



**STAFF REPORT**  
**November 30, 2010**

CITY FILE NO.: PA-77-10

PROPOSAL: Legislative Post Acknowledgment Plan Amendment (PAPA) proposal to amend the Banks Comprehensive Plan by adopting the following three parts:

Part I: Urban Growth Boundary (UGB)  
Expansion - Goal 14

Part II: Transportation System Plan (TSP)  
- Goal 12

Part III: Recreational Needs - Goal 8

APPLICANT: City of Banks  
100 South Main Street  
Banks, OR 97106

AUTHORIZATION: City of Banks Zoning Code (BZC) - Chapter 151,  
Section 151.155.

EXECUTIVE SUMMARY

The City Council has initiated this legislative plan amendment proposal in order to meet long term residential, commercial and industrial land needs, along with a supportive transportation system and sufficient recreational land needs. The findings and analyses that address compliance with appropriate state statute/administrative rule requirements are contained in Parts I-III (Exhibits A-C). Recent correspondence from DLCD and 1000 Friends of Oregon (Exhibits D & E) is being reviewed by staff to be addressed in a supplemental staff report and recommendation.

## PREFACE & PROPOSAL

### 1. Preface

The City of Banks was awarded a Transportation and Growth Management (TGM) grant in 2008. The TGM grant funded planning studies that enabled the City to evaluate expansion of the UGB in compliance with state rules and statutes regarding Goal 14. The TGM grant also provided for a transportation study to develop a Transportation Systems Plan (TSP) that would satisfy the requirements of the Oregon Transportation Planning Rule (TPR) pertaining to Goal 12.

As provided in the grant program guidelines, a professional consulting firm (CH2M HILL) was retained to perform the study project work tasks. In performing these work tasks, the project consultant received input from a Technical Advisory Committee (TAC) plus relevant comments from the Planning Commission and City Council. Opportunities for citizen participation regarding project consultant work products were provided through a series of five community review meetings. The City also engaged CH2M HILL to perform additional reanalysis work pertaining to the project work tasks.

During the course of the planning study process, the Planning Commission reviewed an updated Park & Recreation Master Plan. The updated master plan identified long term park and recreation needs for the community, including incorporating the Quail Valley Golf Course into the proposed UGB. The Planning Commission approved a motion recommending to City Council that the updated Park & Recreation Master Plan be incorporated in the City's PAPA proposal. The City Council subsequently approved the Planning Commission's recommendation.

### 2. Plan Amendment Proposal

The plan amendment proposal is organized into three parts which are provided in the attached exhibits. The Part I amendment will expand the City's UGB consistent with the updated 20-year population forecast and previously adopted plan amendments that have established the long term residential and commercial/industrial land needs. A

thorough discussion regarding the proposed UGB expansion and the applicable state statute/administrative rule requirements is contained in the attached Exhibit A document by CH2M HILL entitled "*City of Banks Urban Growth Boundary Expansion Justification Technical Report, October 2010*".

The Part II amendment will enable the City to adopt a TSP that is designed to serve the projected growth and satisfy the requirements of the Oregon Transportation Planning Rule. The TSP examined existing and future transportation conditions and identified numerous needs, constraints and opportunities to be addressed in achieving a safe and balanced transportation system for Banks. The TSP describes key conceptual projects to address transportation needs as identified in the analysis performed by CH2M HILL. The TSP document is contained in the attached Exhibit B.

The Part III amendment will amend the Goal 8 Recreational Needs Plan element by adopting a Park and Recreation Master Plan. This master plan was adopted by City Council in 2007 with a recommendation for further adoption as a supporting document for the comprehensive plan. The Park and Recreation Master Plan was recently updated and approved by City Council upon recommendation by the Planning Commission. The Planning Commission also recommended to Council that the updated master plan be included with the subject PAPA proposal (consistent with the 2007 plan recommendation) and found that the Quail Valley Golf Course addressed long term recreation needs under Goal 8 planning guidelines and Goal 14 criteria for inclusion with the proposed UGB expansion. The City Council considered and approved the Planning Commission recommendations, as demonstrated in attached Exhibits C.1 - C.4.

### 3. Recent Correspondence

The DLCD staff submitted recent correspondence dated November 24, 2010 attached as Exhibit D. The City staff is reviewing the comments and will need additional time to discuss further with DLCD staff and prepare an appropriate response. The City also received recent correspondence dated November 24, 2010 from 1000 Friends of Oregon attached as Exhibit E. Likewise, The City staff is reviewing the comments and will be preparing an appropriate response.

# 1 DLCD Notice of Proposed Amendment

in person  electronic  mailed

**THIS FORM 1 MUST BE RECEIVED BY DLCD AT LEAST 45 DAYS PRIOR TO THE FIRST EVIDENTIARY HEARING**  
PER ORS 197.610, OAR 660-018-000

Jurisdiction: **City of Banks**  
Local File Number: **PA-77-10**

Date of First Evidentiary Hearing: **12-15-10**  
Date of Final Hearing: **2-8-11 or later**

Is this a **REVISION** to a previously submitted proposal?  Yes  No Date submitted: **10-28-10**

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Urban Growth Boundary Amendment

Transportation System Plan Amendment  Other:

Briefly Summarize Proposal. Do not use technical terms. Do not write "See Attached"(limit 500 characters)

The subject plan amendment proposal is organized into three parts as follows:

- Part I: Urban Growth Boundary Expansion – Goal 14
- Part II: Transportation System Plan – Goal 12
- Part III: Recreational Needs – Goal 8

The proposed plan amendment documents for Parts I and II were prepared under a TGM and City contract work program. In 2008 the City of Banks was awarded a Transportation and Growth Management (TGM) grant administered jointly by the Oregon Department of Transportation (ODOT) and the Oregon Department of Land Conservation and Development (DLCD). The city had previously updated its 20-year population forecast and adopted plan amendments updating the long term residential land needs in compliance with Goal 10, as well as determining its future commercial/industrial land needs consistent with Goal 9.

The TGM grant funded planning studies that enabled the City to evaluate expansion of the UGB in compliance with state rules and statutes regarding Goal 14. The TGM grant also provided for a transportation study to develop a Transportation Systems Plan (TSP) that would satisfy the requirements of the Oregon Transportation Planning Rule (TPR) pertaining to Goal 12.

The Part III plan amendment was prepared separate from the TGM study and is included as a related goal component with Parts I and II. The proposal will amend the Goal 8 Recreational Needs Comprehensive Plan element to adopt a Park and Recreation Master Plan and incorporate a golf course use with the UGB expansion.

Has sufficient information been included to advise DLCD of the effect of proposal?  Yes, text is included

For Map Changes: Include 8\_ "x11" maps of Current and Proposed designation.  Yes, Maps included

Plan map changed from: **See attached UGB expansion map** To:

Zone map changed from: **N/A** To:

Location of property (do not use Tax Lot): **Area adjacent to City of Banks**

Previous density: New density: Acres involved: **388 ac. approx.**

Applicable statewide planning goals:

- 1  2  3  4  5  6  7  8  9  10  11  12  13  14  15  16  17  18  19

Is an exception to a statewide planning goal proposed?  YES  NO Goals:

Affected state or federal agencies, local governments or special districts (It is jurisdiction's responsibility to notify these agencies. DLCD only records this information): ODOT, OPRD and Washington County

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Local Contact: **K.J. Won, Banks City Planner**

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**DLCD file No.** \_\_\_\_\_

**CITY OF BANKS COMPREHENSIVE PLAN  
AMENDMENTS TO UPDATE URBAN GROWTH  
BOUNDARY, TRANSPORTATION PLAN AND  
RECREATIONAL LAND NEEDS  
OCTOBER 2010**

**I. INTRODUCTION**

In 2008 the City of Banks was awarded a Transportation and Growth Management (TGM) grant administered jointly by the Oregon Department of Transportation (ODOT) and the Oregon Department of Land Conservation and Development (DLCD). The city had previously updated its 20-year population forecast and adopted plan amendments updating the long term residential land needs in compliance with Goal 10, as well as determining its future commercial/industrial land needs consistent with Goal 9.

The TGM grant funded planning studies that enabled the City to evaluate expansion of the UGB in compliance with state rules and statutes regarding Goal 14. The TGM grant also provided for a transportation study to develop a Transportation Systems Plan (TSP) that would satisfy the requirements of the Oregon Transportation Planning Rule (TPR) pertaining to Goal 12.

As provided in the grant program guidelines, a professional consulting firm (CH2M HILL) was retained to perform the study project work tasks. A Technical Advisory Committee (TAC) was formed to review and comment on draft materials prepared by the project consultant prior to public presentation. The TAC members included agency representatives from DLCD, ODOT, Clean Water Services, Banks School District, Banks Fire District #13, and the Washington County Sheriff's Office.

Opportunities for citizen participation regarding project consultant work products were provided through a series of five community review meetings that were conducted on April 30,

2009; June 18, 2009; December 17, 2009; April 29, 2010; and October 19, 2010. The project consultant and City officials received oral and written citizen comments which were considered and retained in the City's project study file.

## II. PLAN AMENDMENT PROPOSAL

The subject plan amendment proposal is organized into three parts as follows:

- Part I: Urban Growth Boundary Expansion - Goal 14
- Part II: Transportation System Plan - Goal 12
- Part III: Recreational Needs - Goal 8

The proposed plan amendment documents for Parts I and II were prepared under a TGM and City contract work program. The Part III plan amendment was prepared separate from the TGM study and is included as a related goal component with Parts I and II. Each proposed plan amendment is further discussed in the ensuing paragraphs as follows:

### Part I: Urban Growth Boundary Expansion - Goal 14

The Banks Comprehensive Plan presently includes Goal 14 policy statement no. 2, which reads:

*"2. The urban growth boundary will be updated and expanded when the vacant and developable land within the boundary is utilized or committed."*

The City finds that a very limited supply of vacant and buildable land is currently available to meet future land needs. Consistent with the above policy statement, the City has undertaken a TGM planning study process to consider expanding the UGB. Over the course of the study process, the TGM project consultant, i.e., CH2M HILL, prepared technical memoranda that addressed state statute and administrative rule requirements pertaining to a UGB expansion. CH2M HILL maintained a coordinated work effort with City officials and TAC members, plus reviewed citizen reactions regarding the

consultant work products that were received during five community meetings and other meetings by the Planning Commission and/or City Council.

As a result of the events described above, CH2M HILL compiled a final UGB document entitled:

*“City of Banks  
Urban Growth Boundary Expansion Justification  
Technical Report*

*October 2010”*

The UGB technical report is attached as Exhibit A and explains the analytical process used to determine the amount and location of land to be located in the UGB expansion, including the following planning components:

- Population Forecast
- Residential and Related Land Needs
- Employment and Related Land Needs
- UGB Alternatives Analysis

The UGB technical report provides written justification for the City’s expanded UGB, especially with respect to compliance with ORS 197.298 (Priority Areas for UGB Expansion); OAR 660-024-0060 (Boundary Location Alternatives Analysis); and the Goal 14 Boundary Location Factors. The preferred UGB expansion area is shown on Figure 12 *“Preferred Alternative UGB Line”* in the Appendix section of the UGB technical report. Figure 13 in the same Appendix shows proposed zoning of land in the preferred UGB expansion area.

The existing urbanization goal, objectives, and policies contained in the comprehensive plan remain applicable for the most part, except for revisions to the following policies which are hereby amended as follows:

### Existing Policy 3

*“3. Upon request, the City will annex lands within the urban growth boundary when it is demonstrated that such annexations are consistent with the Comprehensive Plan policies, are within the capabilities of the city’s services and facilities, and abut the city limits.”*

### Amended Policy 3

“3. The City will annex lands located within the expanded Urban Growth Boundary and abutting the city limits, subject to an affirmative electoral vote supporting the annexation by the local citizenry and availability of public facilities.”

### Existing Policy 6

*“6. The City will recognize two types of urban growth areas within the urban growth boundary: Immediate Growth Areas within the Urban Growth Boundary served by water and sanitary sewers; or specifically identified by the City of Banks as intended for urban development purposes within the immediate future. Immediate Growth Areas are intended to include areas defined by the State LCDC as Urban Land.”*

### Amended Policy 6

“6. The City will recognize two types of urban growth areas: Urban Growth Boundary (UGB) served by water and sanitary sewers as specifically analyzed in the ‘City of Banks Urban Growth Boundary Expansion Justification Technical Report dated October 2010’; and Urban Reserve lands located outside a UGB that will provide for future expansion over a long-term period.”

### Existing Policy 7

*“7. Future urban Areas are lands between the Immediate Growth Boundary and the Urban Growth Boundary. Future Urban Areas are intended to include areas defined by the State LCDC as Urban Land. Areas in this land use category are to maintain their rural or agricultural character until such land is required for urban use and has been redesignated “Immediate Urban”.*

*The 3 acres located behind Oak Village Shopping Center have been designated Future Urban because no immediate need for development has been established and no specific development proposals have been submitted.”*

(The growth concepts of “Immediate Growth Boundary” and “Future Growth Boundary” are outdated and will be replaced with the UGB and Urban Reserve concepts as described in the amended Policy 6 above. It is also noted that the three acres of Future Urban land located behind the Oak Village Shopping Center has since been approved and constructed for commercial development which occurred in 2003. Therefore, Policy 7 has been rewritten as shown below.)

### Amended Policy 7

*“Land brought into the expanded UGB will be assigned new comprehensive plan designations and retain existing County zoning until such time that City zoning is assigned to the land.”*

### Existing Policy 8

*“8. Conversion of this area from Future Urban to Immediate Urban will be considered on a determination that a need exists for additional*

*immediate urban land and that adequate public facilities and services are available to the area.”*

(The “*Future Urban*” and “*Immediate Urban*” growth concepts no longer apply as explained under Policy 7. Therefore, Policy 8 should be deleted.

#### Policy 8 Deleted

#### Existing Policy 9

*“9. Zone changes, subdivisions, and other similar administrative action which would allow urban-intensity development in the Future Urban Area will be preceded by a Comprehensive Plan change to designate the site in question as “Immediate Urban”.”*

(Similar to Policy 8. the “*Future Urban*” and “*Immediate Urban*” growth concepts are no longer applicable, and Policy 9 should be deleted.)

#### Policy 9 Deleted

### Part II: Transportation System Plan - Goal 12

In conjunction with the UGB expansion study, CH2M HILL prepared a Transportation System Plan (attached Exhibit B) to serve long term planning purposes described as follows:

- Develop TSP elements including a plan for streets, bike and pedestrian facilities, street design standards, and development codes to implement OAR 660-012-045 (2) and (3) of the Transportation Planning Rule.
- Identify solutions to provide access and circulation for Banks to improve connectivity for bikes, pedestrians and vehicles and reduce reliance on state highways for city-wide circulation.

- Ensure that deliverables pertaining to the city’s TSP are consistent with adopted state, regional and local rules, plans, and policies.
- Develop a transportation system that meets the needs of Banks area residents and businesses, and accommodates growth as it occurs.

The TSP examined existing and future transportation conditions and identified numerous needs, constraints and opportunities to be addressed in achieving a safe and balanced transportation system for Banks. Potential TSP alternatives for addressing the needs were evaluated according to the following criteria:

- Traffic Operations
- Safety
- Mobility
- Land Use
- Environmental & Social Impacts
- Support for Implementation
- Cost-Effectiveness

(See page 34 in TSP document for additional explanation.)

The TSP presents conceptual projects to address transportation needs as identified in the analysis performed by CH2M HILL. The following TSP text is especially important to emphasize:

*“The location of projects depicted in the TSP are conceptual in nature, and as such are intended as a guide for development and should not be explicitly used as shown to constrain development options in the future. The precise location of all recommended projects should be defined through the land development process as projects are funded, designed, and built.*

*It is important to note that any modification of a Washington County roadway proposed in this TSP is a recommendation to Washington County that the proposed*

*modification be considered by the County; all such projects would need to be evaluated through the county's transportation plan amendment or update process.*

*It is also important to note that, due to the limitations of the traffic forecast model (which entails a necessary conservatism), it is likely that projected adverse operational impacts are overstated"*

(Page 35, City of Banks Transportation System Plan, October 2010.)

The TSP discussed various concepts to address needs identified in the technical analysis as follows:

- **Need:** Remove future volume from the intersection of Wilkesboro Road and OR 47.

**Concept #1:** Realign Wilkesboro Road.

- **Need:** Remove future volume from the intersection of Washington Avenue and Aerts Road.

**Concept #2:** Realign Washington Avenue.

- **Need:** Provide a viable travel alternative to OR 6 for traffic between Banks and the Portland metropolitan area.

**Concept #4:** Install advanced warning signage.

**Concept #5:** Reconstruct Banks Road.

- **Need:** Provide increased left-turn lane storage capacity at intersection of Main Street/Oak Way/OR 6 ramp terminal.

Concept #6: Extend Southbound Left-Turn Lane on Main Street at intersection with Oak Way/OR 6 ramp terminal.

Concept #7: Extend Eastbound Left-turn Lane on OR 6 ramp terminal at intersection with Oak Way/Main Street.

- Need: Provide east-west internal circulation in Banks to accommodate expanded urban area and reduce reliance on state highways for intra-city circulation.

Concept #3a: Install vehicular overcrossing of railroad from area south of Arbor village to Rose Avenue.

Concept #3b: Install vehicular overcrossing of railroad from Sunset Avenue to new collector road on east side of railroad.

- Need: Provide north-south circulation system on west side of Banks in UGB expansion area and access to new land uses.

Concept #8: Construct new north-south circulator Road in Westside Banks area between Cedar Canyon Road and area south of Sunset Park.

- Need: Provide connection from new UGB expansion area on the west side of Banks to Main Street to provide access and east-west circulation.

Concept #9: Construct new west extension of Wilkes Road.

- Need: Provide north-south circulation system on east side of Banks in UGB expansion area and access to new land uses.

Concept #10: Construct new north-south circulator Road in Eastside Banks area between Banks Road and Washington Avenue.

- Need: Provide east-west bicycle/pedestrian circulation system.

Concept #11 Option A: Install bicycle/pedestrian overcrossing of railroad from area east of Banks School complex to eastside of Banks (UGB expansion area).

Concept #11 Option B: Install bicycle/pedestrian undercrossing of railroad from area east of Banks School complex to eastside of Banks (UGB expansion area).

The existing transportation Goal 12 statement, objectives, and policies contained in the comprehensive plan remain applicable, and include the following amendments:

- Add a new Policy 11 to read:

“11. The City will seek to implement the “Concepts” to address needs identified in the TSP analysis and the “Concepts” to service expanded UGB areas as described in the City of Banks Transportation System Plan dated October 2010.”

- Add a new Policy 12 to read:

“12. The City will enact the zoning and land division code provisions as specified in the City of Banks Transportation System Plan dated October 2010.”

- Amend existing Policy 5 to read:

“5. The City will maintain a street classification system in accordance with the City of Banks Transportation System Plan dated October 2010.”

## Part III: Recreational Needs – Goal 8

### Background

The City Council adopted a Park & Recreation Master Plan (PRMP) for Banks on September 11, 2007. The expressed goal of the PRMP was: *“To provide adequate parkland, recreational facilities and opportunities for the citizens of Banks and its visitors”*. The PRMP document provided a park classification system based on recommendations by the National Recreation and Park Association. This classification system included descriptions and service levels for the following categories of parks:

- Playlots
- Neighborhood Playground
- Neighborhood Park
- Community Playfield
- Major Community Park

The PRMP contained a needs assessment that identified current and future needs for the various park categories, along with other plan components. Recommendations listed in the PRMP included: *“Adopt this report as a supporting document to the City of Banks’ Comprehensive Land Use Plan.”*

### Park & Recreation Master Plan Update

As explained under Parts I and II above, the City has undertaken planning studies to consider expansion of the UGB and prepare a TSP. During the course of the UGB study process, the Quail Valley Golf Course (QVGC) representatives have expressed interest about including their property in the City’s expansion. The golf course has been serving the recreational needs of Banks residents for many years. In order to assure the long term continuation of this recreational use, it would appear to the City’s benefit that the golf course should be brought inside the City boundary, i.e., included in the UGB expansion. In this

way, the City would retain full authority regarding land use matters involving QVGC and be fully able to maintain the recreational use.

The appropriate review procedure involved a consideration for updating the PRMP to show the long term need for the golf course, consistent with statewide planning Goal 8 Recreational Needs. The updating also included other related new and/or revised information affecting the PRMP. A draft updated version of the PRMP document was prepared by the professional consultant firm of Cogan Owens Cogan, LLC (COC) in coordination with City staff. The draft updated PRMP included numerous revisions to the existing plan text, plus new information summarized as follows:

- Utilizes new report format and corrects study items such as park names.
- Adds a new “Special Use” park category that is applicable to golf courses in the park classification discussion (page 7) and needs assessment (page 27).
- Adds new text such as “The Intertwine” section that describes a regional trail system including the Banks-Vernonia State Trail, Council Creek Regional Trail and Turf to Surf Trail (page 15).
- Provides a detailed discussion about the operation and activities of QVGC and how the facility is helping to meet the current and long term recreation needs of the community (pages 22-23).
- Updates the population projections to year 2029 for consistency with the UGB population forecast year (page 26).
- Adds new text in the conclusions and recommendations section recognizing that QVGC be included under the Special Use category for helping to satisfy large area

recreation and open space needs long term; and recommending that the UGB be amended to include QVGC for the same purpose of protecting and preserving the land for golf course use.

### Recommended Comprehensive Plan Amendment

The Planning Commission reviewed the draft PRMP during a public hearing on September 28, 2010. After much discussion and due consideration of the draft plan, the Commission voted unanimously to refer the updated PRMP to City Council with a recommendation to adopt the document. In addition, the Commission recommended by unanimous motion to City Council that the updated Park & Recreation Master Plan be included as a Goal 8 Recreational Needs amendment with the upcoming UGB and TSP legislative plan amendment proposal; and include the QVGC site as part of the UGB expansion.

The City Council conducted a public hearing regarding the updated PRMP on October 12, 2010. The Council reviewed the draft document plus two letters of support from the Banks School District 13 and Banks Chamber of Commerce. After discussion and deliberation, the Council voted unanimously to approve the Planning Commission recommendations as follows:

- Adopt the updated Park & Recreation Master Plan.
- Incorporate the updated Park & Recreation Master Plan as a Goal 8 Recreational Needs amendment with the upcoming UGB and TSP legislative comprehensive plan amendment proposal; and include the QVGC site as part of the UGB expansion.

The final updated Park & Recreation Master Plan document is attached as Exhibit C.1. COC and associates have prepared findings in support of the Goal 8 comprehensive plan amendment as shown in the attached memorandum dated September 7, 2010 (Exhibit C.2.); and findings that address state statute and administrative rule requirements for including

the QVGC site with the UGB expansion as shown in the attached memorandum dated September 15, 2010 (Exhibit C.3.). A map showing the “*City of Banks UGB Expansion including Quail Valley Golf Course*” is attached as Exhibit C.4.

The existing objectives and policies for Goal 8 Recreational Needs contained in the comprehensive plan remain in effect or are amended and include additional policies as follows:

*“Objectives: a. Community parks and outdoor recreation areas should be protected, encouraged and enhanced.*

*b. Development of pedestrian and bicycle pathways and trails should be promoted.”*

*“Policies: 1. The City will plan community recreation facilities in conjunction with existing and planned school facilities so that they complement each other in function.*

*2. Proposed recreation facilities will be evaluated by how well they meet the needs of the community at large and provide opportunities for handicapped, elderly, low-income, and young people.*

*3. Priority will be given to local needs.*

*4. The City will work with community groups in identifying specific sites, site development plans, and financing strategies for recreational facilities.*

*5. The City will coordinate with and encourage the Banks Sunset Park Association Inc., Quail Valley Golf Course and Banks School District regarding the*