

RECEIVED
OCT 10 2016
CITY OF JOHN DAY

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City of John Day
450 East Main Street
John Day, OR 97845

Phone: 541-575-0028
Fax: 541-575-3668

Land Use Review

Owner: Hayes Development LLC

I. BACKGROUND INFORMATION

- (A) Applicant/Owner: Chris Fox - Riverside Home Park Phone: (503) 704-7451
- (B) Address: 677 W. MAIN ST., JOHN DAY OR 97845
- (C) Property Address: 2397 NW KINGS BLVD. #241,
- (D) Township; Range; Section; Tax Lot: Multiple (see proposal)
Zone: Residential Limited (F) Parcel Size: _____

(G) Existing Use/Structures: Manufactured Home Park

(H) Application Proposal: Applicant Chris Fox on behalf of Riverside Home Park is requesting a code interpretation of John Day City Planning Code Sections S-2.2.100F and S-2.2.100G related to manufactured homes and manufactured/mobile home parks. Applicant specifically requests interpretation of the applicability of subsection F "manufactured dwellings relocated into the City of John Day shall conform to City standards," and whether this stipulation applies to non-conforming lots within Riverside Home Park lawfully established prior to November 24, 2005 - per S-2.2.100G(5)c.

Chapter 5-4.8 - Code Interpretations

Sections:

5-4.8.010 Interpretations - Purpose

5-4.8.020 Code Interpretation Procedure

5-4.8.010 Interpretations - Purpose

Some terms or phrases within the Code may have two or more reasonable meanings. This section provides a process for resolving differences in the interpretation of the Code text.

5-4.8.020 Code Interpretation Procedure

- A. **Requests.** A request for a code interpretation shall be made in writing to the Planning Official.
- B. **Decision to Issue Interpretation.** The Planning Official shall have the authority to interpret the code, or refer the request to the Planning Commission for its interpretation. The Planning Official shall advise the person making the inquiry in writing within fourteen (14) days after the request is made, on whether or not the City will make an interpretation.
- C. **Written Interpretation.** If the City decides to issue an interpretation, it shall be issued in writing and shall be mailed or delivered to the person requesting the interpretation and any other person who specifically requested a copy. The written interpretation shall be issued within fourteen (14) days of the request. The decision shall become effective fourteen (14) days later, unless an appeal is filed in accordance with E-F below.
- E. **Type II Procedure.** Code Interpretations shall be made using a Type II procedure under Section 5-4.1.030. Alternatively, the Planning Official may initiate a code interpretation (i.e., without an application being filed by a property owner) and ask the Planning Commission to ratify the decision, in which case the City shall provide notice of the decision to affected property owner(s), pursuant to Section 5-4.1.040.
- F. **Appeals.** The applicant and any party who received notice or who participated in the proceedings through the submission of written or verbal evidence may appeal a Code Interpretation decision. The appeal must be filed within fourteen (14) days after the interpretation was mailed or delivered to the applicant. Initiating an appeal requires filing a notice of appeal with the City Planning Official pursuant to Section 5-4.1.040.
- G. **Interpretations On File.** The City shall keep on file a record of all code interpretations.

REVIEW CRITERIA

5-4.2.010 Purpose

The purpose of this Chapter is to:

- A. Provide rules, regulations and standards for efficient and effective administration of land use and site development review;
- B. Carry out the development pattern and plan of the City and its comprehensive plan policies;
- C. Promote the public health, safety and general welfare;
- D. Provide adequate light and air, prevent overcrowding of land, and provide for adequate transportation, water supply, sewage, fire protection, pollution control, surface water management, and protection against natural hazards;
- E. Encourage the conservation of energy resources; and
- F. Encourage efficient use of land resources, full utilization of urban services, mixed uses, transportation options, and detailed, human-scaled design.

5-4.2.020 Applicability

Land Use Review or Site Design Review shall be required for all new developments and modifications of existing developments described below. Regular maintenance, repair and replacement of materials (e.g., roof, siding, awnings, etc.), parking resurfacing and similar maintenance and repair shall be exempt from review.

- A. **Land Use Review – Exemptions from Site Design Review.** Land Use Review is conducted by the City Planning Official without a public hearing (Type I or II). (See Chapter 5-4.1 for review procedure.) It is intended to ensure compliance with land use regulations when a project proposal does not require a conditional use permit, land division, or site design review approval. Land Use Review ensures compliance with the standards of the land use district, such as lot area, building setbacks and orientation, lot coverage, maximum building height, special use standards, and other provisions of Article 5-2. Land Use Review is required for the types of proposals listed below. Proposals exceeding the thresholds below require Site Design Review, per Section 5-4.2.030.
 - 1. Change in occupancy from one type of land use to a different land use resulting in no increase in vehicular traffic;
 - 2. Single-family detached dwelling (including manufactured home) on its own lot;

3. A single duplex, or up to two single family attached (town home) units not requiring a land division, and accessory parking on the same lot;
 4. Non-residential building addition of up to 500 square feet;
 7. Home occupation, except where Site Design Review is required under Chapter 5-4.9;
 8. Temporary uses, except where Site Design Review is required under Chapter 5-4.9;
 9. Accessory structures and accessory parking;
 10. Development and land uses that are already approved as part of a Site Design Review or Conditional Use Permit application, provided modifications to such plans may be subject to Chapter 5-4.6;
 11. Public improvements required by City standards or as stipulated by a condition of land use approval (e.g., transportation facilities and improvements, parks, trails, utilities, and similar improvements), as determined by the City Planning Official.
- B. Site Design Review.** Site Design Review is a discretionary review conducted by the Planning Official (Type II Review) or by the Planning Commission in a public meeting (Type II Review) or a public hearing (Type III Review). Site Design Review applies to all development in the City, except developments specifically listed under “A” above (Land Use Review). Site Design Review ensures compliance with the land use and development standards in Article 5-2, the design standards and public improvement requirements in Article 5-3, and other applicable regulations.

5-4.2.030 Land Use Review Procedure and Approval Criteria

When Land Use Review is required, it shall be conducted prior to issuance of building permits, occupancy permit, business license, or public improvement permits, as determined by the City Planning Official. The City shall conduct Land Use Reviews using either a Type I or Type II procedure, as described in Sections 5-4.1.020 and 5-4.1.030. A Type I procedure shall be used when the Planning Official finds that the applicable standards are clear and objective and do not require the exercise of discretion. A Type II procedure shall be used when the decision is discretionary in nature. The City Planning Official shall be responsible for determining the required review procedure. An application for Land Use Review shall be approved only upon meeting all of the following criteria:

- A. The proposed land use or development is permitted by the underlying land use district (Article 5-2);

- B. The land use, building/yard setback, lot area, lot dimension, density, lot coverage, building height and other applicable standards of the underlying land use district and any applicable overlay district(s) are met (Article 5-2); and
- C. When development is proposed, the applicable sections of Article 5-3, Design Standards apply.

Note: Land Use Reviews do not address a project's compliance with applicable building, fire and life safety regulations. Subsequent review by City officials may be required to determine compliance with applicable regulations.

SIGNATURES

NOTE: ALL OWNERS MUST SIGN THIS APPLICATION OR SUBMIT A LETTER OF CONSENT AUTHORIZING ANOTHER INDIVIDUAL TO MAKE APPLICATION. INCOMPLETE OR MISSING INFORMATION MAY DELAY THE REVIEW PROCESS.

Christy / Robert Fox 10-10-16
 Applicant/Owner Date

 Applicant/Owner Date

FOR OFFICE USE ONLY			
Submittal Date:	<u>10/10/2016</u>	Fee: <u>\$ 310.02</u>	Received by: <u>Mick</u>
Application Type:	<u>II</u>	Completeness: _____	120 Day: _____
Staff Report:	_____	Commission Hearing: _____	Council Hearing: _____

EXHIBIT A

#	County Ref. #	MAP#	CODE CLS	ACRES
1.	642 -	13S3122D 100	301 207	9.45
2.	650 -	13S3122DD 100	301 207	6.25
3.	9512 -	13S3123CB 1408	301 207	0.90
4.	9514 -	13S3123CB 1407	301 207	6.23
5.	38371 -	13S3123CB 703	301 200	0.25

23.08
Acres

5. 703

AVIGSING TIONG I AIR
ew Directions



Copyright 2011 ORMAP. All rights reserved. Mon Oct 17 2016 01:49:38 PM.

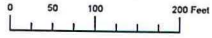
1. 100

2. 100

4. 1407

3. 1408

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

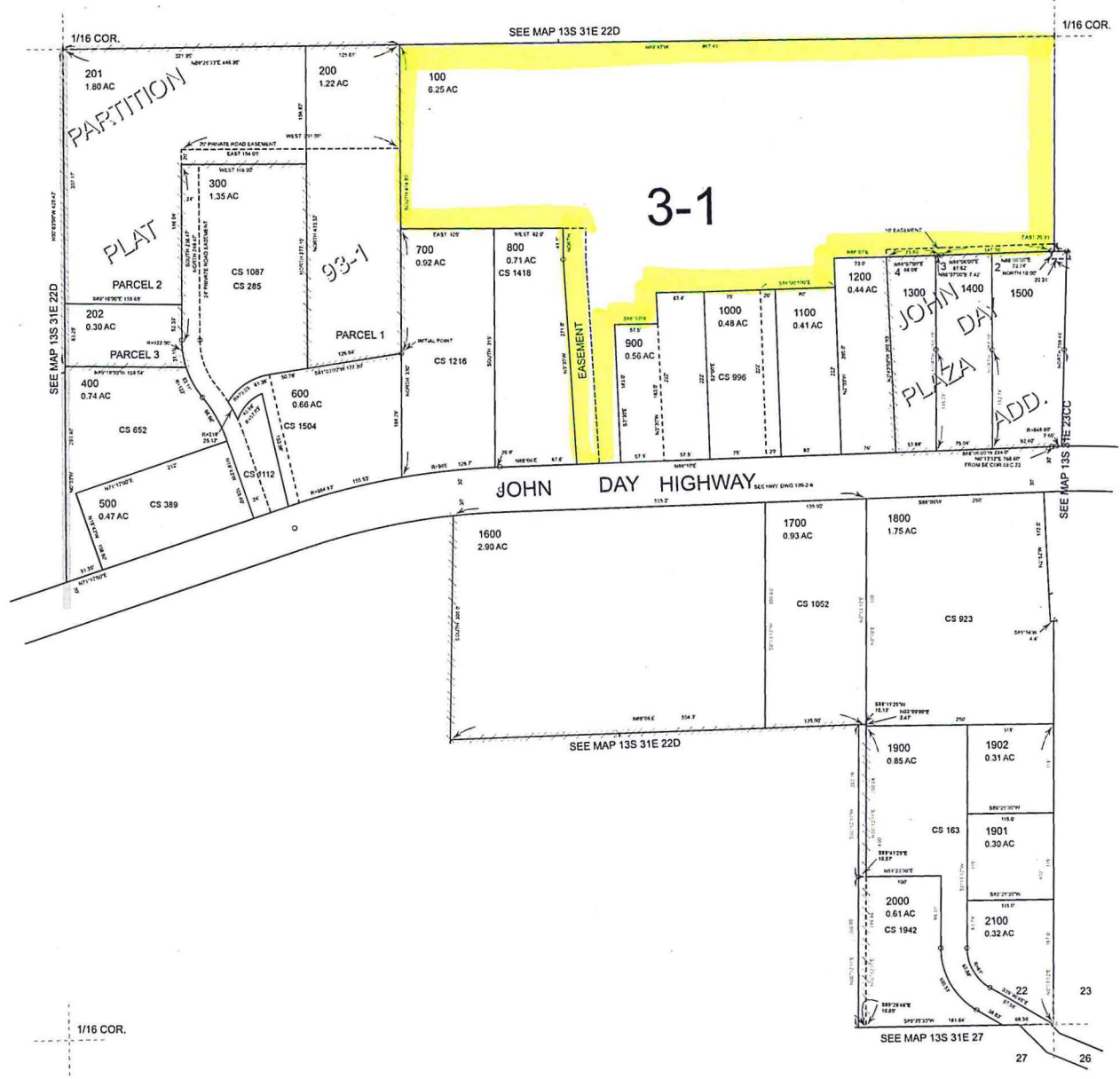


S.E.1/4 S.E.1/4 SEC.22 T.13S. R.31E. W.M.
GRANT COUNTY
1" = 100'

13S31E22DD
JOHN DAY

EXHIBIT B

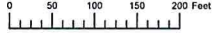
CANCELLED



Revised: RAA
7/25/2012

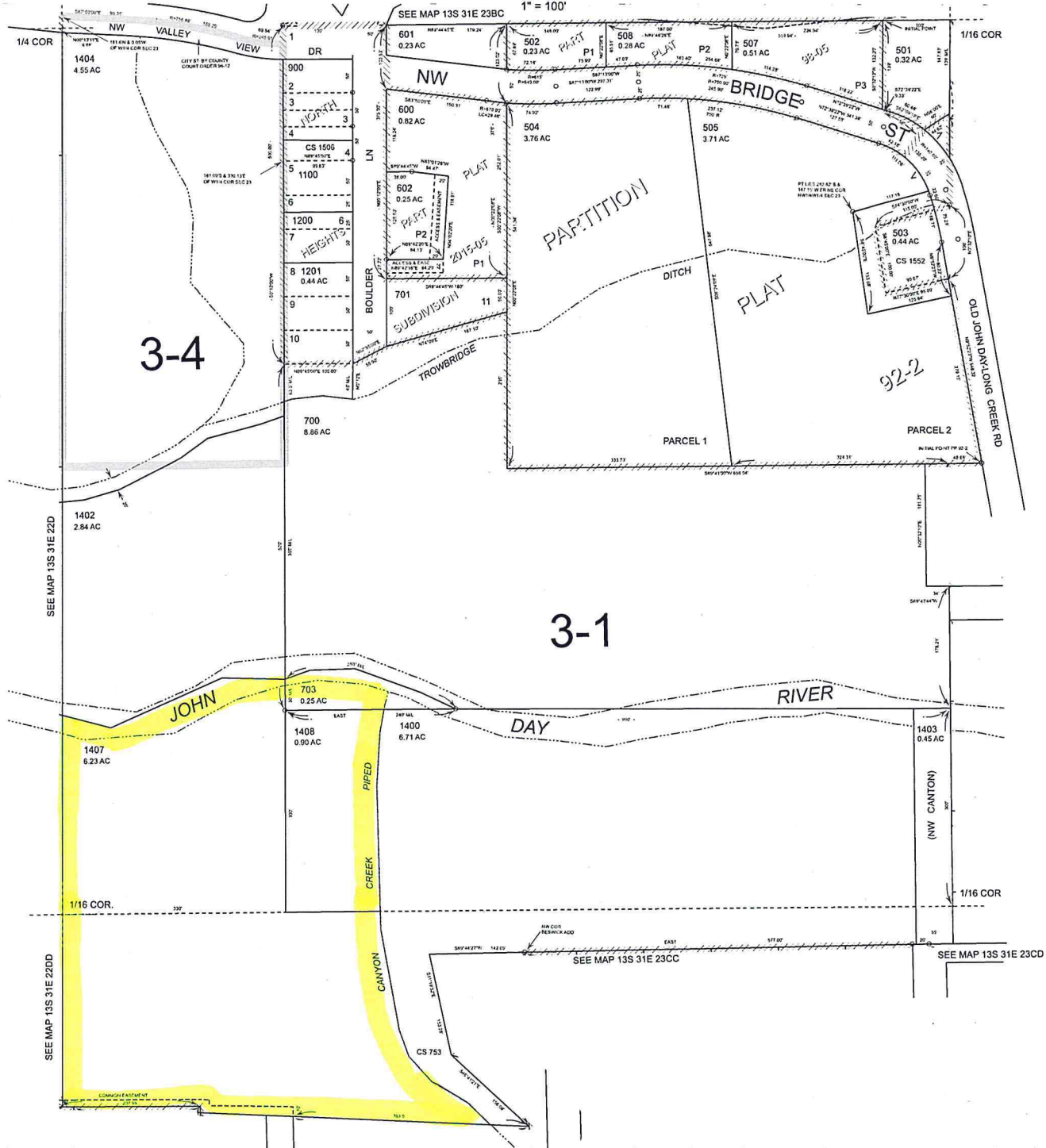
JOHN DAY
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THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY



N.W.1/4 S.W.1/4 SEC.23 T.13S. R.31E. W.M.
GRANT COUNTY

13S31E23CB
JOHN DAY



- Cancelled
- 100 THRU
- 500
- 506
- 702
- 800
- 1000
- 1300
- 1401
- 1405
- 1406
- 1500 THRU
- 1799

SEE MAP 13S 31E 23CA

SEE MAP 13S 31E 22D

SEE MAP 13S 31E 22DD

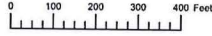
SEE MAP 13S 31E 23CC

SEE MAP 13S 31E 23CD

Revised: SH
09/08/2015

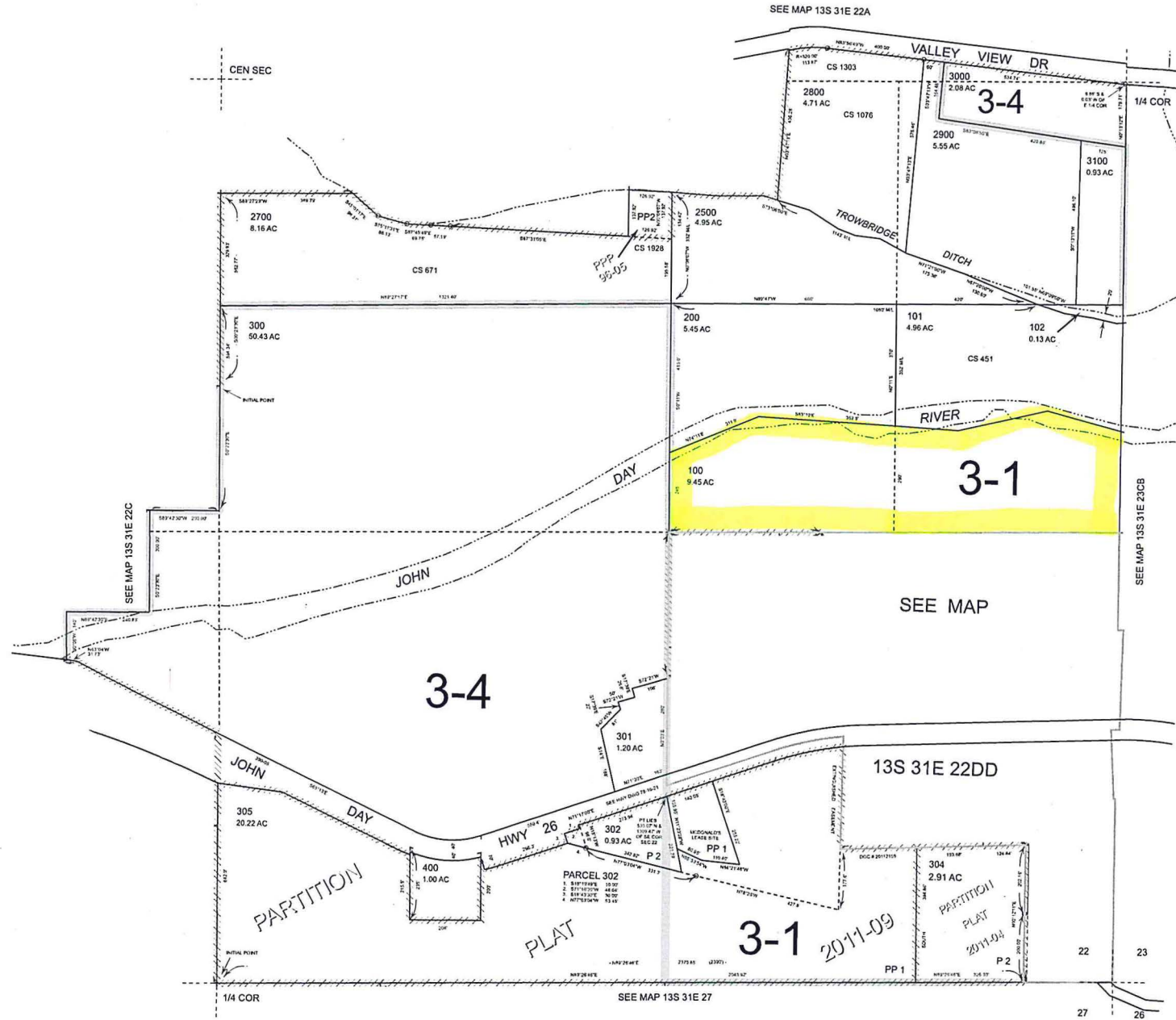
JOHN DAY
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THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY



S.E. 1/4 SEC. 22 T. 13S. R. 31E. W.M.
GRANT COUNTY
1" = 200'

13S31E22D
JOHN DAY



Cancelled
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2801

Revised: SH
05/09/2013

JOHN DAY
13S31E22D

Riverside Home Park

Approximate Space Sizes

<u>Spaces</u>	<u>Measurement</u>	<u>Total SF</u>	<u># Spcs</u>	<u>Average</u>
1. A-F	68x231=	15,708	6	2,618
2. 1-5	100x231=	23,000	5	4,600
3. 51-61	80x215=	17,200	6	2,867
4. 43-49	50x240=	12,000	4	3,000
5. 32A-60	94x455=	42,770	15	2,851
6. 62-128	94x798=	75,012	22	3,410
7. 63-131	94x836=	78,584	23	3,417
8. 6-42B	100x836=	83,600	19	4,400
9. 1-41	100x836=	83,600	18	4,645
10. 135-145	80x525=	42,000	11	3,819
11. 130	50x100=	5,000	1	5,000
12. V-124	70x1,056=	73,920	28	2,640

John Day River Sizes

Approx. Sizes

V	130
W	111
X	112
X	114
X	115
X	116
X	117
X	118
X	119
X	120
X	121
X	122
X	123
X	124

CANYON Creek

135	145	144	143	142	141	140	139	138	137	136	135
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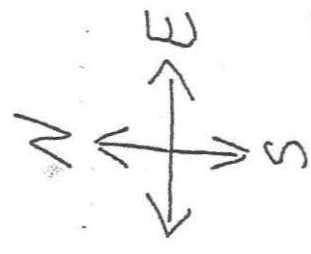
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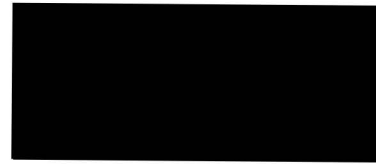


Riverside Home Park

Approx. Space Sizes

10 Thriftway

Bowlings



CASH RECEIPT Date 10-17-2016 018810

Received From Riverside Home Park

Address three hundred ten 00/100 Dollars \$ 310.00

For Planning Application

ACCOUNT		HOW PAID	
AMT. OF ACCOUNT		CASH	
AMT. PAID	<u>310.00</u>	CHECK	<u>#4108</u>
BALANCE DUE		MONEY ORDER <input type="checkbox"/>	
		CREDIT CARD <input type="checkbox"/>	

By [Signature]

City of John Day
450 East Main Street
John Day, OR 97845
541-575-0028

CRB 119-3

RIVERSIDE HOME PARK LLC
2397 NW KINGS BLVD #241
CORVALLIS, OR 97330

RECEIVED 4108

OCT 17 2016 DATE 10-14-16 24-22/1230

PAY TO THE ORDER OF City of John Day **CITY OF JOHN DAY** \$ 310

Three hundred ten and 00/100 DOLLARS

FOR Application for R.H.P.

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