacation Rental, per Section 5-2.2.100I	CU+S	CU+S	S	
Industrial Categories				
Industrial Service, enclosed in primary building	N	N	CU	
Manufacturing and Production, enclosed in primary building	N	N	CU	
Warehouse and Freight Movement	N	N	N	
Waste-Related	N	N	N	
Wholesale Sales	N	N	N	
Institutional Categories				
Basic Utilities	P	P	P	
Community Service, no drive-up uses				
- limited to 2,000 square feet floor area	CU	CU	P	
- exceeds 2,000 square feet floor area	N	N	CU	

Key:

- P = Permitted, subject to site/development review
- S = Permitted with standards (Section 5-2.2.100)
- CU = Conditional Use permit required (Chapter 5-4.4)
- N = Not permitted

5-2.2 – Residential (R) Land Use Districts – Allowed Land Uses

Table 5-2.2.020 – Land Uses Allowed in Residential Districts (RL, RG, RC)				
Uses	Status of Use in District			
	Residential Limited (RL)	Residential General (RG)	Residential Commercial (RC)	[Reserve]
Use Categories <i>(Examples of uses are in Chapter 5-1.3; definitions are in Chapter 5-6.1)</i>				
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	
Adult daycare, subject to State licensing	P	P	P	
Parks and Open Space				
Parks and Open Space, when designated on an adopted Specific Area Plan, or when part of a subdivision application (Chapter 5-4.3) or master planned development application (Chapter 5-4.5)	CU	CU	CU	
	P	P	P	
Religious Institutions and Houses of Worship	CU	CU	CU	
Schools	CU	CU	CU	
Other Categories				
Other Categories				
Accessory Structures (with a permitted use)				
- no taller than 14 ft. and no larger than 1,000 square feet of building footprint	P	P	P	
- taller than 14 ft. or larger than 1,000 square feet of building footprint	CU	CU	CU	
Animals, keeping of	Per John Day Municipal Code			

Key:

- P = Permitted, subject to site/development review
- S = Permitted with standards (Section 5-2.2.100)
- CU = Conditional Use permit required (Chapter 5-4.4)
- N = Not permitted

5-2.2 – Residential (R) Land Use Districts – Allowed Land Uses

Table 5-2.2.020 – Land Uses Allowed in Residential Districts (RL, RG, RC)				
Uses	Status of Use in District			
Use Categories <i>(Examples of uses are in Chapter 5-1.3; definitions are in Chapter 5-6.1)</i>	Residential Limited (RL)	Residential General (RG)	Residential Commercial (RC)	[Reserve]
Agriculture – Nurseries and similar horticulture (indoor or outdoor)	N	N	CU	
Mining	N	N	N	
Radio Frequency Transmission Facilities	CU	CU	CU	
Utility Corridors, Regional Regional utility corridors extending through the City and existing prior to November 24, 2005 are permitted. All other regional utility corridors require a conditional use permit.	CU	CU	CU	
Temporary Uses (limited to "P" and "CU" uses), per Section 5-4.9.010.	P/CU	P/CU	P/CU	
Transportation Facilities (operation, maintenance, preservation, and construction in accordance with the City's Transportation System Plan)	P	P	P	

Key:

- P = Permitted, subject to site/development review
- S = Permitted with standards (Section 5-2.2.100)
- CU = Conditional Use permit required (Chapter 5-4.4)
- N = Not permitted

ARTICLE 62.1 - GENERAL INDUSTRIAL ZONE

62.110 - PURPOSE

The G-I Zone is intended to provide for the establishment of industrial facilities to serve urban areas.

62.120 - PERMITTED USES

The following uses and their accessory uses shall be permitted as a Type I Review Procedure if moving into an existing building and as a Type II Review Procedure under Article 22 if the building is not existing, and shall meet the standards set out in Section 62.150 when applicable:

- A. Retail, wholesale or service business establishments except a use set forth in Article 62.130, and subject to the limitations set forth in Article 62.145.
- B. One residence, including mobile home, for caretaker or security on property with an approved commercial or industrial use, or for the owner of said commercial or industrial use.
- C. Freight Depot.
- D. Contractor's or building material business, and other construction related businesses including plumbing, electrical, roofing, siding etc., provided material is wholly enclosed within a building. No outside storage is permitted when adjacent to a lot in a residential zone or visible within 100 feet of an arterial or collector street unless enclosed by a sight-obscuring fence, wall, or landscaping.
- E. Ice or cold storage plant.
- F. Wholesale distribution outlet, including warehousing, but excluding outdoor storage.
- G. Welding, sheet metal or machine shop provided material is wholly enclosed within a building. No outside storage is permitted when adjacent to a lot in a residential zone or visible within 100 feet of an arterial or collector street unless enclosed by a sight-obscuring fence, wall, or landscaping.
- H. Veterinary clinic or kennel.
- I. Laboratory for experimentation, research or testing.
- J. Compounding, packaging and storage of cosmetics, drugs, perfumes, pharmaceuticals, soap or toiletries, excluding all processes involving the refining or rendering of fats and oils.

- K. Government buildings, including offices, armories, maintenance, repair or storage facilities provided material is wholly enclosed within a building. No outside storage is permitted when adjacent to a lot in a residential zone or visible within 100 feet of an arterial or collector street unless enclosed by a sight-obscuring fence, wall, or landscaping.
- L. Manufacture, repair or storage of ceramic products, musical instruments, novelties, rubber or metal stamps, toys, optical goods, scientific or electrical supplies and equipment, business machines, pleasure boats, furniture, signs and similar operations provided no outdoor storage is involved.
- M. Lumber and other wood products facilities except as limited by Article 62.130 below.
- N. Processing, packaging and storage of foods and beverages excluding those involving distillation, fermentation, the rendering of fats and oils, and slaughtering of animals.
- O. Repair, rental, sales, servicing and storage of machinery, implements, equipment, trailers or mobile homes, and the manufacture thereof.
- P. Public or semi-public uses.
- Q. Concrete or ready-mix plants.
- R. Automobile and other automotive wrecking yard in compliance with screening and statutory requirements set forth in Article 78.
- S. Agriculture and related product storage and processing plants, including a gasohol plant.

62.130 - CONDITIONAL USES

The following uses and their accessory uses are permitted as a Conditional Use subject to the issuance of a Conditional Use Permit as per Article 46, processed as a Type II Review Procedure under Section 22.050 or under Article 24 as specified, and shall be subject to the standards set out in Section 62.150 when applicable:

- A. Any use permitted when authorized by Article 62.120 above when located adjacent to or across the street from a lot within a duly platted residential subdivision or residential zone.
- B. Resumption of a residential use including a mobile home as the use had previously been conducted, where such residential use has been discontinued for no more than six months.
- C. Commercial feed lot, stock yard, sales yard, slaughter house and fat rendering plant.
- D. Petroleum, synthetic or other fuel producing facilities, including by-products thereof.

- E. Any use permitted by Article 62.120 above where any of the following is proposed or can reasonably be expected to occur:
 - 1. Occupancy of more than 70% of the land area designed or designated for said use.
 - 2. Generation of any odor, fumes, glare, flashing lights or noise which is perceptible without instruments from an existing residence or lot within a residential zone located within 200 feet of the subject use.
- F. Any other industrial use not declared a nuisance by statute or by action of the County, affected City or a Court of competent jurisdiction provided such use is not expected to create a nuisance because of odor, noise, dust, smoke, gas, traffic or other factors and is found to be in compliance with applicable nuisance and pollution regulations.
- G. Manufacture, repair or storage of articles, provided such uses do not create a nuisance because of odor, noise, dust, smoke, gas, traffic or other factors.

62.140 - TEMPORARY USES

The following uses and their accessory uses are permitted as a Temporary Use under Article 44, processed using the review procedures specified for the type of Temporary Use in that Article and shall meet the standards set out in Section 62.150 when applicable:

- A. Mass gathering;
- B. Temporary roadside stand.

SECTION 62.145 - USE LIMITATIONS

- A. All parking demand created by any use permitted under the G-I Zone shall be accommodated on the subject premises entirely off-street, except as otherwise approved by the Commission.
- B. No use permitted under the G-I Zone shall require the backing of traffic onto a public street, road or alley right-of-way to accommodate ingress and egress, except as otherwise approved by the Commission.
- C. No use shall be permitted which has been declared a nuisance by statute or by action of the County, the affected City or a Court of competent jurisdiction. No use requiring contaminant discharge permits shall be approved by the Commission prior to review by the applicable permit reviewing authority nor shall such uses be permitted adjacent to or across the street from a residential use or lot.

ARTICLE 61 - SUBURBAN RESIDENTIAL ZONE

61.010 - PURPOSE

The purpose of this Zone is to preserve the rural character of Grant County while providing areas for suburban residential living. This Zone provides a classification for lands already committed to residential development within an urban growth boundary, or for lands which have been excepted from the Statewide Planning Goals on Agriculture and Forest Lands. Densities established by this Zone for developing areas are intended to ensure that development does not exceed the carrying capacity of the land to support sewage disposal systems, consumptive groundwater withdrawal, and environmental quality.

61.020 - PERMITTED USES (TYPE I)

The following uses and their accessory uses shall be permitted with the issuance of a Zoning permit, processed as a Type I Review Procedure under the requirements of Section 22.030, and shall meet the standards set out in Section 61.070 when applicable:

- A. Single Family Dwelling, including a Manufactured Home/Mobile Home meeting the requirements of Article 77.
- B. One temporary sign for a subdivision not to exceed 32 square feet subject to Article 74.
- C. Farm Use, subject to Article 61.060.
- D. Residential Home or Residential Facility in accordance with 11.030.

61.030 - ADMINISTRATIVE PERMIT USES

The following uses and their accessory uses are permitted as an Administrative Permit under Article 43, processed as a Type II Review Procedure as set out in Section 22.040 and shall meet the standards set out in Section 61.070 when applicable:

- A. Home Occupations subject to Article 92 [possible CUP].
- B. Subdivision or PUD, including those designated to permit mobile homes.
- C. Signs subject to Article 74.
- D. Two-family dwellings.
- E. Real estate tract sales office subject to the following criteria:
 - 1. The office must be located as part of a residential subdivision or planned unit development and no sales may be made for property other than lots contained within the subject residential development;

2. Upon termination of the sales activity the structure shall be removed or converted to a use permitted by this Zone.
- F. Open, non-commercial storage of up to four motor vehicles, from which parts have not been removed, when such vehicles are currently un-licensed, or when the stored vehicles are owned by an individual other than the resident or owner of the property.
- G. Boat landings and docks.

61.040 - CONDITIONAL USES

The following uses and their accessory uses are permitted as a Conditional Use subject to the issuance of a Conditional Use Permit as per Article 46, processed as a Planning Commission Review Procedure under Article 24 as specified, and shall meet the standards set out in Section 61.070 when applicable:

- A. Multi-family dwelling or condominium.
- B. Mobile home park.
- C. Public or semi-public use, including government structures.
- D. Day care or kindergarten.
- E. Home Occupation [or Administrative Permit Use above].
- F. Church.
- G. Hospital, nursing home, convalescent or retirement home.
- H. Golf Course and other open land recreational uses and their customary and incidental accessory uses.
- I. Utility facilities necessary for public service to the area.
- J. Public or private school.

SECTION 61.050 - TEMPORARY USES

The following uses and their accessory uses are permitted as a Temporary Use under Article 44, processed using the review procedures specified for the type of Temporary Use in that Article and shall meet the standards set out in Section 61.070 when applicable:

- A. One additional dwelling for a medical hardship;
- B. Mass gathering;

- C. Temporary storage of an unoccupied manufactured dwelling.

61.060 - CRITERIA FOR FARM USE

Farm uses in the Suburban Residential Zone shall meet the following standards:

- A. Farm uses shall not interfere with the use of adjoining residential properties;
- B. All farm animals shall be confined to the property;
- C. Any stall, barn, pen, coop, or similar structure in which animals are housed, excluding fenced pastures, shall not be located closer than 35 feet from any property line, in addition to the requirements of Article 72;
- D. Farm uses shall not include hog and mink farms, livestock feed and sales yards, and shall not constitute a sanitation or health hazard.

61.070 - PROPERTY DEVELOPMENT STANDARDS

The following standards will apply, as appropriate, to all development and land divisions within the S-R Zone:

- A. Minimum Lot Area.

- 1. One acre if no public facilities.

A single family dwelling or non-residential use not served by an approved community or municipal water and sewer system shall have a minimum lot area of one acre.

- 2. In areas that are zoned Suburban Residential after January 1, 1997.

A single-family dwelling or non-residential use not served by an approved community or municipal water and sewer system shall have a minimum lot area of:

- a. SR-1 One (1) acre
- b. SR-2 Two (2) acres
- c. SR-5 Five (5) acres

- 3. Area subject to municipal standards if public facilities.

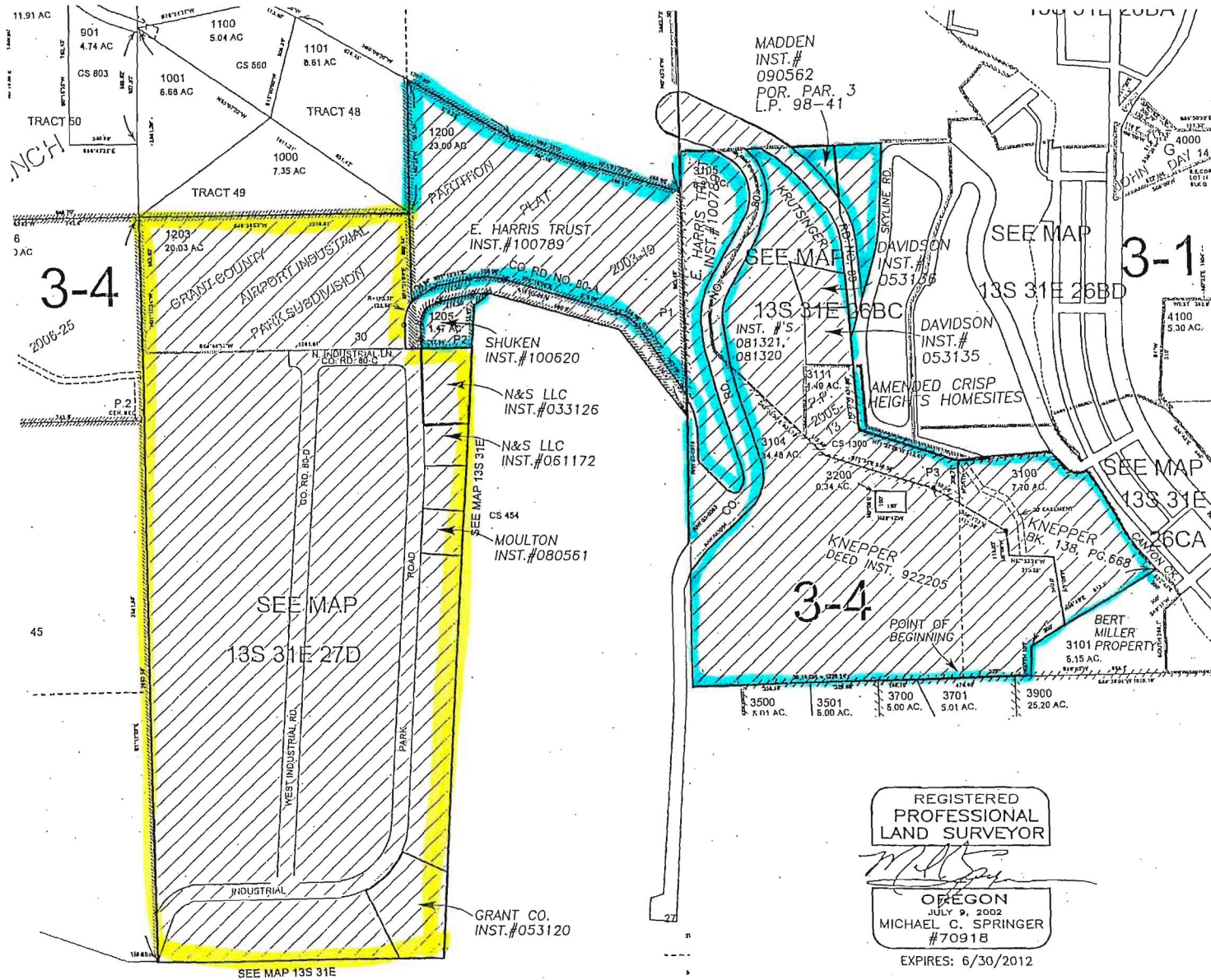
All permitted developments served by an approved community or municipal water and sewer system shall meet the lot area standards adopted by the affected City.



NOT TO SCALE

SKETCH
SHOWING A PROPOSED ANNEXATION
BY
THE CITY OF JOHN DAY
AUGUST 5, 2010
REVISED SEPT. 28, 2010

AIP
R6



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Michael C. Springer
OREGON
JULY 9, 2002
MICHAEL C. SPRINGER
#70915

EXPIRES: 6/30/2012

CITY OF JOHN DAY

GRANT COUNTY, OREGON

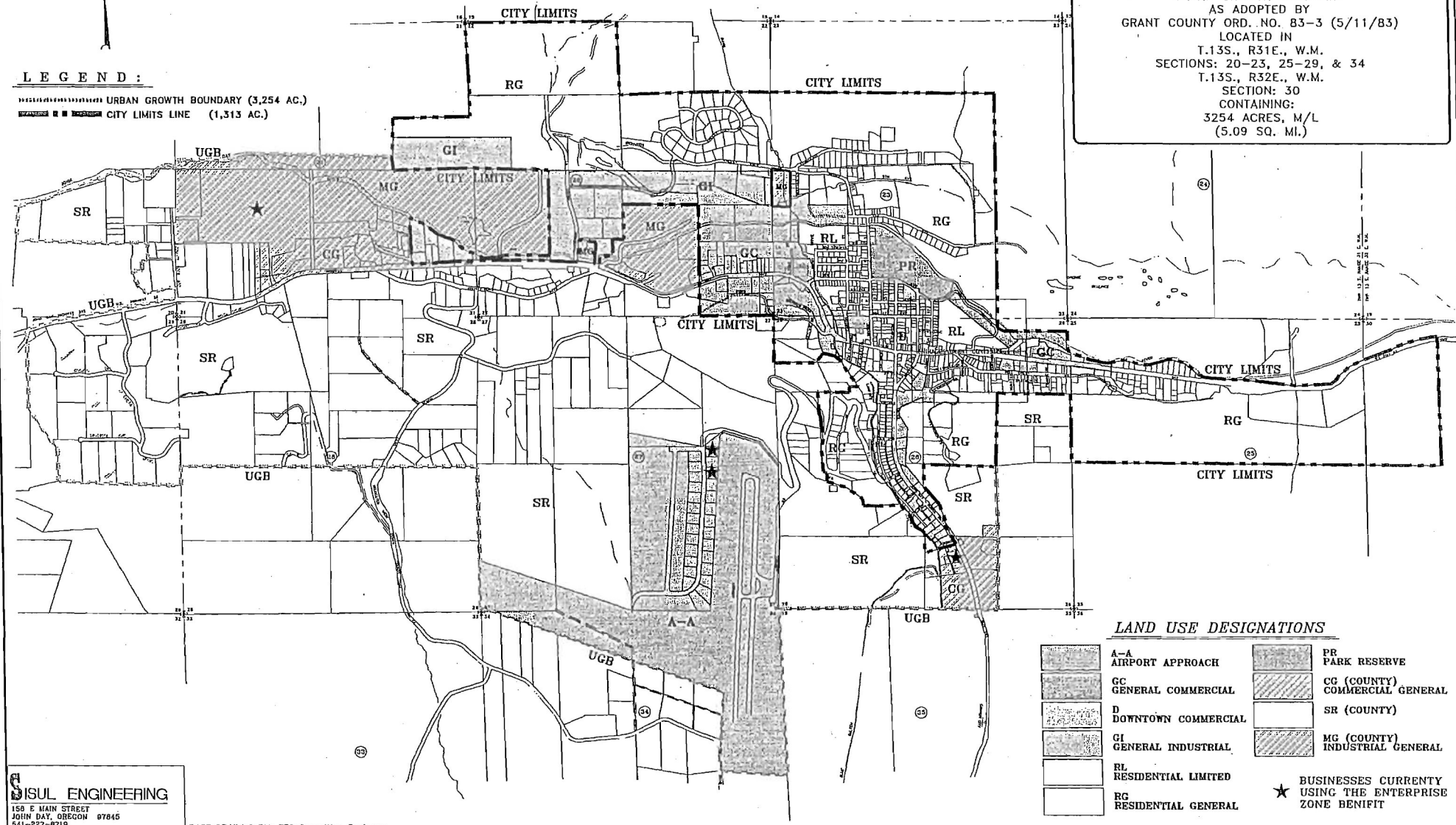
FEBRUARY 2010

COMPREHENSIVE PLAN/ZONING MAP












THE GRANT COUNTY ENTERPRISE ZONE INCLUDES THE INCORPORATED BOUNDARY OF THE CITY OF JOHN DAY AND JOHN DAY'S URBAN GROWTH BOUNDARY AS ADOPTED BY GRANT COUNTY ORD. NO. 83-3 (5/11/83) LOCATED IN T.13S., R31E., W.M. SECTIONS: 20-23, 25-29, & 34 T.13S., R32E., W.M. SECTION: 30 CONTAINING: 3254 ACRES, M/L (5.09 SQ. MI.)

LEGEND:

----- URBAN GROWTH BOUNDARY (3,254 AC.)
 - - - - - CITY LIMITS LINE (1,313 AC.)



LAND USE DESIGNATIONS

 A-A AIRPORT APPROACH	 PR PARK RESERVE
 GC GENERAL COMMERCIAL	 CG (COUNTY) COMMERCIAL GENERAL
 D DOWNTOWN COMMERCIAL	 SR (COUNTY)
 GI GENERAL INDUSTRIAL	 MG (COUNTY) INDUSTRIAL GENERAL
 RL RESIDENTIAL LIMITED	 BUSINESSES CURRENTLY USING THE ENTERPRISE ZONE BENEFIT
 RG RESIDENTIAL GENERAL	

ISUL ENGINEERING
 150 E MAIN STREET
 JOHN DAY, OREGON 97845
 541-227-8719

BASE DRAWING BY: TEC Consulting Engineers

PUBLIC NOTICES

BOOKED
NOV 25 2010

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR GRANT COUNTY

}
} AFFIDAVIT OF PUBLICATION

STATE OF OREGON
County of GRANT } ss

I, Trista Cox being duly sworn, depose and say that I am the principal clerk of the publisher of the Blue Mountain Eagle, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; printed and published at John Day in the aforesaid county and state; that the

City of John Day - Notice of Joint Public Hearing

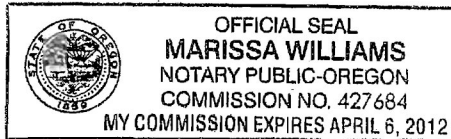
a printed copy of which is here to annexed; was published in the entire issue of said newspaper for 1 successive and consecutive issues in the following issues:

November 24, 2010

Subscribed and sworn to before me on this 24th day of November, 2010

Trista Cox

Marissa Williams
Notary Public of Oregon



24, 2010.

PUBLIC NOTICE Nov. 24, 10

Notice of Joint Public Hearing

Notice is hereby given that the John Day Planning Commission and the John Day City Council is considering the following land use application under Chapter 5-4.1.050 Legislative hearings for the Land Use Change.

The City Council of the City of John Day, the legislative body of the City of John Day, approved Ordinance 10-144-04 on the 14th day of September, 2010 annexing the Grant County Airport Industrial Park and property contiguous to the Grant County Airport Industrial park. To complete the annexation process, the City Council must provide a City-Zone classification for said annexed area which was originally County-Zone Classifications "GI" General Industrial and "SRI" Suburban Residential. The current land uses in said annexation area include a light industrial park currently with three (3) tenants, a small residential subdivision and undeveloped parcels. The City believes the City-Zone Classification of "AIP" Airport Industrial Park and "RG" Residential General are best suited for such uses now and in the future.

A joint public hearing of the John Day Planning Commission and the John Day City Council will take place on Tuesday, December 14, 2010 at 7:00 p.m. in the John Day Council Chambers, 450 East Main Street, John Day, OR. Copy of the subject application, all documents, and evidence relied upon by the applicant and applicable criteria are available for inspection at the John Day City Hall at no cost; copies will be provided upon request at a reasonable cost. Copies of the City Planning Staff Report on the subject application will be available for inspection not less than seven (7) days prior to said hearing at no cost; copies will be provided upon request at a reasonable cost.

Persons or parties interested in or concerned about the subject application may appear in person at said hearing, or may submit written testimony to City Hall on or before the date of the hearing. Failure to raise an issue in person, or by letter at the hearing, or failure to provide statements or evidence sufficient to afford the decision-maker an opportunity to respond to that issue, means that an appeal based on that issue cannot be filed with the State Land Use Board of Appeals.

Any questions regarding the hearing should be directed to the City Manager at 450 E. Main, John Day or phone 541-575-0028, Monday through Friday from 8:00 a.m. to 5:00 p.m.

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

CERTIFICATION OF PUBLIC NOTICE

IN THE MATTER OF CITY- ZONE CLASSIFICATIONS BY THE JOHN DAY CITY COUNCIL; I, Peggy A. Gray, City Planning Official, do hereby certify that a Public Notice in the matter of the subject land use application was sent first class mail on this 17th day of November, 2010, to the person, parties and agencies listed below. A copy of said notice is attached hereto.

Tax Lot	Map	Name	Address
1100	13-31-26BC	Ansel & Judy Krutsinger	477 SW 4 th , John Day, OR 97845
1300	13-31-26BC	Ansel & Judy Krutsinger	477 SW 4 th , John Day, OR 97845
1400	13-31-26BC	Ansel & Judy Krutsinger	477 SW 4 th , John Day, OR 97845
1500	13-31-26BC	Ansel & Judy Krutsinger	477 SW 4 th , John Day, OR 97845
1600	13-31-26BC	Ansel & Judy Krutsinger	477 SW 4 th , John Day, OR 97845
900	13-31-26BC	Garald Lee and Arlene Carol Davidson	PO Box 97, Canyon City, OR 97820
1200	13-31-26BC	Garald Lee and Arlene Carol Davidson	PO Box 97, Canyon City, OR 97820
500	13-31-27D	Mark Moulton	PO Box 9, Canyon City, OR 97820
3105	13-31-26	Eva Harris	25919 Hwy 395S, Canyon City, OR 97820
1200	13-31-27	Eva Harris	25919 Hwy 395S, Canyon City, OR 97820
3100	13-31-26	Scott Knepper	PO Box 5171, Portland, OR 97208
3104	13-31-26	Scott Knepper	PO Box 5171, Portland, OR 97208
1000	13-31-26BC	Jesse Madden/Joe Madden	PO Box 237, Canyon City, OR 97820
1200	13-31-27	Michael Shuken	837 Granada Ln., Vacaville, CA 95688
100;200;300	13-31-27D	Michael D. Slinkard	58000 Industrial Park Rd., John Day, OR 97820
1300;1400	13-31-27D	Grant County, C/O Mark Webb	201 S. Humbolt St., Suite 280, Canyon City, OR 97820
		Grant County Regional Airport C/O Colin English	720 Airport Road John Day, OR 97820
		Grant County Planning Department	201 S. Humbolt St., Suite 170, Canyon City, OR 97820
		John Day Police/Dispatch/PW/Fire	Hand delivered

So certified this 17th day of November, 2010,



 Peggy A. Gray, Planning Official



Phone (541) 575-0028
Fax (541) 575-3668

450 East Main Street
John Day, Oregon 97845

November 17, 2010

NOTICE TO MORTGAGAGEE, LIEN HOLDER, VENDOR OR SELLER: THE CITY OF JOHN DAY DEVELOPMENT CODE REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT SHALL BE PROMPTLY FORWARDED TO THE PURCHASER.

Notice of Joint Planning Commission/City Council Public Hearing

November 17, 2010

Dear Property Owner:

Notice is hereby given that the John Day Planning Commission and John Day City Council are considering the following:

Type IV Procedure (Legislative)

Requested Land Use Action:

The City Council of the City of John Day, the legislative body of the City of John Day, approved Ordinance 10-144-04 on the 14th day of September, 2010 annexing the Grant County Airport Industrial Park and property contiguous to the Grant County Airport Industrial park. To complete the annexation process, the City Council must provide a City-Zone classification for said annexed area which was originally County-Zone Classifications "GI" General Industrial and "SR1" Suburban Residential. The current land uses in said annexation area include a light industrial park currently with three (3) tenants, a small residential subdivision and undeveloped parcels. The City believes it is in the public welfare to continue such uses in the annexed area and believes the City-Zone Classification of "AIP" Airport Industrial Park and "RG" Residential General are best suited for such uses now and in the future.

Notice Requirements:

A minimum of two (2) hearings, one before the Planning Commission and one before the City Council, are required for all Type IV applications as per Chapter 5-4.1.050 of the John Day Development Code.

At least twenty (20) days, but not more than forty (40) days, before the date of the first hearing on an ordinance that proposes to amend the comprehensive plan or any element thereof, or to adopt an ordinance for an Land Use District Change, a notice shall be prepared in conformance with ORS 227.175 and mailed to each owner whose property would be rezoned in order to implement the ordinance.

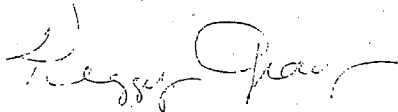
At least ten (10) days before the scheduled Planning Commission public hearing date, and fourteen (14) days before the City Council hearing date, public notice shall be published in a newspaper of general circulation in the City.

The Department of Land Conservation and Development (DLCD) shall be notified in writing of proposed comprehensive plan and development code amendments at least forty-five (45) days before the first public hearing at which public testimony or new evidence will be received.

Your real property is located within above referenced annexation. A joint Planning Commission/City Council public hearing will take place on **Tuesday, December 14, 2010 at 7:00 p.m. in the John Day Council Chambers, 450 East Main Street, John Day, OR.** Copy of the subject application, all documents, and evidence relied upon by the applicant and applicable criteria are available for inspection at the John Day City Hall at no cost; copies will be provided upon request at a reasonable cost. Copies of the City Planning Staff Report on the subject application will be available for inspection not less than ten (10) days prior to said hearing at no cost; copies will be provided upon request at a reasonable cost.

Persons or parties interested in or concerned about the subject application *may appear in person* at said hearing, or may submit *written testimony* to City Hall on or before the date of the hearing. Any questions regarding the hearing should be directed to the City Manager at 450 E. Main, John Day or phone 575-0028, Monday through Friday from 8:00 a.m. to 5:00 p.m.

Respectfully submitted this 17th day of November 2010,



Peggy Gray
John Day City Manager/Planning Official

Enclosure: Request area map
5-4.1.050 Type IV Procedure (Legislative)

cc: John Day Planning Commission

Property owners within affected area
Grant County Regional Airport
John Day Police/Dispatch Department
John Day Public Works Department
John Day Volunteer Fire Department
Grant County Planning Department
File

5-4.1.050 Type IV Procedure (Legislative)

- A. **Pre-Application Conference.** A pre-application conference is required for all Type IV applications initiated by a party other than the City of John Day. The requirements and procedures for a pre-application conference are described in Section 5-4.1.060.C.
- B. **Timing of Requests.** The City may establish a schedule for when it will accept legislative code amendment or plan amendment requests. The City Council may initiate its own legislative proposals at any time. Legislative requests are not subject to the 120-day review period under ORS 227.178.
- C. **Application Requirements.**
1. Application forms. Type IV applications shall be made on forms provided by the City Planning Official.
 2. Submittal Information. The application shall contain:
 - a. The information requested on the application form;
 - b. A map and/or plan addressing the appropriate criteria and standards in sufficient detail for review and decision (as applicable);
 - c. The required fee; and
 - d. One copy of a letter or narrative statement that explains how the application satisfies each and all of the relevant approval criteria and standards.
- D. **Notice of Hearing.**
1. Required hearings. A minimum of two (2) hearings, one before the Planning Commission and one before the City Council, are required for all Type IV applications.
 2. Notification requirements. Notice of public hearings for the request shall be given by the City Planning Official in the following manner:
 - a. At least twenty (20) days, but not more than forty (40) days, before the date of the first hearing on an ordinance that proposes to amend the comprehensive plan or any element thereof, or to adopt an ordinance for any Land Use District Change, a notice shall be prepared in conformance with ORS 227.175 and mailed to:

- (1) Each owner whose property would be rezoned in order to implement the ordinance (including owners of property subject to a comprehensive plan amendment shall be notified if a zone change would be required to implement the proposed comprehensive plan amendment);
 - (2) Any affected governmental agency;
 - (3) Any person who requests notice in writing;
 - (4) For a zone change affecting a manufactured home or mobile home park, all mailing addresses within the park, in accordance with ORS 227.175;
 - (5) Owners of airports shall be notified of a proposed zone change in accordance with ORS 227.175.
- b. At least ten (10) days before the scheduled Planning Commission public hearing date, and fourteen (14) days before the City Council hearing date, public notice shall be published in a newspaper of general circulation in the City.
 - c. The City Planning Official shall:
 - (1) For each mailing of notice, file an affidavit of mailing in the record as provided by subsection a; and
 - (2) For each published notice, file in the record the affidavit of publication in a newspaper that is required in subsection b.
 - d. The Oregon Department of Land Conservation and Development (DLCD) shall be notified in writing of proposed comprehensive plan and development code amendments at least forty-five (45) days before the first public hearing at which public testimony or new evidence will be received. The notice to DLCD shall include a DLCD Certificate of Mailing.
 - e. Notifications for annexation shall follow the provisions of this Chapter.
3. Content of notices. The mailed and published notices shall include the following information:
 - a. The number and title of the file containing the application, and the address and telephone number of the City Planning Official's office where additional information about the application can be obtained;
 - b. The proposed site location;

2. Unless otherwise provided in the rules of procedures adopted by the Council, the presiding officer of the Commission and of the Council shall conduct the hearing as follows:

- a. The presiding officer shall begin the hearing with a statement of the nature of the matter before the body, a general summary of the procedures, a summary of the standards for decision-making, and whether the decision which will be made is a recommendation to the City Council or the final decision of the Council;
- b. The City Planning Official's report and other applicable staff reports shall be presented;
- c. The public shall be invited to testify;
- d. The public hearing may be continued to allow additional testimony or it may be closed; and
- e. The body's deliberation may include questions to the staff, comments from the staff, and inquiries directed to any person present.

F. **Continuation of the Public Hearing.** The Planning Commission or the City Council may continue any hearing, and no additional notice of hearing shall be required if the matter is continued to a specified place, date, and time.

G. **Decision-Making Criteria.** The recommendation by the Planning Commission and the decision by the City Council shall be based on the following factors:

1. Approval of the request is consistent with the Statewide Planning Goals;
2. Approval of the request is consistent with the Comprehensive Plan; and
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.

H. **Approval Process and Authority.**

1. The Planning Commission shall:
 - a. After notice and a public hearing, vote on and prepare a recommendation to the City Council to approve, approve with modifications, approve with conditions, deny the proposed change, or adopt an alternative; and

Planning Official. The City shall also provide notice to all persons as required by other applicable laws.

K. **Final Decision and Effective Date.** A Type IV decision, if approved, shall take effect and shall become final as specified in the enacting ordinance, or if not approved, upon mailing of the notice of decision to the applicant.

L. **Record of the Public Hearing.**

1. A verbatim record of the proceeding shall be made by stenographic, mechanical, or electronic means. It is not necessary to transcribe an electronic record verbatim, but the meeting minutes shall be filed in hardcopy form with the City Recorder. The minutes and other evidence presented as a part of the hearing shall be part of the record;
2. All exhibits received and displayed shall be marked to provide identification and shall be part of the record;
3. The official record shall include:
 - a. All materials considered by the hearings body;
 - b. All materials submitted by the City Planning Official to the hearings body regarding the application;
 - c. The verbatim record made by the stenographic, mechanical, or electronic means; the minutes of the hearing; and other documents considered;
 - d. The final ordinance;
 - e. All correspondence; and
 - f. A copy of the notices that were given as required by this Chapter.

JOINT PUBLIC HEARING MINUTES
JOHNDAY PLANNING
COMMISSION/CITY COUNCIL

CITY OF JOHN DAY
CITY COUNCIL MINUTES
JOHN DAY, OREGON

December 14, 2010

Adjourned Meeting

COUNCILORS PRESENT:

Bob Quinton, Mayor
Steve Schuette, Council President
Don Caldwell, Councilor
Donn Willey, Councilor
Gene Officer, Councilor

COUNCILORS ABSENT:

Chris Labhart, Councilor

STAFF PRESENT:

Peggy Gray, City Manager
Dave Holland, Public Works Director
Richard Tirico, Police Chief
Valerie Luttrell, Dispatch Manager

GUESTS PRESENT:

Ben Odell, John Day
Bob Armstrong, Oster Professional Group CPAs
Tom Bupp, John Day Planning Commission
Tim Wilson, John Day Planning Commission
Ken Boethin, John Day Planning Commission
Tim Unterwegner, John Day Planning Commission

Agenda Item No. 1 – Open and Note Attendance

The John Day City Council meeting opened at 7:00 p.m. Mayor Bob Quinton noted that all Councilors were present with the exception of Councilor Chris Labhart who was absent and excused.

Agenda Item No. 2 – Approval of Minutes of November 23, 2010

The minutes of the November 23, 2010 adjourned meeting were included in the agenda packets and presented for the Council's approval. Councilor Don Caldwell stated a correction needed to be made on page 3; it was his understanding that Oregon Telephone had not purchased the building but had only made an offer on the building. Councilor Steve Schuette moved that the minutes of the November 23, 2010 Council meeting be approved as corrected. Councilor Don Caldwell seconded the motion. The motion passed unanimously.

City of John Day
450 E. Main St.
John Day, OR 97845



1000



97301

U.S. POSTAGE
PAID
JOHN DAY, OR
97845
DEC 17 2010
AMOUNT

\$3.26
00020450-02

POST CLASS

To: _____ Attention: Plan Amendment Specialist
_____ Department of Land Conservation and Development
_____ 635 Capitol Street NE, Suite 150
_____ Salem, OR 97301-2540

adv **P**ost

