

BANKS LUMBER ANNEXATION

DATE: March 9, 2015

SUBMITTED TO: City of Banks
Department of Planning, Zoning & Sustainability
13690 NW Main Street
Banks, OR 97106

APPLICANT: Banks Lumber Company
PO Box 8
Banks, OR 97106



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Tualatin, OR 97062
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EXHIBITS:

- Exhibit A: Land Use Exhibits and Maps
- Exhibit B: Property Title Information
- Exhibit C: Application Forms, Petitions, and Certifications
- Exhibit D: Legal Description and Map
- Exhibit E: Mailing Labels
- Exhibit F: Banks Zoning Map and Plan Map
- Exhibit G: Service Provider Letters
- Exhibit H: Economic Analysis
- Exhibit I: Infrastructure Demand Analysis
- Exhibit J: Taxmap

ANNEXATION APPLICATION FOR BANKS LUMBER COMPANY

SUBMITTED TO: City of Banks
Department of Planning, Zoning & Sustainability
13690 NW Main Street
Banks, OR 97106

OWNERS: Banks Lumber Company
PO Box 8
Banks, OR 97106

Gen Becker Living Trust
41940 NW Banks Road
Banks, OR 97106

APPLICANT: Banks Lumber Company
PO Box 8
Banks, OR 97106
Contact: Dan Zeamer

**APPLICANT'S
PLANNER/
CIVIL ENGINEER/
LAND SURVEYOR/** AKS Engineering & Forestry, LLC
12965 SW Herman Road, Suite 100
Tualatin, OR 97062
Contact: Mimi Doukas, AICP, RLA (MimiD@AKS-eng.com)
Phone: (503) 563-6151

SITE LOCATION: 42060 NW Sunset Avenue & 41940 NW Banks Road
Banks, OR 97106

ASSESSOR'S INFORMATION: Tax Map 2N33100 Lot 401 and
Part of Tax Map 2N33100 Lot 602
*(Property Line Adjustment pending to match TL 401 to
the boundary of the proposed annexation area)*

SITE SIZE: 6.60 acres

EXISTING ZONING: FD-10, Washington County

PROPOSED ZONING: Industrial, City of Banks

I. REQUEST

The Applicant, Banks Lumber Company, requests approval of the annexation of a 6.6 acre property located at 42060 NW Sunset Avenue and 41940 NW Banks Road.

This written narrative, together with preliminary plans and other documentation included in the application materials, establishes that the application is in compliance with all applicable approval criteria. This documentation represents substantial evidence and provides the basis for the City of Banks to approve the application.

II. SITE DESCRIPTION

Taxlots 2N33100 602 and 2N33100 401 are located northeast of the Southern Pacific Railroad tracks and south of NW Banks Road. TL 401 contains a single family house on the north end, and TL 602 contains a pellet plant industrial use. All of TL 401 is located within Washington County and zoned FD-10. TL 602 is a shovel shaped parcel; the handle is located within Washington County with an FD-10 designation, and the spade portion of the property is located within the City of Banks and carries an Industrial zoning designation. A Property Line Adjustment land use application was approved by Washington County that will change the configuration to match the City limit line by adding the 'handle' portion of TL 602 over to TL 401, although this Property Line Adjustment has not yet been recorded with the County Surveyor. As a result of the PLA, the new TL 401 will be entirely under the jurisdiction of Washington County, and all of TL 602 will be within the City of Banks. This application is to annex TL 401, in its configuration after the PLA, to the City of Banks. As the PLA has not been recorded, this annexation application is submitted for the northern 1.1 acres of TL 602 and all of TL 401.

If the annexation is approved, the property would receive an Industrial zoning designation consistent with the adopted Comprehensive Plan Map of Banks.

The property is within the Banks Fire District, the Banks Public School District, and the Washington County Sheriff's Department. Clean Water Services is the sanitary sewer and storm conveyance provider for the area.

SURROUNDING AREA / ZONING

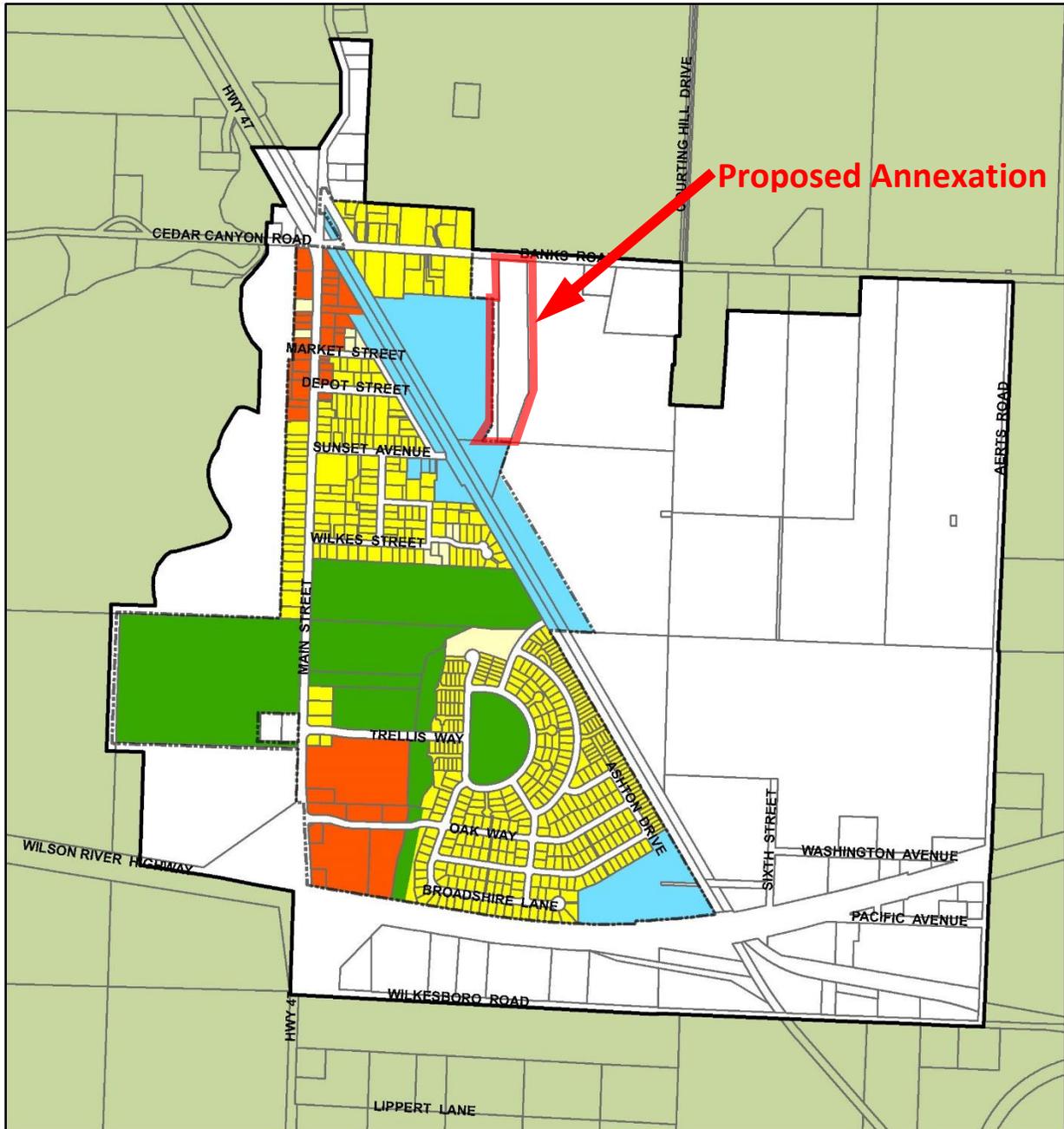
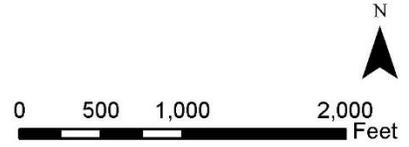
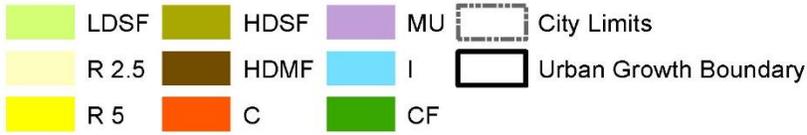
North. Agriculture, zoned AF-20 Washington County.

South. Railroad, zoned Industrial Banks.

West. Lumber yard, zoned Industrial Banks.

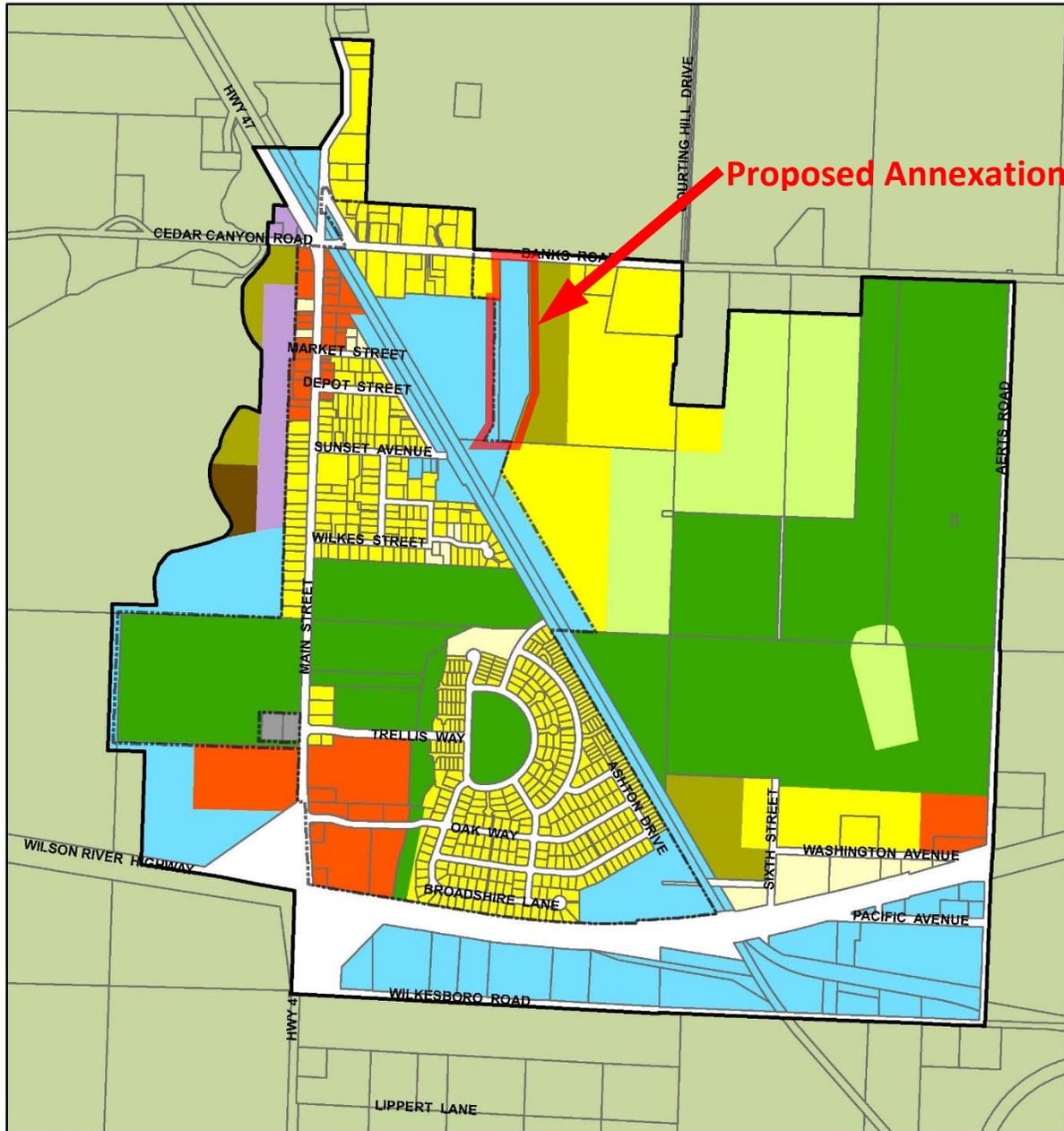
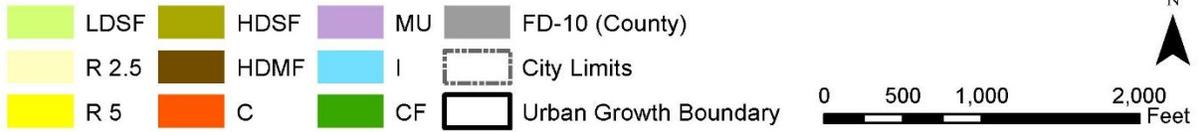
East. Agriculture, zoned FD-10 Washington County.

City of Banks Zoning Map



08/12/2014

City of Banks Plan Map



08/12/2014

III. SUMMARY OF PROPOSAL

The Banks Lumber Company (Applicant) seeks to annex a parcel adjacent to the existing lumber yard to the west into Banks City Limits. The property was added to the Banks Urban Growth Boundary in 2012.

Industrial Land Need

The proposed annexation would result in the addition of Industrial land to the City of Banks. The Applicant has analyzed the existing Urban Growth Boundary and determined that the requested annexation is timely. Please see Exhibit H for more detail.

The site is currently zoned Future Development 10 Acre District (FD-10) by Washington County. According to the City of Banks UGB report Proposed Zoning Map, upon annexation the land shall automatically be zoned as illustrated on the Banks Comprehensive Plan map. This map is included on the previous page. The Applicant supports the Industrial designation which aligns with the Applicant's long range plan for expansion of the existing lumber mill facility. With the 2012 expansion of the Banks Urban Growth Boundary, 81 acres of industrial land was added to the Urban Growth Boundary, though none of that land has been annexed into the city limits. There is currently less than one acre of industrial buildable land in the City of Banks. Approval of this application would add an addition 6.6 acres of industrial land to the City of Banks.

No specific development plans are proposed at this time, but should the property be annexed into the City the Applicant will work closely with the City on the design and layout of the annexed area to ensure the proposal meets state and local requirements.

Domestic Water

The City of Banks Water System Master Plan, (Amended November 1, 2011) identifies Banks Lumber Co as a Large-Volume User having used 2.0 MG in the year 2007 = 3.7 GPM (ADD). The primary water use on-site is to support mill operations (rest rooms and process water). The proposed annexation does not include the expansion of any on-site mill operations which would result in an increased demand on the public domestic water system. Water system demands of any future facility expansion will be evaluated at the time of future development.

Sanitary Sewer

The proposed annexation does not include the development of facilities on-site which would generate wastewater. The subject property is not currently served by public sanitary sewer. The CWS Sanitary Sewer Master Plan included the subject property and the proposed annexation area as 'Future Growth Area with Modeled Connection'. Sanitary Sewer service to the subject property will ultimately be provided with the extension of the BANKS EAST TRUNK which parallels the Southern Pacific Railroad and connects to the existing system at NW Oak Way. Any sanitary sewer system demands resulting from on-site facility expansion will be evaluated with future development.

Transportation

The Banks Transportation System Plan was adopted in 2010 and reviewed the UGB expansion areas. A series of eleven recommendations were included. None of these concepts were necessitated by the

Industrial property proposed for annexation in this application, no do any of the concepts propose improvements that involve the subject property. Prior to development of any improvements on the site that would increase transportation demands, a land use application would be required that, if necessary, would require a detailed Transportation Impact Analysis to review the existing system, how the additional proposed trips would impact the existing system, and identify any necessary mitigation measures to maintain a safe and effective network.

Section 9 of the OAR 660-012-0060 Transportation Planning Rule stipulates that if a proposed rezoning is consistent with the existing Comprehensive Plan Map designation, and the acknowledged Transportation System Plan, then it can be approved without considering the effect on the transportation system. As previously noted, the proposed change is consistent with the acknowledged Comprehensive Plan and Transportation System Plan.

Schools and Parks

Industrial development does not increase the need for parks or schools as it does not directly change the resident population.

WASHINGTON COUNTY – BANKS URBAN GROWTH AREA AGREEMENT

II. COORDINATION OF COMPREHENSIVE PLANNING AND DEVELOPMENT

- D. The CITY and COUNTY agree that when annexation to the CITY takes place, the transition in land use designation from one jurisdiction to another should be orderly, logical, and based upon a mutually agreed upon plan. 1. For land with COUNTY rural plan designations which have been included inside the UGB, or land with the FD-1 0 District designation, the CITY shall be responsible for comprehensive planning, including necessary work to comply with Statewide planning goals and associated administrative rules and requirements. The parties will apply the coordination provisions of Paragraph II.A.2. of this UPAA. The urban designations adopted by the CITY will not become effective and development of land pursuant to the designations will not occur until the land has been annexed to the CITY. As an interim measure, the COUNTY will adopt the FD-1 0 plan designation for lands which have been included inside the UGB.

III. SPECIAL POLICIES

- A. Definitions...

- B. Annexations within the Urban Planning Area will not be opposed by the COUNTY.

Response: The lands proposed for annexation are located wholly within the City of Bank Urban Growth Boundary (UGB) and therefore are within the Urban Planning Area (UPA). As such, the County will not object to the proposal.

- C. Annexations outside of the Urban Planning Area will not be supported by the COUNTY or CITY.

Response: The area is wholly located within the UGB and is therefore within the UPA. This section is not applicable.

- D. The CITY and COUNTY may cooperate in planning for urban facilities.

Response: Consistent with other property within the City of Banks, the property is served by a combination of City and County providers including the Banks Fire District, the Banks Public School District, and the Washington County Sheriff's Department. Clean Water Services is the sanitary sewer and storm conveyance provider for the area.

- E. The COUNTY will not approve a land use proposal in the Urban Planning Area if the CITY presents evidence to show that the proposal would not facilitate an urban level of development in the future upon annexation to the CITY.

Response: The Applicant is requesting annexation to allow for future development of the site as an expansion of the Banks Lumber Company. This expansion will be an urban level of development and appropriate within the City Limits. Therefore, the County will not oppose the annexation application.

F. The COUNTY will not approve a land use proposal for residential densities designated in the Banks Comprehensive Plan without public water and public sewer.

Response: No residential development is proposed; this section does not apply.

OREGON REVISED STATUTE – 222.111

AUTHORITY AND PROCEDURE FOR ANNEXATION

- (1) When a proposal containing the terms of annexation is approved in the manner provided by the charter of the annexing city or by ORS 222.111 (Authority and procedure for annexation) to 222.180 (Effective date of annexation) or 222.840 (Short title) to 222.915 (Application of ORS 222.840 to 222.915), the boundaries of any city may be extended by the annexation of territory that is not within a city and that is contiguous to the city or separated from it only by a public right of way or a stream, bay, lake or other body of water. Such territory may lie either wholly or partially within or without the same county in which the city lies.

Response: The area proposed to be annexed into the City, more specifically described within this petition is contiguous to the existing City of Banks city limits. Specifically, tax lot 401 and the northern portion of tax lot 602 are located contiguous to the portion of tax lot 2N33100 602 and tax lot 2N331BB 101 that is located within the City of Banks city limits. This section does not apply.

- (2) A proposal for annexation of territory to a city may be initiated by the legislative body of the city, on its own motion, or by a petition to the legislative body of the city by owners of real property in the territory to be annexed.

Response: The subject property sought to be annexed is wholly owned by the Banks Lumber Company and the Gen Becker Trust. Banks Lumber Company is the Applicant for this for annexation petition, and certified petitions have been submitted by both property owners.

- (3) The proposal for annexation may provide that, during each of not more than 10 full fiscal years beginning with the first fiscal year after the annexation takes effect, the rate of taxation for city purposes on property in the annexed territory shall be at a specified ratio of the highest rate of taxation applicable that year for city purposes to other property in the city. The proposal may provide for the ratio to increase from fiscal year to fiscal year according to a schedule of increase specified in the proposal; but in no case shall the proposal provide for a rate of taxation for city purposes in the annexed territory which will exceed the highest rate of taxation applicable that year for city purposes to other property in the city. If the annexation takes place on the basis of a proposal providing for taxation at a ratio, the city may not tax property in the annexed territory at a rate other than the ratio which the proposal authorizes for that fiscal year.

Response: The Applicant understands these provisions.

- (4) When the territory to be annexed includes a part less than the entire area of a district named in ORS 222.510 (Annexation of entire district), the proposal for annexation may provide that if annexation of the territory occurs the part of the district annexed into the city is withdrawn from the district as of the effective date of the annexation. However, if the affected district is a district named in ORS 222.465 (Effective date of withdrawal from domestic water supply district, water control district or sanitary district), the effective date of the withdrawal of territory shall be determined as provided in ORS 222.465 (Effective date of

withdrawal from domestic water supply district, water control district or sanitary district).

Response: The Applicant understands these provisions. The Applicant further understands that prior to development of the subject property to urban densities and connection to Clean Water Services sanitary sewer infrastructure the area must also be annexed into the Clean Water Services district by Washington County.

(5) The legislative body of the city shall submit, except when not required under ORS 222.120 (Procedure without election by city electors), 222.170 (Effect of consent to annexation by territory) and 222.840 (Short title) to 222.915 (Application of ORS 222.840 to 222.915) to do so, the proposal for annexation to the electors of the territory proposed for annexation and, except when permitted under ORS 222.120 (Procedure without election by city electors) or 222.840 (Short title) to 222.915 (Application of ORS 222.840 to 222.915) to dispense with submitting the proposal for annexation to the electors of the city, the legislative body of the city shall submit such proposal to the electors of the city. The proposal for annexation may be voted upon at a general election or at a special election to be held for that purpose.

Response: The Applicant understands these provisions and seeks approval of the requested annexation by the City of Banks so that it may go before the voters within the September 2015 election.

(6) The proposal for annexation may be voted upon by the electors of the city and of the territory simultaneously or at different times not more than 12 months apart.

Response: The Applicant understands these provisions and seeks approval of the requested annexation by the City of Banks so that it may go before the voters within the September 2015 election. This is the first consideration of annexation for the subject property. This section is not currently applicable.

(7) Two or more proposals for annexation of territory may be voted upon simultaneously; however, in the city each proposal shall be stated separately on the ballot and voted on separately, and in the territory proposed for annexation no proposal for annexing other territory shall appear on the ballot.

Response: The Applicant understands these provisions and seeks approval of the requested annexation by the City of Banks so that it may go before the voters within the September 2015 election. This request will appear singularly on the ballot with its own specific description.

CITY OF BANKS MUNICIPAL CODE CHAPTER 30 – GENERAL PROVISIONS

30.1. GENERALLY

(A) Purpose. When annexations are properly timed, they may allow for the orderly expansion of the City of Banks' boundaries and may contribute to the logical extension of public infrastructure. The city also recognizes that the development of lands at urban density must include the provision of an adequate level of required urban services such as sewer, water and roads. Policies and procedures adopted in the subchapter are intended to carry out the directives of the citizens of Banks, and to ensure that annexation of lands to the city is incorporated into a process of providing a timely and orderly conversion of lands to urban uses.

Response: The Applicant understands the City of Banks requirements and procedures for annexing property into the City and has addressed all relevant criteria within this petition. This annexation will allow for the timely expansion of urban level development for the expansion of the existing lumber mill. The property is contiguous to the existing City boundary and is currently served with water, sanitary sewer, and transportation services as documented in this application.

(B) Election required. Upon the Banks city Council's legislative determination of an applicant's eligibility to annex, the Council must set the matter for a citywide vote. Annexation must be approved by a majority of those voting.

Response: The Applicant understands the City of Banks will require a vote and approval of the majority of those voting in order to formally annex into the City.

(C) Application for annexation. The applicant must complete the application for provided by the City of Banks Planning Commission. Application procedures, including application materials, fees, costs, (i.e. staff costs, election costs, and the like), and filing deadlines are to be established by resolution of the Council.

Response: This application submittal includes all necessary application forms and required fees consistent with this requirement. Application forms, fees, consent petitions, mailing labels, and certifications from the County have been included in this application package, as well as written findings and justifications with supporting technical reports. These materials are submitted to follow the City schedule for a September election.

(D) Urban Planning Area Agreement. Annexation proposals will be consistent with the policies and provisions of the City's Urban Planning Area Agreement with Washington County entered into on 10-25-1988 (copy attached as Exhibit A to the Ordinance 102500 and incorporated by reference) or as later amended and the provisions of any intergovernmental agreement or agreement with any agency providing public services to the City of Banks.

Response: This narrative provides formal responses demonstrating the requested annexation is consistent with the Urban Planning Area Agreement in effect between the City of Banks and Washington County.

30.2. REVIEW CRITERIA

(A) **Eligibility criteria.** The Council must determine that property is eligible for annexation based on the following criteria:

(1) The project is contiguous to the existing city limits;

Response: The area proposed to be annexed into the City, more specifically described within this petition is contiguous to the existing City of Banks city limits. Specifically, tax lot 401 and the northern portion of tax lot 602 are located contiguous to the portion of tax lot 2N33100 602 and tax lot 2N331BB 101 that is located within the City of Banks city limits

(2) The property is located within Banks Urban Growth Boundary; and

Response: The property proposed to be annexed to the City of Banks is wholly located within the City of Banks Urban Growth Boundary as amended by Ordinance 2011-04-01.

(3) Any other prerequisite requirement that may be applicable to under the Oregon Revised Statutes.

Response: This narrative addresses Oregon Revised Statute 222.111 which sets forth the authority and procedures for annexation within the state of Oregon.

(B) **Timelines criteria.** The Council that must determine that it is timely to annex property based on the following criteria.

(1) An adequate level of urban services and infrastructure is available, or will be made available in a timely manner.

(a) **ADEQUATE LEVEL** means conforms to adopted plans and ordinances, or as may be determined by the agency that provides the service or infrastructure.

Response: This application package includes service provider letters (Exhibit G) from the water, sewer, sheriff, school, and fire districts that discusses capacity for urbanization of the proposed annexation property. The Clean Water Services (CWS) letter refers to the City's Ordinance 2011-04-01 and accompanying attachment "*Urban Growth Boundary Expansion Justification Technical Report*" (October 2010). This report made findings to statewide Goal 11 that state:

Goal 11 Public Facilities and Services

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Response: As discussed in Section II of this report, the Draft Banks Water Master Plan (Kennedy/Jenks Consultants, 2009) was utilized to establish that water service could be provided to all areas that were being considered for UGB expansion. The Draft Water Master Plan did not identify any parcels within the UGB study area as being comparatively more expensive or less efficient to service based on available data. As discussed in Section II of this report, the Draft Sanitary System and Stormwater Master Plans (Clean Water Services, 2009) were utilized to establish that sewer and stormwater service could be provided to all areas that were being considered for UGB expansion. Neither of these draft plans, nor consultation with Clean Water Services staff, identified any parcels within the UGB study area as being comparatively more expensive or less efficient to service based on available data.

Findings:

1. The proposed UGB expansion areas can be efficiently served with water, sewer, stormwater and all other utilities.

Conclusion: The City and has complied with state requirements for public facilities and services per Statewide Land Use Planning Goal 11.

This Technical Report provides evidence that the lands within the 2012 Urban Growth Boundary area can be adequately served by urban infrastructure. The Applicant has also included a memo regarding infrastructure capacity demonstrating the site can be served and is timely for annexation included as Exhibit I.

(b) **URBAN SERVICES** means police; fire; school facilities; parks and recreation facilities; greenways and open spaces and other city-provided services.

Response: As noted above, the Applicant has coordinated with urban service providers including the Banks Fire Department, Banks School District, the Washington County Sheriff's office and Clean Water Services, none of whom have raised objections. Service provider letters from these agencies have been included in Exhibit G.

(c) **INFRASTRUCTURE** means sanitary sewer, water, storm drainage, and streets.

Response: An Infrastructure Demand Analysis has been included as Exhibit I. The project team has coordinated with Clean Water Services, the purveyors of sanitary sewer services and the agency responsible for stormwater design and review. The subject properties are capable of being developed in the future and there are no identified deficiencies within the City or CWS facilities that would preclude the ability for urban development consistent with the City's adopted comprehensive plan.

(d) **BE MADE AVAILABLE IN A TIMELY MANNER** means that improvements needed for an adequate level of urban services and infrastructures will be provided in a logical, economical, and efficient manner and are made available in accordance with the development agreement or other funding mechanism at the time of approval. Improvements for the needed infrastructure and urban services must be secured by a development agreement or other funding mechanism that places the primary economic burden on the annexed property and not on the city.

Response: The Applicant is aware that the need to extend services to the site will be the burden of the developer and understands that by approving this annexation petition the City is not accepting responsibility to extend and provide services. Any change in use or proposed construction must go through a land use application review and will be subject to Conditions of Approval that may require infrastructure improvements. The Infrastructure Demand Analysis (Exhibit I) provided by the Applicant as well as the correspondence from the service providers shows that infrastructure is immediately available and supports the requested annexation.

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- (2) Sufficient planning and engineering data must be provided, and all necessary studies and reviews must be completed in such a manner that there are no unresolved issues regarding development of the annexation property. It may not be timely to annex property if the appropriateness of the proposed use could be altered by plans or studies that are underway, or are needed, to update, clarify, or provide additional specificity to the property use. Examples of needed studies may include, but are not limited to, public infrastructure plans, buildable lands inventories, area refinement plans, park study, or any related planning study pertaining to growth management.

Response: The Applicant is not aware of any studies that are underway that could result in the property not being appropriate for annexation. An Economic Analysis (Exhibit H) of the City has been provided to demonstrate the immediate need for additional Industrial land within the City showing that the requested petition for annexation is timely and necessary.

- (3) The Council may consider, at its discretion, any other factors that effect the timeliness or wisdom of any particular annexation petition.

Response: The Applicant understands this provision.

- (4) The burden for providing the findings and cost thereof for this section and §30.03 is placed upon the applicant.

Response: The Applicant understands this provision.

30.03 APPLICATION REQUIREMENTS.

An application for annexation must be made on forms provided by the Commission and must include the following material:

- (A) Written consent to the annexation signed by the requisite number of affected property owners, electors, or both within the area to be annexed, as provided by state law;

Response: All owners of the property sought to be annexed have signed their written consent to the application, as well as 50% of the electors within the area, consistent with state law.

- (B) A metes and bounds legal description or acceptable alternative legal description of the territory to be annexed as certified by the Washington County Assessor's office;

Response: A certified legal description from the Washington County Cartography staff has been included in Exhibits C and D.

- (C) The County Assessor's quarter section map(s) showing the proposed annexed area and adjacent city territory;

Response: A copy of the County Assessor's quarter section maps showing the proposed annexed area and adjacent city territory has been included in Exhibit J.

- (D) General land use plan indicating types and intensities of proposed development, transportation corridors, watercourses, significant natural features, open space, freeways and adjoining development;

Response: Exhibit A contains a plan that shows a proposed expansion to the existing lumber yard on the current Banks Lumber Company property. A Land Use application will be submitted at a later date for improvements to the existing Banks Lumber Company facility, though no actual development is proposed with this annexation application. The proposed annexation is needed to allow for the future storage of lumber materials and will primarily be a paved storage yard in the short term. Again, this will require approval of a separate land use application.

(E) A detailed statement of overall development concept and methods by which physical and related social environment of the site, surrounding area, and community will be enhanced;

Response: Exhibit A contains a plan that shows a proposed expansion to the existing lumber yard on the current Banks Lumber Company property. The proposed annexation is needed to allow for the future storage of lumber materials and will primarily be a paved storage yard in the short term. As identified within the City's 2012 UGB expansion, the site is needed for the city to meet its 20 year supply of industrial property. The site will also assist the City with providing industrial opportunities consistent with Statewide Planning Goal 9. The proposed annexation of approximately 6.6 acres of industrial land will also assist the community with providing new job opportunities consistent with Statewide Planning Goal 9 and the goals articulated within the City's Economic Opportunity Analysis.

The additional industrial land will provide new industrial job opportunities. It would provide the Banks Lumber Company opportunity to expand their facilities. They intend to expand the milling operation on the existing property and utilize the expansion for relocated storage area for logs and allow for future expansion of operations. As required by land use review, development will occur consistent with existing City codes and standards which will assure the City vision as articulated within the comprehensive plan is realized.

(F) A detailed statement of additional facilities required to meet any increased demand and a plan for the phasing in of any such facilities in accordance with the projected demand;

Response: Based on analysis of the City's infrastructure conducted by AKS and Clean Water Services, no additional facilities are necessary beyond what is currently identified within the City's comprehensive plan and adopted facility plans. At the time of development, the City of Banks and Clean Water Services will review specific development proposals to assure that adequate capacity exists within existing facilities and will require construction of new infrastructure as development dictates.

(G) A detailed statement outlining method and source of financing required will be made available in a timely manner to the hearing body to show how the applicant plans to provide any required additional facilities;

Response: No additional facilities or infrastructure are necessary at this time.

(H) A detailed statement of availability, capacity, and status of existing water, sewer, drainage, transportation, park and school facilities;

Response: The water, sanitary sewer and stormwater needed for urbanization of the property have been analyzed and articulated within the infrastructure memo included in Exhibit I.

- (I) Comprehensive narrative of potential negative physical, aesthetic, and related social effects of the proposed development on the community as a whole and on the smaller subcommunity or neighborhood that it will become a part of; and proposed actions to mitigate the effects;

Response: Construction of new industrial buildings, and an increase in industrial activity can have negative effects on adjacent property if not managed. Construction activities will occur consistent with City requirements during hours of the day deemed appropriate by the City of Banks. Development of the site with additional impervious area could result in additional stormwater runoff and negative effects to waterways and waterbodies adjacent the area. Development of the site will be conducted consistent with Clean Water Services requirements assuring that water quality of stormwater runoff will be treated prior to release. Prior to development of any property within the subject area the Applicant will need to demonstrate to the City that the transportation system operates consistent with its designed intent and within the thresholds established within the City's adopted Transportation System Plan (TSP), should the proposed development result in impacts that are beyond these thresholds, the Applicant will be required to construct improvements necessary to mitigate the impacts through the imposition of Conditions of Approval.

- (J) Narrative demonstrating need for the urban development proposed for the annexation area; need should be demonstrated based upon a factual analysis of the following factors:

- (1) Availability within the current city limits of undeveloped land designated for proposed urban development;

Response: An Economic Analysis has been provided in Exhibit H that demonstrates the need for the proposed annexation. The City has less than one acre of exiting developable Industrial land within the existing City limits. The analysis concludes that additional land is needed within the City to meet the community's immediate needs.

- (2) Analysis of immediate, short-term (1 to 5 years) demand for proposed urban development; and

Response: An Economic Analysis has been provided in Exhibit H that demonstrates the need for the proposed annexation. The City has less than one acre of exiting developable Industrial land within the existing City limits. Based on two previous Economic Opportunity Analyses there is demand for 9 to 16 net acres within the next five years. The analysis concludes that this land is needed within the City to meet the community's immediate industrial needs.

- (3) Probable phasing of proposed urban development consistent with projected demand for the period that the annexation area is expected to be developed.

Response: The annexation of this property will provide the Banks Lumber Company opportunity to expand their facilities. They intend to expand the milling operation on the existing property and utilize the expansion for relocated storage area for logs and allow for future

expansion of operations. Banks Lumber Company has begun working with City Staff about the expansion within the existing boundaries and are aiming for summer construction. Relocation of the storage areas to the annexation site cannot occur until after the property is added to the City jurisdiction and can be proposed in a formal land use application. This application will be submitted as soon as the annexation is effective.

(K) List of property owners (printed on self-adhesive labels) within 300 feet of the exterior boundary of the annexation property; the list shall be based on the latest tax assessment records at the Washington County Department of Assessment and Taxation and legible scale drawing of the site.

Response: A list of the current property owners within 300 feet of the exterior boundary of the subject property has been included in this application submittal package as well as a set of mailing labels for noticing.

BANKS ZONING CODE

151.044 GENERAL INDUSTRIAL ZONE I.

- (A) *Uses permitted outright.* No building, structure, or land shall be used, and no building or structure shall hereafter be erected, enlarged, or altered in this zone, except for the following uses:...
- (1) Boat building;
 - (2) Book bindery;
 - (3) Bottling plant;
 - (4) Coffee roasting;
 - (5) Cold storage plant;
 - (6) Feed and seed processing and storage;
 - (7) Laboratories: experimental, dental, medical, photo, or motion picture, research or testing;
 - (8) Laundry or dry cleaning plant;
 - (9) Lumber yard;
 - (10) Manufacture, assembly, compounding, processing, packaging or treatment of the products as bakery goods, candy, cosmetics, dairy products, food and beverage products, electric and neon signs, billboards or commercial advertising structures, clothing, furniture, electrical goods, heating equipment, paper products (but not paper itself), tools and hardware, boxes, coffins, medicines, musical instruments, toys, novelties, rubber or metal stamps, optical goods, scientific and precision instruments or equipment, pottery and other similar ceramic products, sash and door, surgical instruments and dressings, artificial limbs, dentures, hearing aids and other devices employed by the medical and dental professions, electrical appliances, electronic instruments and devices, radios, phonographs, television;
 - (11) Planing mill;
 - (12) Plastics; molding of, including the manufacture or products thereof, provided all grinding operations are conducted within a building;
 - (13) Plumbing, electrical or general contractor and shop, including storage of contractors' equipment;
 - (14) Plywood sales;
 - (15) Public service and utility;
 - (16) Sheet metal, machine and welding shop;
 - (17) Vehicle and farm equipment repair;
 - (18) Veterinarian or animal hospital;
 - (19) Warehousing, distribution;
 - (20) Weaving of clothing, wool, flax, and other fibrous materials; and
 - (21) Accessory use of structure, including caretaker residence.

Response: Tax lot 602 is primarily zoned Industrial in the City of Banks. The Applicant has received land use approval for a property line adjustment, though the final survey has not been recorded. Ultimately, this annexation area will be proposed for expansion of the existing lumber mill, which is a permitted use in the Banks Industrial zone.

- (B) *Conditional uses permitted.* In this zone, the following uses and their accessory uses may be permitted conditional uses when in accordance with §§ 151.115 *et seq.*...

Response: No conditional uses are proposed or existing within the proposed annexation area.

-
- (C) *Lot dimensions.* There shall be no minimum dimensional requirements in this zone except as may be required to meet other provisions of this chapter such as setback and parking requirements.

Response: The lots in the proposed annexation area meet the lot dimensional standards of the Banks Industrial zone both before and after the proposed property line adjustment.

- (D) *Setback requirements.* Except as may otherwise be provided in § 151.097, the setbacks for nonresidential uses in this zone shall be as follows.

- (1) The front yard setback shall be 20 feet.
- (2) The side and rear yard setback shall be 20 feet when abutting a residential zone.
- (3) Setbacks are not required when side or rear property lines abut a railroad right-of-way.

Response: All existing buildings in the proposed annexation area meet the setback standards of the Banks Industrial zone both before and after the proposed property line adjustment.

- (E) *Height of buildings.* Except as otherwise provided in § 151.098, no building in this zone shall exceed a height of 3 stories or 35 feet, whichever is less.

Response: The existing building on tax lot 401 is less than the maximum of three stories or 35 feet.

- (F) *Additional requirements.* Additional requirements applicable to this zone include the provisions of §§ 151.060 *et seq.*

Response: No development is proposed; these standards do not apply.

151.025 ZONING OF ANNEXED AREAS.

- (A) Zoning regulations applicable to an area prior to annexation to the city shall continue to apply and shall be enforced by the city until a zone change for the area has been adopted by the City Council. The city may, in an ordinance annexing property to the city or ratifying annexation action of the Portland Metropolitan Area Boundary Commission, conduct. The proceedings as may be necessary to conform the zoning and land uses of the property to the requirements of the city's zoning code and comprehensive plan.

Response: The site is currently zoned Future Development 10 Acre District (FD-10) by Washington County. According the City of Banks UGB report, upon annexation the land shall automatically be zoned as illustrated on the Banks Comprehensive Plan map. This map is included in Exhibit F. The Applicant supports the Industrial designation which aligns with the Applicant's long range plan for expansion of the existing lumber mill facility.

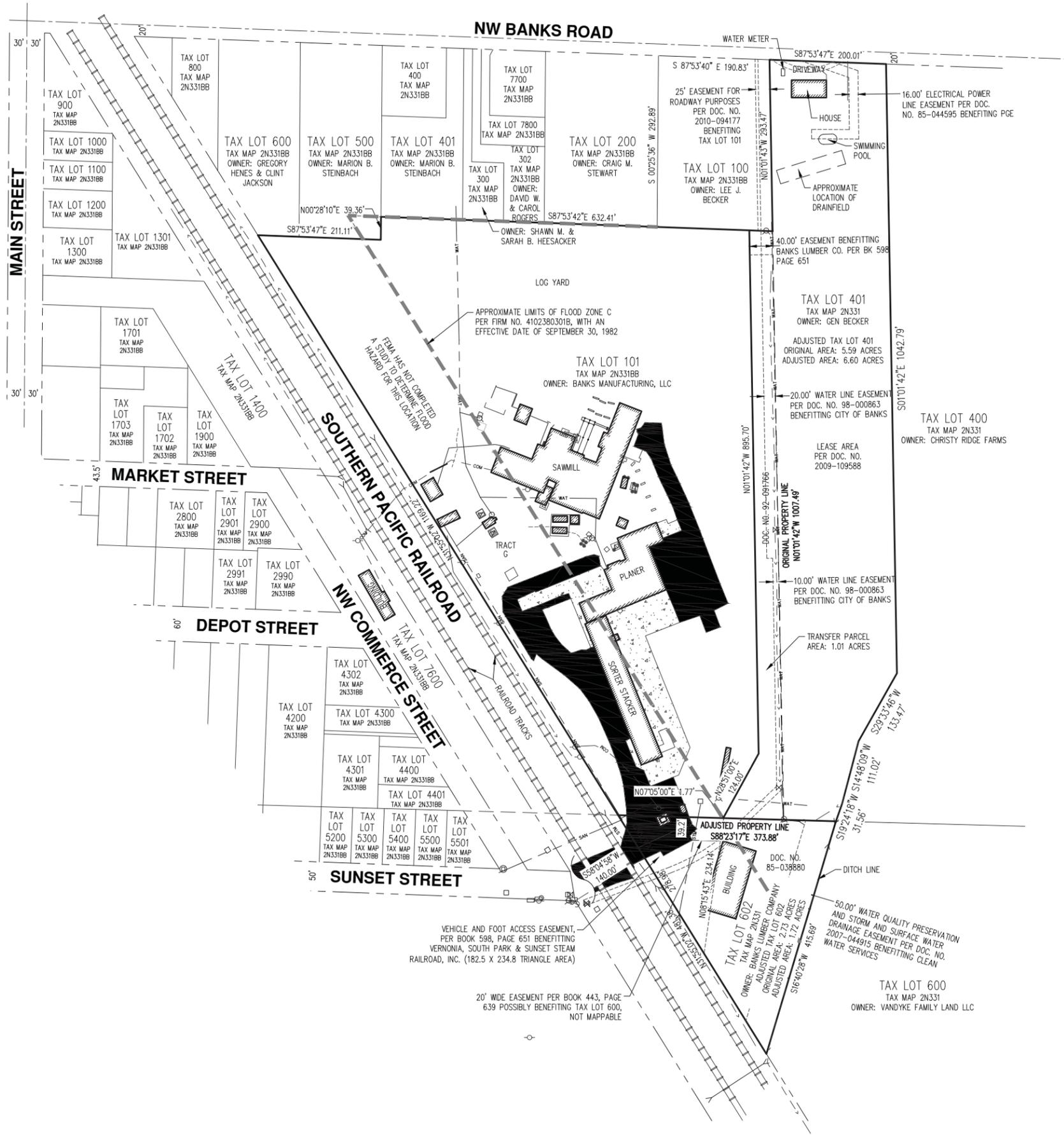
- (B) The Council may also by ordinance place the property or any part thereof in a zoning classification hereunder, provided the resolutions, ordinance, and notices required to be given in the annexation proceedings include a declaration of the city's intention to place the annexed property or the part thereof in the zoning classification.

Response: Consistent with this code provision, the Applicant requests that an Industrial zoning designation be applied concurrent with the annexation of the property, implementing the Comprehensive Plan Map designation of Industrial.

IV. CONCLUSION

The listed findings and accompanying documentation demonstrates that the proposal is consistent with the applicable provisions of the Urban Planning Area Agreement, the Banks Municipal Code, Oregon Revised Statutes 222, and the Banks Zoning Ordinance.

EXHIBIT A: LAND USE EXHIBITS AND MAPS



- NOTES:**
1. THE ATTACHED SURVEY IS PER THE EXISTING CONDITIONS PLAN BY K.L.S. SURVEYING INC. IT IS NOT THE INTENT OF THE STAMPING SURVEYOR TO SIGN ON BEHALF OF WORK DONE BY K.L.S. SURVEYING INC.
 2. THIS MAP DOES NOT CONSTITUTE A PROPERTY BOUNDARY SURVEY.
 3. SURVEY IS ONLY VALID WITH SURVEYOR'S STAMP AND SIGNATURE.
 4. CONTOUR INTERVAL IS 1 FOOT.
 5. TAX LOT 602 IS SUBJECT TO A 20 FOOT WIDE EASEMENT BENEFITING TAX LOT 600, PER BOOK 443, PAGE 693. NO LOCATION IS SPECIFIED.

AKS
 AKS ENGINEERING AND FORESTRY, LLC
 12965 SW HERMAN RD
 SUITE 100
 TUALATIN, OR 97062
 PHONE: 503.563.6151
 FAX: 503.563.6152
 www.aks-eng.com

ENGINEERING • SURVEYING
 FORESTRY • LANDSCAPE ARCHITECTURE

BANKS LUMBER COMPANY
 OREGON
 WASHINGTON COUNTY TAX MAPS 2N331, 2N331BB

BANKS
 TAX LOTS 101, 401, 602

PROPERTY LINE ADJUSTMENT PLAN

DESIGNED BY: _____
 DRAWN BY: MEB
 CHECKED BY: NSW
 SCALE: AS NOTED
 DATE: _____

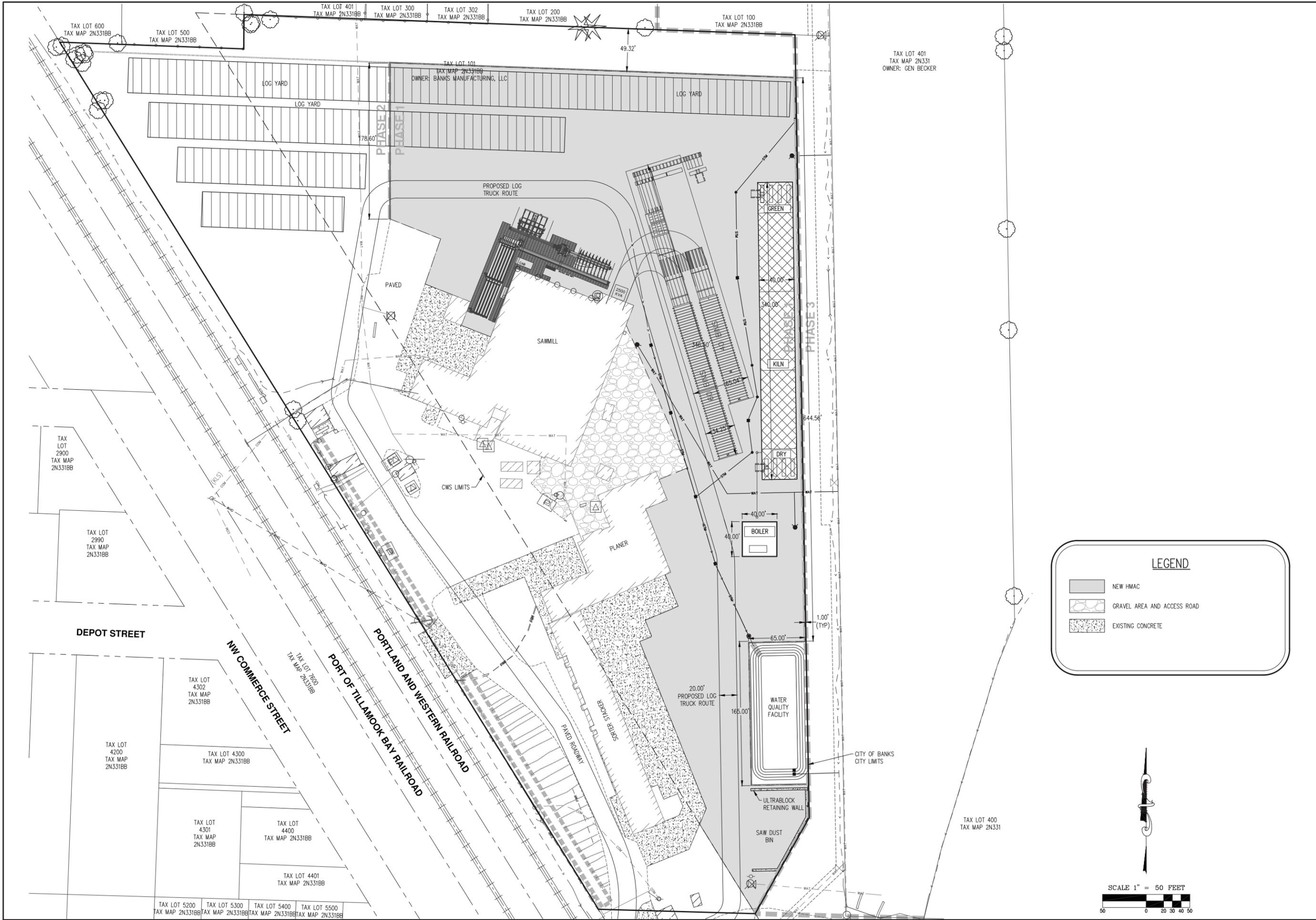
REGISTERED PROFESSIONAL LAND SURVEYOR
 OREGON
 JANUARY 9, 2007
 NICK WHITE
 70652LS
 RENEWS: 6/30/16

REVISIONS

JOB NUMBER
 4190

SHEET
 1 OF 1





LEGEND

- NEW HMAC
- GRAVEL AREA AND ACCESS ROAD
- EXISTING CONCRETE

SCALE 1" = 50 FEET

CITY OF BANKS
CITY LIMITS

AKS
 AKS ENGINEERING AND FORESTRY, LLC
 12965 SW HERMAN RD
 SUITE 100
 TUALATIN, OR 97062
 PHONE: 503.563.6151
 FAX: 503.563.6152
 www.aks-eng.com

BANKS LUMBER COMPANY
 OREGON
 WASHINGTON COUNTY TAX MAPS 2N331, 2N331BB
 BANKS
 TAX LOTS 101, 401, 602

**PRELIMINARY PHASE I
 SITE PLAN**

DESIGNED BY: DS
 DRAWN BY: DS
 CHECKED BY: PAS
 SCALE: AS NOTED
 DATE: 03-05-2015

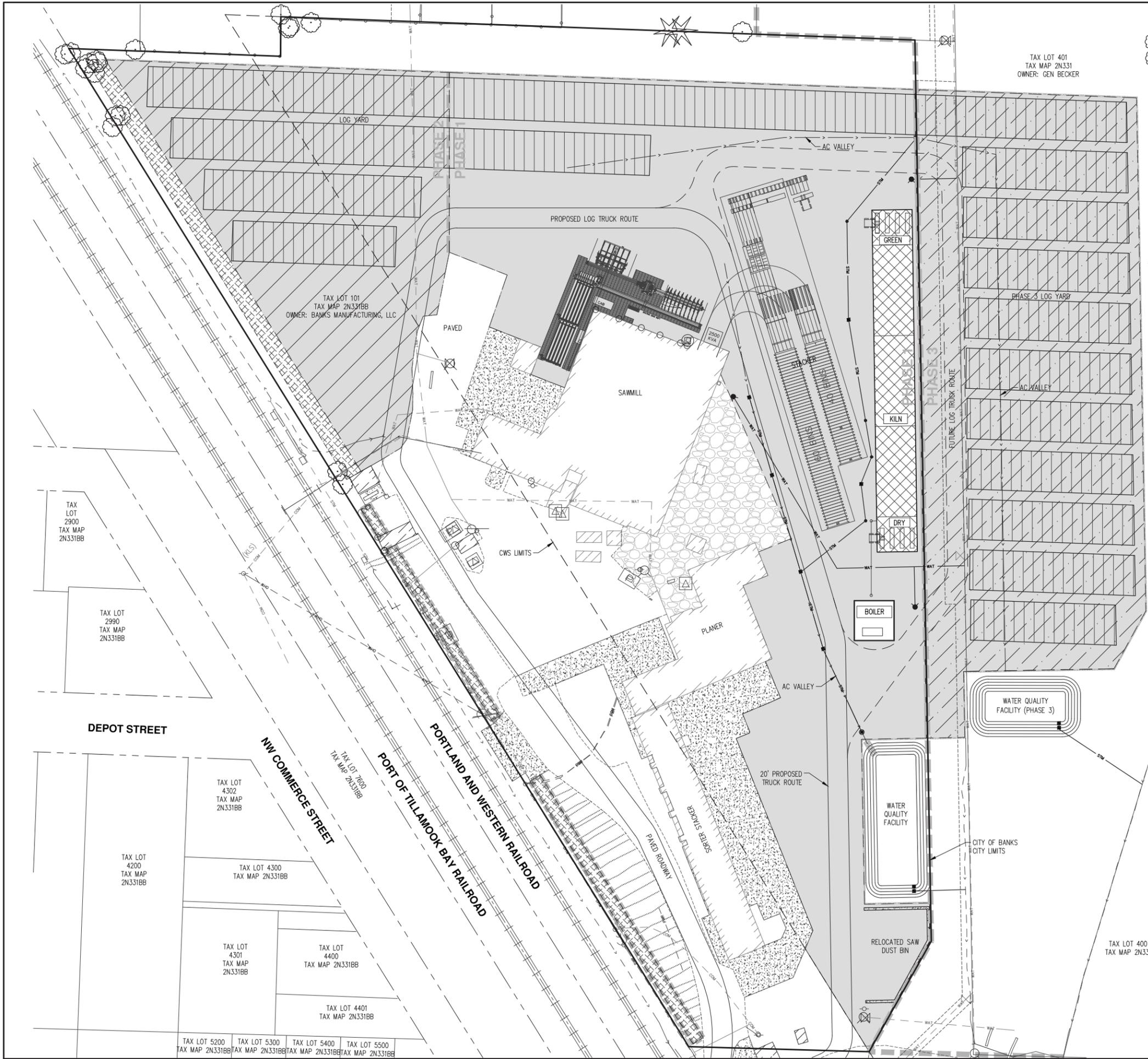
**PRELIMINARY
 NOT FOR
 CONSTRUCTION**

REVISIONS

JOB NUMBER
4190

SHEET
P04

AKS DRAWING FILE: 4190_P4-SITE.DWG | LAYOUT: P04



LEGEND

- PHASE 1 - NEW HMA (PER PAVEMENT SECTION DETAIL)
- PHASE 2 - NEW HMA (PER PAVEMENT SECTION DETAIL)
- PHASE 3 - NEW HMA (PER PAVEMENT SECTION DETAIL)
- GRAVEL AREA AND ACCESS ROAD (PER GRAVEL SECTION DETAIL)
- EXISTING CONCRETE
- VEGETATED FILTER STRIP (PER DETAIL)



AKS
 ENGINEERING AND FORESTRY, LLC
 12965 SW HERMAN RD
 SUITE 100
 TUALATIN, OR 97062
 PHONE: 503.563.6151
 FAX: 503.563.6152
 www.aks-eng.com

BANKS LUMBER COMPANY
 OREGON
 WASHINGTON COUNTY TAX MAPS 2N331, 2N331BB
 TAX LOTS 101, 401, 602

PRELIMINARY MASTER SITE PLAN

DESIGNED BY: DS
 DRAWN BY: DS
 CHECKED BY: PAS
 SCALE: AS NOTED
 DATE: 03-05-2015

REGISTERED PROFESSIONAL ENGINEER
LELAND R. HUBLEY
 RENEWAL DATE: 6/30/15

JOB NUMBER
4190
 SHEET
EX1

AKS DRAWING FILE: 4190 PRELIMINARY SITE PLANNING | LAYOUT: P03

EXHIBIT B: PROPERTY TITLE INFORMATION



**First American
Title Company of Oregon**

Property Information Department
121 SW Morrison Street Suite 300 - Portland, OR 97204
Phone: 503.219.TRIO (8746) Fax: 503.790.7872
Email: pid.portland@firstam.com
Today's Date : 11/14/2014

OWNERSHIP INFORMATION

Owner	: Becker Gen Living Trust	Bldg #	1	Of	1
CoOwner	:	Ref Parcel Number	: 2N33100 00401		
Site Address	: 41940 NW Banks Rd Banks 97106	Parcel Number	: R0800084		
Mail Address	: 41940 NW Banks Rd Banks Or 97106	T: 02N	R: 03W	S: 31	Q: QQ:
Telephone	:	County	: Washington (OR)		

PROPERTY DESCRIPTION

Map Page Grid : 531 J4
Census Tract : 335.00 Block: 2
Neighborhood : YRIN
Subdivision/Plat :
School District : Banks
Building Use : Single Family Res
Land Use : 5015 Agr,Farm Zone,Not Spec Assd,Imp
Legal : ACRES 5.00
:
:

ASSESSMENT AND TAX INFORMATION

Mkt Land : \$256,250
Mkt Structure : \$71,310
Mkt Total : \$327,560
%Improved : 22
M50AssdTotal : \$221,990
Levy Code : 01315
13-14 Taxes : \$2,944.95
Millage Rate : 13.2662
Zoning : FD-10

PROPERTY CHARACTERISTICS

Bedrooms	: 4	Year Built	: 1974	Patio SqFt	:
Bathrooms	: 3.00	EffYearBlt	: 1974	Deck SqFt	: 348
Heat Method	: Forced	BsmFin SF	: 896	ExtFinish	: Wood Std Shtg
Foundation	: Concrete Ftg	BsmUnfinSF	:	Const Type	: Wd Studshtg
Lot Acres	: 5.00	BldgSqFt	: 2,144	Roof Shape	: Gable
Lot SqFt	: 217,800	1stFlrSF	: 1,248	Roof Matl	: Comp Shingle
Garage Type	: Basement	UpperFISF	:	Porch SqFt	:
Garage SF	: 288	Attic SqFt	:	Paving Matl	:

TRANSFER INFORMATION

Owner Name(s)	Sale Date	Doc#	Sale Price	Deed Type	Loan Amount	Loan Type
:Becker Gen Living Trust	:01/27/2014	4485	:	:Bargain &	:	:
:Becker Gen/Lee J	:03/12/2012	18356	:	:Quit Clai	:	:
:Becker Donald E/Gen	:05/29/2007	59040	:	:Quit Clai	:	:
:Becker Gen/Lee	:07/03/2006	79506	:	:Quit Clai	:	:
:Becker Donald E/Gen Trust	:10/21/2004	122081	:	:Quit Clai	:	:
:Becker Donald E/Gen	:07/30/2003	125198	:	:Quit Clai	:\$297,000	:Conven

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.

Washington County, Oregon
01/27/2014 02:40:43 PM
D-DBS Cnt=1 Stn=11 C WHITE
\$15.00 \$5.00 \$11.00 \$20.00 - Total = \$51.00

2014-004485

AFTER RECORDING RETURN TO:
STEPHANIE M. LOMMEN
ATTORNEY AT LAW
2026 PACIFIC AVENUE.
FOREST GROVE, OR 97116

ADDRESS OF GRANTORS & GRANTEES AND
SEND TAX STATEMENTS TO:
GEN BECKER, TRUSTEE
GEN BECKER LIVING TRUST DTD 1-23-2014
41940 NW BANKS RD.
BANKS, OR 97106



01912273201400044850030032

I, Richard Hobernicht, Director of Assessment and
Taxation and Ex-Officio County Clerk for Washington
County, Oregon, do hereby certify that the within
instrument of writing was received and recorded in the
book of records of said county.

Richard Hobernicht, Director of Assessment and
Taxation, Ex-Officio County Clerk



BARGAIN AND SALE DEED

GEN BECKER, individually, as the surviving spouse of DONALD E. BECKER and GEN BECKER, as the sole trustee of the DONALD E. & GEN BECKER REVOC LIVING TRUST, and LEE BECKER, individually, Grantors, hereby convey to GEN BECKER, Trustee or the successor Trustee in Trust under the GEN BECKER LIVING TRUST, dated January 23, 2014, and any amendments thereto, Grantee, all of the the Grantors' right, title, and interest in and to the real property situated in Washington County, Oregon and more particularly described on the attached Exhibit A.

The property is free of encumbrances except for all covenants, conditions, restrictions and easements of record.

The true consideration for this conveyance is \$0. The purpose of this Bargain and Sale Deed is for estate planning purposes to transfer all of Grantors' right, title, and interest in the property described above to the GEN BECKER LIVING TRUST.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5

TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this ____ day of January 2014.

GRANTORS:

Gen Becker
GEN BECKER, Individually

Gen Becker
GEN BECKER, Trustee of the
Donald E & Gen Becker Revoc
Living Trust

Lee Becker
LEE BECKER, Individually

STATE OF OREGON)
) ss.
County of Washington)

Jan. 23, 2014

Personally appeared the above named Gen Becker, individually and as Trustee of the Donald E. & Gen Becker Revoc Living Trust and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me:

Stephanie M. Lommen
Notary Public for Oregon



STATE OF OREGON)
) ss.
County of Washington)

January 24, 2014

Personally appeared the above named Lee Becker, individually and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me:

[Signature]
Notary Public for Oregon

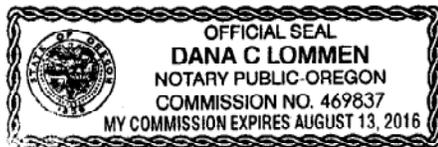


EXHIBIT A

Beginning at a point on the North line of Section 31, Township 2 North, Range 3 West of the Willamette Meridian, in the County of Washington and State of Oregon, which bears North 88° 17' West 1279.5 feet from the one-quarter corner on the North line of said Section, said point of beginning being the Northwest corner of that tract of land conveyed to Ernest Behrman, et ux, by Deed in Deed Book 324 page 473; thence South 88° 17' East 200.00 feet along the North line of said Section 31; thence South 1° 20' East 980 feet, more or less, parallel to the West line of said Behrman property to the center of a creek; thence Southwesterly 350 feet, more or less, along the center of the creek to the South line of the North one-half of the Northwest one-quarter of said Section 31; thence North 88° 49' West 80.0 feet; more or less, along the said South line to the Southwest corner of the aforementioned Behrman tract; thence North 1° 20' West 1322.3 feet along the West line of said Behrman tract to the point of beginning.



**First American
Title Company of Oregon**

Property Information Department
121 SW Morrison Street Suite 300 - Portland, OR 97204
Phone: 503.219.TRIO (8746) Fax: 503.790.7872
Email: pid.portland@firstam.com
Today's Date : 11/14/2014

OWNERSHIP INFORMATION

Owner	: Banks Lumber Co	Bldg #	Of
CoOwner	:	Ref Parcel Number	: 2N33100 00602
Site Address	: 42060 NW Sunset Ave Banks 97106	Parcel Number	: R0800155
Mail Address	: PO Box 8 Banks Or 97106	T: 02N	R: 03W S: 31 Q: QQ:
Telephone	:	County	: Washington (OR)

PROPERTY DESCRIPTION

Map Page Grid : 531 J2
Census Tract : 335.00 Block: 2
Neighborhood : YRIN
Subdivision/Plat :
School District : Banks
Building Use :
Land Use : 3000 Vacant,Industrial
Legal : ACRES 1.20, CODE SPLIT
:
:

ASSESSMENT AND TAX INFORMATION

Mkt Land : \$117,620
Mkt Structure :
Mkt Total : \$117,620
%Improved :
M50AssdTotal : \$34,660
Levy Code : 01325
13-14 Taxes : \$609.54
Millage Rate : 17.5862
Zoning :

PROPERTY CHARACTERISTICS

Bedrooms	:	Year Built	:	Patio SqFt	:
Bathrooms	:	EffYearBlt	:	Deck SqFt	:
Heat Method	:	BsmFin SF	:	ExtFinish	:
Foundation	:	BsmUnfinSF	:	Const Type	:
Lot Acres	: 1.20	BldgSqFt	:	Roof Shape	:
Lot SqFt	: 52,272	1stFlrSF	:	Roof Matl	:
Garage Type	:	UpperFISF	:	Porch SqFt	:
Garage SF	:	Attic SqFt	:	Paving Matl	:

TRANSFER INFORMATION

Owner Name(s)	Sale Date	Doc#	Sale Price	Deed Type	Loan Amount	Loan Type
:Banks Lumber Co	:		:\$21,000	:	:	:
:	:		:	:	:	:
:	:		:	:	:	:
:	:		:	:	:	:
:	:		:	:	:	:
:	:		:	:	:	:
:	:		:	:	:	:

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.



**First American
Title Company of Oregon**

Property Information Department
121 SW Morrison Street Suite 300 - Portland, OR 97204
Phone: 503.219.TRIO (8746) Fax: 503.790.7872
Email: pid.portland@firstam.com
Today's Date : 11/14/2014

OWNERSHIP INFORMATION

Owner	: Banks Lumber Co	Bldg #	Of
CoOwner	:	Ref Parcel Number	: 2N33100 00602
Site Address	: 42060 NW Sunset Ave Banks 97106	Parcel Number	: R2120310
Mail Address	: PO Box 8 Banks Or 97106	T: 02N	R: 03W S: 31 Q: QQ:
Telephone	:	County	: Washington (OR)

PROPERTY DESCRIPTION

Map Page Grid : 531 J2
Census Tract : 335.00 Block: 2
Neighborhood : YRIN
Subdivision/Plat :
School District : Banks
Building Use :
Land Use : 3000 Vacant,Industrial
Legal : ACRES 1.70, CODE SPLIT
:
:

ASSESSMENT AND TAX INFORMATION

Mkt Land : \$166,620
Mkt Structure :
Mkt Total : \$166,620
%Improved :
M50AssdTotal : \$48,870
Levy Code : 01319
13-14 Taxes : \$859.43
Millage Rate : 17.5862
Zoning : I

PROPERTY CHARACTERISTICS

Bedrooms	:	Year Built	:	Patio SqFt	:
Bathrooms	:	EffYearBlt	:	Deck SqFt	:
Heat Method	:	BsmFin SF	:	ExtFinish	:
Foundation	:	BsmUnfinSF	:	Const Type	:
Lot Acres	: 1.70	BldgSqFt	:	Roof Shape	:
Lot SqFt	: 74,052	1stFlrSF	:	Roof Matl	:
Garage Type	:	UpperFISF	:	Porch SqFt	:
Garage SF	:	Attic SqFt	:	Paving Matl	:

TRANSFER INFORMATION

Owner Name(s)	Sale Date	Doc#	Sale Price	Deed Type	Loan Amount	Loan Type
:Banks Lumber Co	:07/16/2007	77811	MU :	:Bargain &	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.

7 2

EXHIBIT A

Parcel I:

Beginning at the Southeast corner of the Northwest quarter of Section 31, Township 2 North, Range 3, West of the Willamette Meridian, in Washington County, Oregon, and running thence North 19.80 chains to a stone; thence West on the North line of the tract conveyed to Cyril Van Dyke et ux by deed in Deed Book 305, page 563, a distance of 1169 feet to the center of the ditch, the true place of beginning; thence continuing West on the North line of said Van Dyke tract and that tract conveyed to said Van Dykes by deed book 303, page 425, to the Northeasterly line of the right of way of the Spokane, Portland and Seattle Railway Company; thence Southeasterly along the Northeasterly right of way line of said railroad company 483 feet, more or less, to the point of intersection of said ditch with the Northeasterly right of way line of said railroad company; thence Northeasterly along the center of said ditch to the place of beginning.

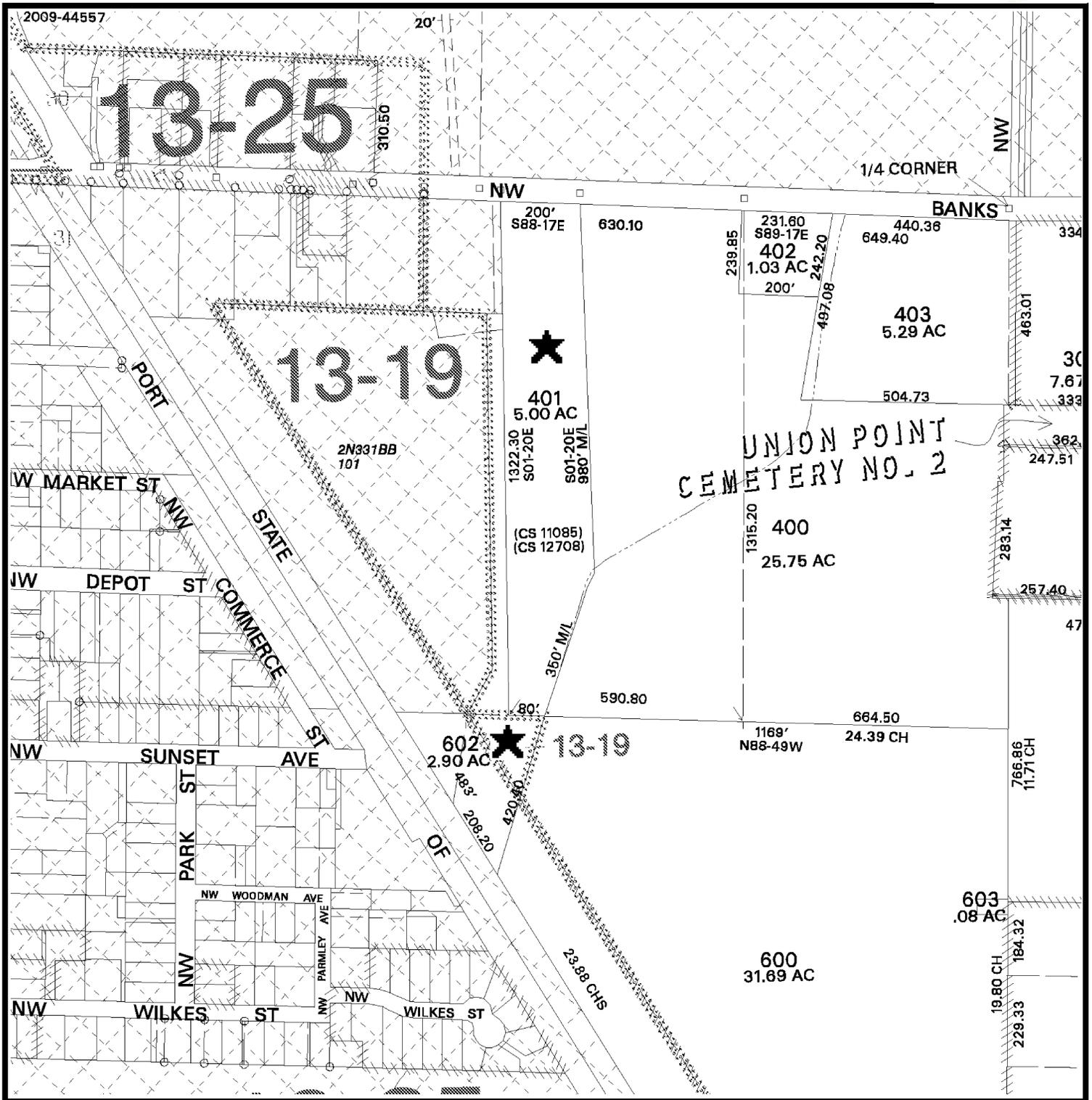
EXCEPTING THEREFROM that certain tract conveyed to Vernonia, South Park & Sunset Steam Railroad, Inc. by deed recorded May 3, 1966, in Book 598, Page 651, Records of Washington County, Oregon.

Parcel II:

That portion of Section 31, Township 2 North, Range 3 West of the Willamette Meridian, in the County of Washington and State of Oregon, described as follows:

Beginning at the Southeast corner of the Northwest quarter of said Section 31, running thence North 19.80 chains to a stone; thence West on the North line of that tract conveyed to Cyril VanDyke, et ux, by Deed in Deed Book 305, page 563, a distance of 1,169 feet to the center of the ditch, the true place of beginning; thence continuing North 88°49' West a distance of 94 feet to a point which was marked by a stone corner on a survey of October 1923; thence North 01°20' West a distance of 1,007.3 feet; thence North 88°17' West, a distance of 40 feet to a point; thence South 01°20' East, a distance of 895.7 feet to a point; thence South 28°51' West 124 feet to a point; thence South 07°50' West a distance of 234.8 feet to a point in the Northeasterly line of the right of way of the S P & S Railway; thence Southeasterly along said right of way South 32°18' East, a distance of 208.2 feet to a point; thence in a line North 15°50' East 420.4 feet to the place of beginning.

Reference Parcel #: 2N33100 00401



First American
Title Company of Oregon

Property Information Department
 121 SW Morrison Street Suite 300 Portland, OR 97204
 Phone: 503.219.TRIO (8746) Fax: 503.790.7872
 Email: pid.portland@firstam.com

EXHIBIT C: APPLICATION FORMS, PETITIONS, AND CERTIFICATIONS



**CERTIFICATION OF REGISTERED VOTERS
FOR ANNEXATION PURPOSES***

I hereby certify that the attached petition for the annexation of the territory listed herein to the CITY OF BANKS contains, as of the date listed, the following information:

- 2 Number of signatures of individuals on petition.
- 4 Number of active **registered voters** within the territory to be annexed.
- 4 Number of **VALID signatures of active registered voters** within the territory to be annexed, on the petition.

Tax lot number(s): 2N3310000401 41940 NW BANKS RD

DIVISION: ELECTIONS
 COUNTY: WASHINGTON
 DATE: March 5, 2015
 NAME: Angie Muller
 TITLE: Administrative Specialist II



Angie Muller
 (Signature of Election Official)

*This 'Certification of Registered Voters for Annexation Purposes' DOES NOT, in any way, make the determination if this petition meets the annexation requirements of the city/district listed.

Annexation certification sht rev4-043009

Stacey Goldstein
City of Banks Planning
13680 NW Main Street
Banks, Oregon 97106

Re: Written Consent to Annex Land

Dear Stacey:

Gen Becker Living Trust hereby requests that Tax Lots 2N331 00401, account R800084 be annexed to the City of Banks. This letter serves as written consent to annex the land as required by Ordinance 102500 Section 3.A.

Attached is the Annexation Application, and advance deposit of \$2,500 for anticipated staff costs, a list of all property owners within 300 feet of the annexation property, and a legible scale drawing of the site. Also attached are 12 copies of the other information required by this ordinance.

Sincerely,



Gen Becker
Gen Becker Living Trust

Banks Lumber Co.



November 14, 2014

Stacey Goldstein
City of Banks Planning
13680 NW Main Street
Banks, Oregon 97106

Re: Written Consent to Annex Land

Dear Stacey:

Banks Lumber hereby requests that Tax Lot 2N331 00602, accounts R800155 and R2120310 be annexed to the City of Banks. This letter serves as written consent to annex the land as required by Ordinance 102500 Section 3.A.

Attached is the Annexation Application, and advance deposit of \$2,500 for anticipated staff costs, a list of all property owners within 300 feet of the annexation property, and a legible scale drawing of the site. Also attached are 12 copies of the other information required by this ordinance.

Sincerely,

A handwritten signature in black ink, appearing to be 'S. Goldstein'.

PO Box 8
162 Commerce St.
Banks, OR 97106
(503) 324 - 2681

Stacey Goldstein
City of Banks Planning
13680 NW Main Street
Banks, Oregon 97106

Re: Written Consent to Annex Land

Dear Stacey:

Lee Becker hereby requests that Tax Lots 2N331 00401, account R800084 be annexed to the City of Banks. This letter serves as written consent to annex the land as required by Ordinance 102500 Section 3.A.

Attached is the Annexation Application, and advance deposit of \$2,500 for anticipated staff costs, a list of all property owners within 300 feet of the annexation property, and a legible scale drawing of the site. Also attached are 12 copies of the other information required by this ordinance.

Sincerely,

A handwritten signature in black ink that reads "Lee Becker". The signature is written in a cursive style with a large, prominent initial "L".



ANNEXATION APPLICATION

NAME OF APPLICANT: AKS Engineering and Forestry, LLC
ADDRESS: 12965 SW Herman Road, Suite 100, Tualatin, OR 97062
PHONE NO: 503-563-6151 EMAIL ADDRESS mimid@aks-eng.com
SIGNATURE: _____
DATE: _____ DO YOU OWN THE PROPERTY? YES ___ NO X

NAME OF OWNER*: (if different than applicant) Banks Lumber Company
ADDRESS: 13662 NW Commerce Street, Banks, OR 97106
PHONE NO: 503-324-2681 EMAIL ADDRESS dan@bankslumber.com
SIGNATURE: *Dan*
DATE: 11/14/14

* "Owner" means any person shown as the owner of land on the last available assessment roll; however, where such person no longer holds the title to the property, then the term means any person entitled to be shown as owner of the land on the next assessment roll; or, where land is subject to a written agreement of sale, the term means any person shown in the agreement as purchaser to the exclusion of the seller; and the term includes any public agency owning land.

Municipal Ordinance No. 102500 (attached) establishes policies and procedures for annexing land into the City of Banks. In order to be eligible for annexation, the proposed annexation area must be contiguous to the existing city limits and located within the Banks Urban Growth Boundary. You should also know that the City Charter requires a referendum to approve the annexation. A summary of the City's annexation process is attached.

In addition, City Resolution #2006-22 (attached) requires an application fee deposit for major and minor annexations. Major annexations, which are defined as annexations of two acres or larger in area, requires an advance deposit against anticipated staff cost of \$2,500 of which \$500 is non-refundable. Minor annexations, which are defined as annexations of land less than two acres in area, requires an advance deposit against anticipated staff cost of \$1,000 of which \$500 is non-refundable.



ANNEXATION APPLICATION

NAME OF APPLICANT: AKS Engineering and Forestry, LLC
ADDRESS: 12965 SW Herman Road, Suite 100, Tualatin, OR 97062
PHONE NO: 503-563-6151 EMAIL ADDRESS mimid@aks-eng.com
SIGNATURE: _____
DATE: _____ DO YOU OWN THE PROPERTY? YES ___ NO X

NAME OF OWNER*: (if different than applicant) Gen Becker Living Trust
ADDRESS: 41940 NW Banks Road, Banks, OR 97106
PHONE NO: 503-324-1170 EMAIL ADDRESS _____
SIGNATURE Gen Becker
DATE: 11-24-2014

* "Owner" means any person shown as the owner of land on the last available assessment roll; however, where such person no longer holds the title to the property, then the term means any person entitled to be shown as owner of the land on the next assessment roll; or, where land is subject to a written agreement of sale, the term means any person shown in the agreement as purchaser to the exclusion of the seller; and the term includes any public agency owning land.

Municipal Ordinance No. 102500 (attached) establishes policies and procedures for annexing land into the City of Banks. In order to be eligible for annexation, the proposed annexation area must be contiguous to the existing city limits and located within the Banks Urban Growth Boundary. You should also know that the City Charter requires a referendum to approve the annexation. A summary of the City's annexation process is attached.

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CERTIFICATION OF LEGAL DESCRIPTION AND MAP

I hereby certify that the description of the property included within the attached petition (located on Assessor's Map 2N331) has been checked by myself, and it is a true and exact description of the property in Washington County under consideration. The description corresponds to the attached map indicating the property in Washington County under consideration.

NAME TED FOSTER

TITLE GIS TECH

DEPARTMENT CARTOGRAPHY

DATE 1/26/15

ANNEXATION CERTIFIED

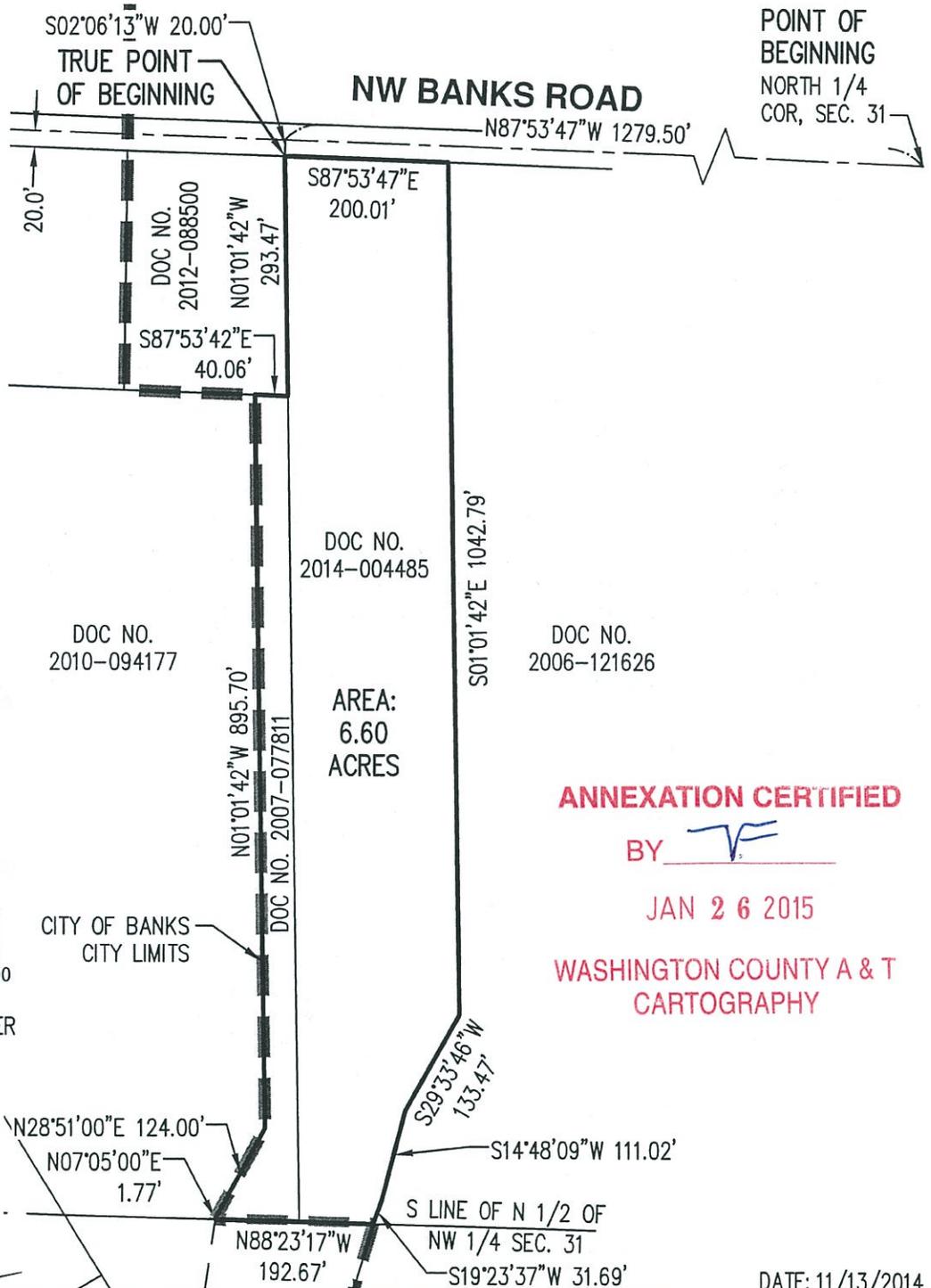
BY TF

JAN 26 2015

**WASHINGTON COUNTY A & T
CARTOGRAPHY**

EXHIBIT B

A TRACT OF LAND LOCATED IN THE NORTHWEST 1/4 OF SECTION 31, TOWNSHIP 2 NORTH, RANGE 3 WEST, CITY OF BANKS, WASHINGTON COUNTY, OREGON



ANNEXATION CERTIFIED
 BY VF
JAN 26 2015
WASHINGTON COUNTY A & T
CARTOGRAPHY

DOC NO. DOCUMENT NUMBER PER WASHINGTON COUNTY DEED RECORDS

11/13/2014
REGISTERED PROFESSIONAL LAND SURVEYOR

Robert D. Rettig
OREGON
 JANUARY 11, 2005
 ROBERT D. RETTIG
 60124LS

RENEWS: 12/31/14

PREPARED FOR
 BANKS LUMBER COMPANY
 162 NE COMMERCE STREET
 BANKS, OR 97106

DATE: 11/13/2014

BANKS LUMBER COMPANY		
DRAWN BY: MEB	CHECKED BY: RDR	DWG: 4190 20141113 EXHB
AKS ENGINEERING & FORESTRY, LLC		JOB: 4190
12965 SW HERMAN RD	SUITE 100	
TUALATIN, OR 97062	www.aks-eng.com	
PHONE: 503.563.6151	FAX: 503.563.6152	





AKS ENGINEERING & FORESTRY, LLC
 12965 SW Herman Road, Suite 100, Tualatin, OR 97062
 P: (503) 563-6151 F: (503) 563-6152

AKS Job No. 4190

OFFICES IN: TUALATIN, OR - VANCOUVER, WA - SALEM, OR

EXHIBIT A

A tract of land located in the Northwest One-Quarter of Section 31, Township 2 North, Range 3 West, Willamette Meridian, Washington County, Oregon and being more particularly described as follows:

Beginning at the North One-Quarter corner of Section 31, Township 2 North, Range 3 West of the Willamette Meridian, in the County of Washington and State of Oregon; thence along the North line of said Section 31 North 87°53'47" West 1279.50 feet to a point; thence South 02°06'13" West 20.00 feet to the South right-of-way line of NW Banks Road and the **True Point of Beginning**; thence along said South line South 87°53'47" East 200.01 feet to a point; thence leaving said South line South 01°01'42" East 1,042.79 feet to a point; thence South 29°33'46" West 133.47 feet to a point; thence South 14°48'09" West 111.02 feet to a point; thence South 19°23'37" West 31.69 feet to a point on the South line of the north one-half of the Northwest one-quarter of said Section 31 and the City of Banks city limits; thence along said South line and said city limits North 88°23'17" West 192.67 feet to a point; thence North 07°05'00" East 1.77 feet to a point; thence North 28°51'00" East 124.00 feet to a point; thence North 01°01'42" West 895.70 feet to a point on the South line of Document Number 2012-088500; thence leaving said city limits and along said South line South 87°53'42" East 40.06 feet to a point to the Southeast corner thereof; thence along the East line of said Document North 01°01'42" West 293.47 feet to the **True Point of Beginning**.

The above described tract of land contains 6.60 acres, more or less.

11/13/2014



RENEWS: 12/31/14

ANNEXATION CERTIFIED

BY RF

JAN 26 2015

WASHINGTON COUNTY A & T
CARTOGRAPHY

CERTIFICATION OF PROPERTY OWNERSHIP OF

AT LEAST ONE-HALF LAND AREA

(DOUBLE MAJORITY METHOD)

I hereby certify that the attached description for a proposed boundary change involving the territory described in the petition contains the names of the owners* of at least one-half of the land area within the annexation area described in the petition, as shown on the last available complete assessment roll for Washington County.

NAME TED FOSTER

TITLE GIS TECH

DEPARTMENT CARTOGRAPHY

DATE 1/26/15

* "Owner" means any person shown as the owner of land on the last available assessment roll; however, where such person no longer holds the title to the property, then the term means any person entitled to be shown as owner of the land on the next assessment roll; or, where land is subject to a written agreement of sale, the term means any person shown in the agreement as purchaser to the exclusion of the seller; and the term includes any public agency owning land.

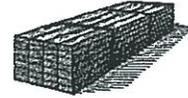
ANNEXATION CERTIFIED

BY TF

JAN 26 2015

**WASHINGTON COUNTY A & T
CARTOGRAPHY**

Banks Lumber Co.



November 21, 2014

Stacey Goldstein
City of Banks Planning
13680 NW Main Street
Banks, Oregon 97106

Re: Written Consent to Annex Land

Dear Stacey:

Gen Becker Living Trust hereby requests that Tax Lots 2N331 00401, account R800084 be annexed to the City of Banks. This letter serves as written consent to annex the land as required by Ordinance 102500 Section 3.A.

Attached is the Annexation Application, and advance deposit of \$2,500 for anticipated staff costs, a list of all property owners within 300 feet of the annexation property, and a legible scale drawing of the site. Also attached are 12 copies of the other information required by this ordinance.

Sincerely,

A handwritten signature in black ink, appearing to read "Stacey".

ANNEXATION CERTIFIED

BY VF

JAN 26 2015

**WASHINGTON COUNTY A & T
CARTOGRAPHY**

PO Box 8
162 Commerce St.
Banks, OR 97106
(503) 324 - 2681



ANNEXATION APPLICATION

NAME OF APPLICANT: AKS Engineering and Forestry, LLC
ADDRESS: 12965 SW Herman Road, Suite 100, Tualatin, OR 97062
PHONE NO: 503-563-6151 EMAIL ADDRESS mimid@aks-eng.com
SIGNATURE: _____
DATE: _____ DO YOU OWN THE PROPERTY? YES ___ NO X

NAME OF OWNER*: (if different than applicant) Gen Becker Living Trust
ADDRESS: 41940 NW Banks Road, Banks, OR 97106
PHONE NO: 503-324-1170 EMAIL ADDRESS _____
SIGNATURE Gen Becker
DATE: 11-24-2014

* "Owner" means any person shown as the owner of land on the last available assessment roll; however, where such person no longer holds the title to the property, then the term means any person entitled to be shown as owner of the land on the next assessment roll; or, where land is subject to a written agreement of sale, the term means any person shown in the agreement as purchaser to the exclusion of the seller; and the term includes any public agency owning land.

Municipal Ordinance No. 102500 (attached) establishes policies and procedures for annexing land into the City of Banks. In order to be eligible for annexation, the proposed annexation area must be contiguous to the existing city limits and located within the Banks Urban Growth Boundary. You should also know that the City Charter requires a referendum to approve the annexation. A summary of the City's annexation process is attached.

In addition, City Resolution #2006-22 (attached) requires an application fee deposit for major and minor annexations. Major annexations, which are defined as annexations of two acres or larger in area, requires an advance deposit against anticipated staff cost of \$2,500 of which \$500 is non-refundable. Minor annexations, which are defined as annexations of land less than two acres in area, requires an advance deposit against anticipated staff cost of \$1,000 of which \$500 is non-refundable.

Banks Lumber Co.



November 14, 2014

Stacey Goldstein
City of Banks Planning
13680 NW Main Street
Banks, Oregon 97106

Re: Written Consent to Annex Land

Dear Stacey:

Banks Lumber hereby requests that Tax Lot 2N331 00602, accounts R800155 and R2120310 be annexed to the City of Banks. This letter serves as written consent to annex the land as required by Ordinance 102500 Section 3.A.

Attached is the Annexation Application, and advance deposit of \$2,500 for anticipated staff costs, a list of all property owners within 300 feet of the annexation property, and a legible scale drawing of the site. Also attached are 12 copies of the other information required by this ordinance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stacey Goldstein'.

ANNEXATION CERTIFIED

BY VF

JAN 26 2015

**WASHINGTON COUNTY A & T
CARTOGRAPHY**

PO Box 8
162 Commerce St.
Banks, OR 97106
(503) 324 - 2681



ANNEXATION APPLICATION

NAME OF APPLICANT: AKS Engineering and Forestry, LLC
ADDRESS: 12965 SW Herman Road, Suite 100, Tualatin, OR 97062
PHONE NO: 503-563-6151 EMAIL ADDRESS mimid@aks-eng.com
SIGNATURE: _____
DATE: _____ DO YOU OWN THE PROPERTY? YES ___ NO X

NAME OF OWNER*: (if different than applicant) Banks Lumber Company
ADDRESS: 13662 NW Commerce Street, Banks, OR 97106
PHONE NO: 503-324-2681 EMAIL ADDRESS dan@bankslumber.com
SIGNATURE: *Dan*
DATE: 11/14/14

* "Owner" means any person shown as the owner of land on the last available assessment roll; however, where such person no longer holds the title to the property, then the term means any person entitled to be shown as owner of the land on the next assessment roll; or, where land is subject to a written agreement of sale, the term means any person shown in the agreement as purchaser to the exclusion of the seller; and the term includes any public agency owning land.

Municipal Ordinance No. 102500 (attached) establishes policies and procedures for annexing land into the City of Banks. In order to be eligible for annexation, the proposed annexation area must be contiguous to the existing city limits and located within the Banks Urban Growth Boundary. You should also know that the City Charter requires a referendum to approve the annexation. A summary of the City's annexation process is attached.

In addition, City Resolution #2006-22 (attached) requires an application fee deposit for major and minor annexations. Major annexations, which are defined as annexations of two acres or larger in area, requires an advance deposit against anticipated staff cost of \$2,500 of which \$500 is non-refundable. Minor annexations, which are defined as annexations of land less than two acres in area, requires an advance deposit against anticipated staff cost of \$1,000 of which \$500 is non-refundable.

EXHIBIT D: LEGAL DESCRIPTION AND MAP



AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 F: (503) 563-6152

AKS Job No. 4190

OFFICES IN: TUALATIN, OR - VANCOUVER, WA - SALEM, OR

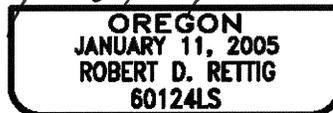
EXHIBIT A

A tract of land located in the Northwest One-Quarter of Section 31, Township 2 North, Range 3 West, Willamette Meridian, Washington County, Oregon and being more particularly described as follows:

Beginning at the North One-Quarter corner of Section 31, Township 2 North, Range 3 West of the Willamette Meridian, in the County of Washington and State of Oregon; thence along the North line of said Section 31 North $87^{\circ}53'47''$ West 1279.50 feet to a point; thence South $02^{\circ}06'13''$ West 20.00 feet to the South right-of-way line of NW Banks Road and the **True Point of Beginning**; thence along said South line South $87^{\circ}53'47''$ East 200.01 feet to a point; thence leaving said South line South $01^{\circ}01'42''$ East 1,042.79 feet to a point; thence South $29^{\circ}33'46''$ West 133.47 feet to a point; thence South $14^{\circ}48'09''$ West 111.02 feet to a point; thence South $19^{\circ}23'37''$ West 31.69 feet to a point on the South line of the north one-half of the Northwest one-quarter of said Section 31 and the City of Banks city limits; thence along said South line and said city limits North $88^{\circ}23'17''$ West 192.67 feet to a point; thence North $07^{\circ}05'00''$ East 1.77 feet to a point; thence North $28^{\circ}51'00''$ East 124.00 feet to a point; thence North $01^{\circ}01'42''$ West 895.70 feet to a point on the South line of Document Number 2012-088500; thence leaving said city limits and along said South line South $87^{\circ}53'42''$ East 40.06 feet to a point to the Southeast corner thereof; thence along the East line of said Document North $01^{\circ}01'42''$ West 293.47 feet to the **True Point of Beginning**.

The above described tract of land contains 6.60 acres, more or less.

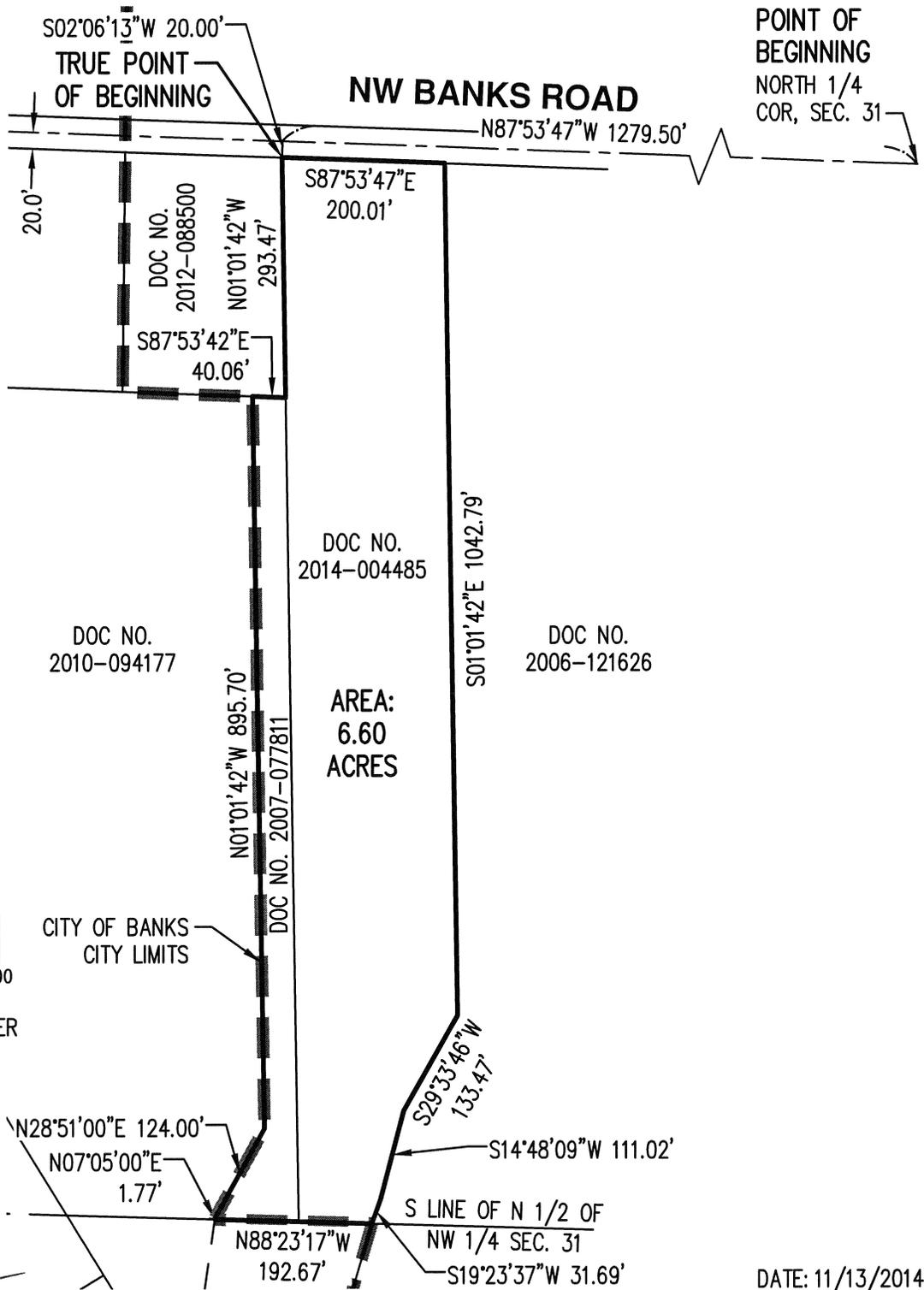
11/13/2014



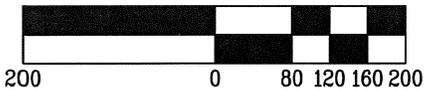
RENEWS: 12/31/14

EXHIBIT B

A TRACT OF LAND LOCATED IN THE NORTHWEST 1/4 OF SECTION 31, TOWNSHIP 2 NORTH, RANGE 3 WEST, CITY OF BANKS, WASHINGTON COUNTY, OREGON



SCALE 1" = 200 FEET



DOC NO. DOCUMENT NUMBER PER WASHINGTON COUNTY DEED RECORDS

11/13/2014
 REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
 JANUARY 11, 2005
 ROBERT D. RETTIG
 60124LS
 RENEWS: 12/31/14

PREPARED FOR

BANKS LUMBER COMPANY
 162 NE COMMERCE STREET
 BANKS, OR 97106

DATE: 11/13/2014

BANKS LUMBER COMPANY

DRAWN BY: MEB	CHECKED BY: RDR	DWG: 4190 20141113 EXHB	JOB: 4190
AKS ENGINEERING & FORESTRY, LLC			
12965 SW HERMAN RD		SUITE 100	
TUALATIN, OR 97062		www.aks-eng.com	
PHONE: 503.563.6151		FAX: 503.563.6152	



EXHIBIT E: MAILING LABELS

1N2010003700

OREGON STATE OF DEPT OF TRANS RIGHT OF
WAY SECTION MS#2
4040 FAIRVIEW INDUST DR SE
SALEM, OR 97302-1142

1N3150002100

PORT OF TILLAMOOK BAY
4000 BLIMP BOULEVARD
TILLAMOOK, OR 97141-9639

2N3300002400

WINTERS CLEL & CARSTENS TRUST & DARDIS
MICHAEL J REV LIV TRUST ET
18765 SW DELINE ST
ALOHA, OR 97007-3024

2N3310000400

CHRISTY RIDGE FARMS
38030 NW MOUNTAIN DALE RD
BANKS, OR 97106-8219

2N3310000401

BECKER GEN LIVING TRUST
41940 NW BANKS RD
BANKS, OR 97106-8505

2N3310000600

VANDYKE FAMILY LAND LLC
12415 NE 36TH PL
BELLEVUE, WA 98005-1328

2N3310000602

BANKS LUMBER CO
PO BOX 8
BANKS, OR 97106-0008

2N331BB00100

BECKER LEE J
41940 NW BANKS RD
BANKS, OR 97106-8505

2N331BB00101

BANKS MANUFACTURING LLC
PO BOX 8
BANKS, OR 97106-0008

2N331BB00200

STEWART CRAIG M & TAMARA A
42120 NW BANKS RD
BANKS, OR 97106-8517

2N331BB07600

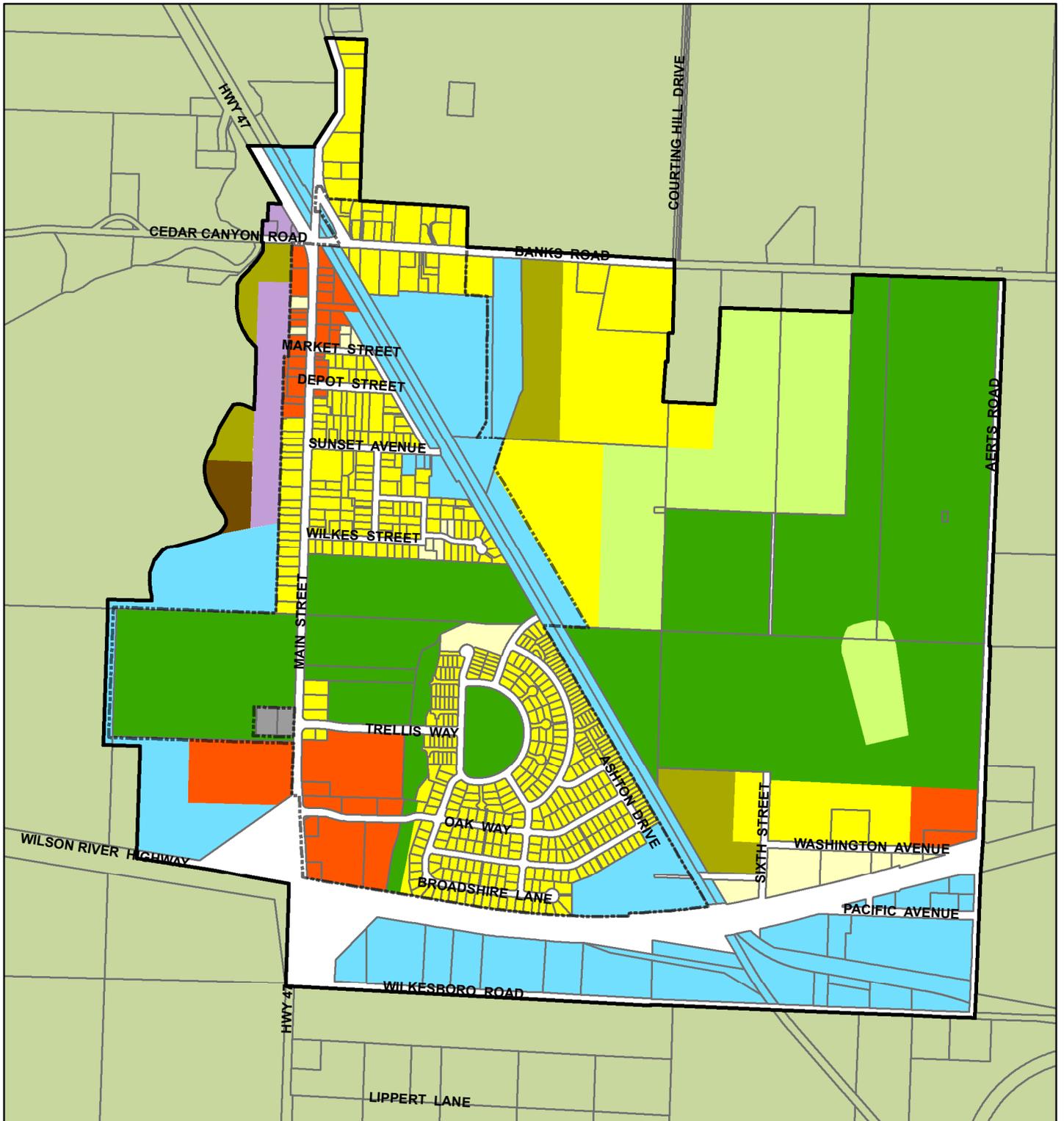
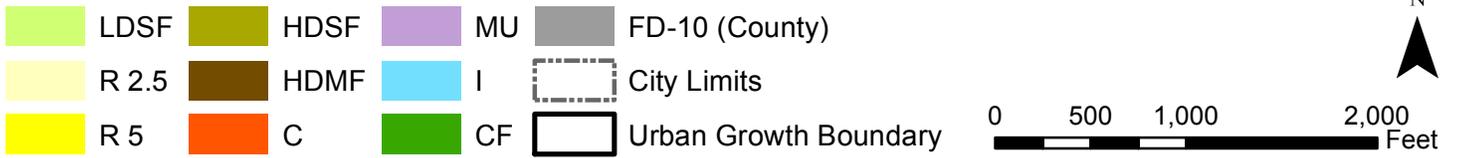
PORT OF TILLAMOOK BAY BY SAN FRANCISCO
REGIONAL OFFICER REAL ESTATE
ONE MARKET PLAZA, SUITE 912
SAN FRANCISCO, CA 94105-1101

2N331BC00100

BANKS LUMBER CO
PO BOX 8
BANKS, OR 97106-0008

EXHIBIT F: BANKS ZONING MAP AND PLAN MAP

City of Banks Plan Map



City of Banks Zoning Map

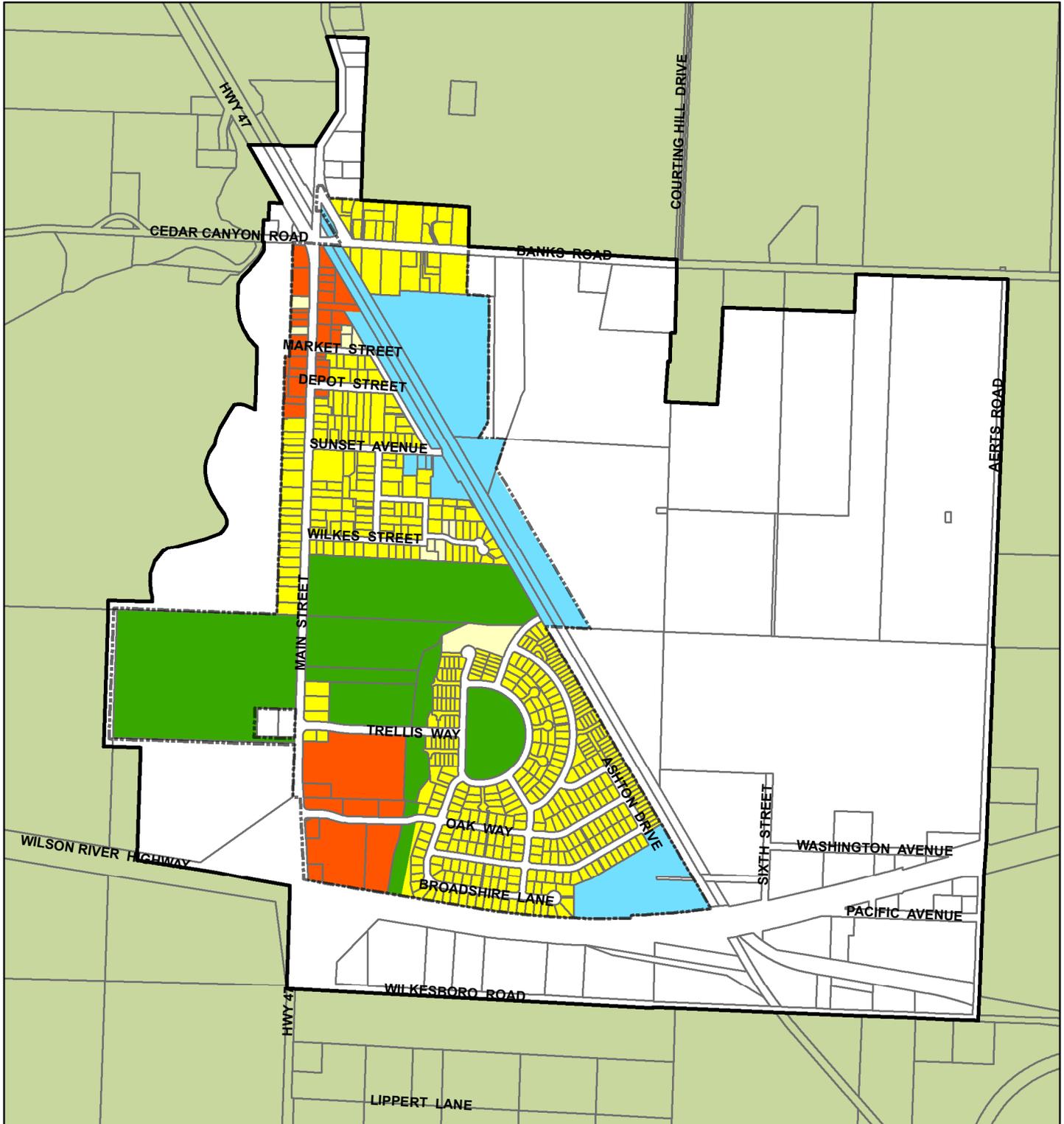
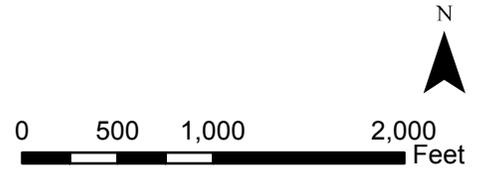


EXHIBIT G: SERVICE PROVIDER LETTERS



WASHINGTON COUNTY
 Dept. of Land Use & Transportation
 Planning and Development Services Division
 Current Planning Section
 155 N. 1st Avenue, #350-13
 Hillsboro, OR 97124
 Ph. (503) 846-8761 Fax (503) 846-2908
 http://www.co.washington.or.us

Request For Statement Of Service Availability (Service Provider Letter)

- WATER DISTRICT: _____
- FIRE DISTRICT: _____
- CITY OF: Banks Water
- CLEAN WATER SERVICES (Sanitary Sewer)

Additionally, you'll need our separate, individual request forms titled:

- ◆ Clean Water Services (Surface Water Mgmt.)
- ◆ Tri-Met
- ◆ School
- ◆ Sheriff / Police
- ◆ Tualatin Hills Park & Recreation District

PROPOSED PROJECT NAME: Banks Lumber Company Annexation.

PROPOSED DEVELOPMENT ACTION: (DEVELOPMENT REVIEW, SUBDIVISION, MINOR PARTITION, SPECIAL USE)
Annexation

EXISTING USE: Lumber Company PROPOSED USE: Lumber Company

IF RESIDENTIAL: NO. OF DWELLING UNITS: _____ TYPE OF USE: _____ IF INDUSTRIAL/COMMERCIAL: NO. OF SQ. FT. (GROSS FLOOR AREA) _____ IF INSTITUTIONAL: NO. STUDENTS/EMPLOYEES/MEMBERS: _____
 SINGLE FAM. _____ MULTI-FAM. _____

PRE-APPLICATION DATE: _____

Service Provider: PLEASE RETURN THIS FORM TO: APPLICANT:
 COMPANY: AKS Engineering and Forestry LLC
 CONTACT: Mimi Doukas
 ADDRESS: MimiD@aks-eng.com
 PHONE: 503-563-6151

OWNER(S):
 NAME: Banks Lumber Co.
 ADDRESS: 162 NE Commerce St.
Banks, OR 97106
 PHONE: _____
 Property Desc.: Tax Map(s): 2N33100 Lot Number(s): 401
2N33100 602
 Site Size: 6.70 Acres
 Site Address: 41940 NW Banks Rd. (TL 401) & 42060 NW Sunset (TL602)
 Nearest cross street (or directions to site): _____

*******ATTENTION SERVICE PROVIDER*******

PLEASE INDICATE THE LEVEL OF SERVICE AVAILABLE TO THE SITE (ADEQUATE OR INADEQUATE).
RETURN THIS COMPLETED FORM TO THE APPLICANT AS LISTED ABOVE.
 (Do NOT return this form to Washington County. The applicant will submit the completed form with their Land Development Application submittal).

SERVICE LEVEL IS ADEQUATE TO SERVE THE PROPOSED PROJECT. (Use additional sheets if necessary.)
 Please indicate what improvements, or revisions to the proposal are needed for you to provide adequate service to this project.

The infrastructure to serve the property is in-place and adequate for the proposed area. Based on the industrial zoning of the proposed annexation, the water use can vary substantially. The water supply capacity for the proposed development should be reviewed for adequacy when the development application is submitted.

SIGNATURE: [Signature] POSITION: CITY ENGINEER DATE: 11/17/14

SERVICE LEVEL IS INADEQUATE TO SERVICE THE PROPOSED PROJECT.
 Please indicate why the service level is inadequate.

SIGNATURE: _____ POSITION: _____ DATE: _____



WASHINGTON COUNTY
 Dept. of Land Use & Transportation
 Planning and Development Services Division
 Current Planning Section
 155 N. 1st Avenue, #350-13
 Hillsboro, OR 97124
 Ph. (503) 846-8761 Fax (503) 846-2908
 http://www.co.washington.or.us

Request For Statement Of Service Availability (Service Provider Letter)

- WATER DISTRICT: _____
- FIRE DISTRICT: _____
- CITY OF: Banks School District
- CLEAN WATER SERVICES (Sanitary Sewer)

Additionally, you'll need our separate, individual request forms titled:

- ◆ Clean Water Services (Surface Water Mgmt.)
- ◆ Tri-Met
- ◆ School
- ◆ Sheriff / Police
- ◆ Tualatin Hills Park & Recreation District

PROPOSED PROJECT NAME: Banks Lumber Company Annexation.

PROPOSED DEVELOPMENT ACTION: (DEVELOPMENT REVIEW, SUBDIVISION, MINOR PARTITION, SPECIAL USE)
Annexation

EXISTING USE: Lumber Company PROPOSED USE: Lumber Company

IF RESIDENTIAL: NO. OF DWELLING UNITS: _____ SINGLE FAM. _____ MULTI-FAM. _____
 IF INDUSTRIAL/COMMERCIAL: TYPE OF USE: _____ NO. OF SQ. FT. (GROSS FLOOR AREA) _____
 IF INSTITUTIONAL: NO. SQ. FT. _____ NO. STUDENTS/EMPLOYEES/MEMBERS: _____

PRE-APPLICATION DATE: _____

Service Provider: PLEASE RETURN THIS FORM TO: APPLICANT:
 COMPANY: AKS Engineering and Forestry LLC
 CONTACT: Mimi Doukas
 ADDRESS: MimiD@aks-eng.com
 PHONE: 503-563-6151

OWNER(S):
 NAME: Banks Lumber Co.
 ADDRESS: 162 NE Commerce St.
Banks, OR 97106
 PHONE: _____
 Property Desc.: Tax Map(s): 2N33100 Lot Number(s): 401
2N33100 602
 Site Size: 6.70 Acres
 Site Address: 41940 NW Banks Rd. (TL 401) & 42060 NW Sunset (TL602)
 Nearest cross street (or directions to site): _____

*******ATTENTION SERVICE PROVIDER*******

PLEASE INDICATE THE LEVEL OF SERVICE AVAILABLE TO THE SITE (ADEQUATE OR INADEQUATE).
RETURN THIS COMPLETED FORM TO THE APPLICANT AS LISTED ABOVE.
 (Do NOT return this form to Washington County. The applicant will submit the completed form with their Land Development Application submittal).

SERVICE LEVEL IS **ADEQUATE** TO SERVE THE PROPOSED PROJECT. (Use additional sheets if necessary.)
 Please indicate what improvements, or revisions to the proposal are needed for you to provide adequate service-to this project.

SIGNATURE: Boris Huston POSITION: Superintendent DATE: 11/14/14

SERVICE LEVEL IS **INADEQUATE** TO SERVICE THE PROPOSED PROJECT.
 Please indicate why the service level is inadequate.

SIGNATURE: _____ POSITION: _____ DATE: _____



WASHINGTON COUNTY
 Dept. of Land Use & Transportation
 Planning and Development Services Division
 Current Planning Section
 155 N. 1st Avenue, #350-13
 Hillsboro, OR 97124
 Ph. (503) 846-8761 Fax (503) 846-2908
 http://www.co.washington.or.us

Request For Statement Of Service Availability (Service Provider Letter)

- WATER DISTRICT: _____
- FIRE DISTRICT: _____
- CITY OF: Banks Water
- CLEAN WATER SERVICES (Sanitary Sewer)

Additionally, you'll need our separate, individual request forms titled:

- ◆ Clean Water Services (Surface Water Mgmt.)
- ◆ Tri-Met
- ◆ School
- ◆ Sheriff / Police
- ◆ Tualatin Hills Park & Recreation District

PROPOSED PROJECT NAME: Banks Lumber Company Annexation.

PROPOSED DEVELOPMENT ACTION: (DEVELOPMENT REVIEW, SUBDIVISION, MINOR PARTITION, SPECIAL USE)

Annexation

EXISTING USE: Lumber Company

PROPOSED USE: Lumber Company

IF RESIDENTIAL:

NO. OF DWELLING UNITS: _____

SINGLE FAM. _____ MULTI-FAM. _____

IF INDUSTRIAL/COMMERCIAL:

TYPE OF USE: _____

NO. OF SQ. FT. (GROSS FLOOR AREA) _____

IF INSTITUTIONAL:

NO. SQ. FT. _____

NO. STUDENTS/EMPLOYEES/MEMBERS: _____

*******ATTENTION SERVICE PROVIDER*******

- PLEASE INDICATE THE LEVEL OF SERVICE AVAILABLE TO THE SITE (ADEQUATE OR INADEQUATE).
- RETURN THIS COMPLETED FORM TO THE APPLICANT AS LISTED ABOVE.
- (Do NOT return this form to Washington County. The applicant will submit the completed form with their Land Development Application submittal).

SERVICE LEVEL IS ADEQUATE TO SERVE THE PROPOSED PROJECT. (Use additional sheets if necessary.)

Please indicate what improvements, or revisions to the proposal are needed for you to provide adequate service to this project.

The infrastructure to serve the property is in-place and adequate for the proposed area. Based on the industrial zoning of the proposed annexation, the water use can vary substantially. The water supply capacity for the proposed development should be reviewed for adequacy when the development application is submitted.

SIGNATURE: *[Signature]* POSITION: CITY ENGINEER DATE: 11/17/14

SERVICE LEVEL IS INADEQUATE TO SERVICE THE PROPOSED PROJECT.
 Please indicate why the service level is inadequate.

SIGNATURE: _____ POSITION: _____ DATE: _____

PRE-APPLICATION DATE: _____

Service Provider: PLEASE RETURN THIS FORM TO: APPLICANT:

COMPANY: AKS Engineering and Forestry LLC

CONTACT: Mimi Doukas

ADDRESS: MimiD@aks-eng.com

PHONE: 503-563-6151

OWNER(S):

NAME: Banks Lumber Co.

ADDRESS: 162 NE Commerce St.
Banks, OR 97106

PHONE: _____

Property Desc.:	Tax Map(s):	Lot Number(s):
	<u>2N33100</u>	<u>401</u>
	<u>2N33100</u>	<u>602</u>

Site Size: 6.70 Acres

Site Address: 41940 NW Banks Rd. (TL 401) & 42060 NW Sunset (TL602)

Nearest cross street (or directions to site): _____



WASHINGTON COUNTY
 Dept. of Land Use & Transportation
 Planning and Development Services Division
 Current Planning Section
 155 N. 1st Avenue, #350-13
 Hillsboro, OR 97124
 Ph. (503) 846-8761 Fax (503) 846-2908
 http://www.co.washington.or.us

Request For Statement Of Service Availability (Service Provider Letter)

- WATER DISTRICT: _____
- FIRE DISTRICT: Banks
- CITY OF: _____
- CLEAN WATER SERVICES (Sanitary Sewer)

Additionally, you'll need our separate, individual request forms titled:

- ◆ Clean Water Services (Surface Water Mgmt.)
- ◆ Tri-Met
- ◆ School
- ◆ Sheriff / Police
- ◆ Tualatin Hills Park & Recreation District

PROPOSED PROJECT NAME: Banks Lumber Company Annexation.

PROPOSED DEVELOPMENT ACTION: (DEVELOPMENT REVIEW, SUBDIVISION, MINOR PARTITION, SPECIAL USE)

Annexation

EXISTING USE: Lumber Company

PROPOSED USE: Lumber Company

IF RESIDENTIAL:

NO. OF DWELLING UNITS: _____
 SINGLE FAM. _____ MULTI-FAM. _____

IF INDUSTRIAL/COMMERCIAL:

TYPE OF USE: _____
 NO. OF SQ. FT. (GROSS FLOOR AREA) _____

IF INSTITUTIONAL:

NO. SQ. FT. _____
 NO. STUDENTS/EMPLOYEES/MEMBERS: _____

*******ATTENTION SERVICE PROVIDER*******

PLEASE INDICATE THE LEVEL OF SERVICE AVAILABLE TO THE SITE (ADEQUATE OR INADEQUATE). RETURN THIS COMPLETED FORM TO THE APPLICANT AS LISTED ABOVE.

(Do NOT return this form to Washington County. The applicant will submit the completed form with their Land Development Application submittal).

SERVICE LEVEL IS **ADEQUATE** TO SERVE THE PROPOSED PROJECT. (Use additional sheets if necessary.)

Please indicate what improvements, or revisions to the proposal are needed for you to provide adequate service to this project.

Yes this is in the Banks Fire District H13, Before anything can be done with this property from building structures to stacking logs Banks Fire Dist. needs to approve the use,

SIGNATURE: *David Eckhardt* POSITION: *Captain* DATE: *3/6/15*

SERVICE LEVEL IS **INADEQUATE** TO SERVE THE PROPOSED PROJECT.

Please indicate why the service level is inadequate.

SIGNATURE: _____ POSITION: _____ DATE: _____

PRE-APPLICATION DATE: _____

Service Provider: PLEASE RETURN THIS FORM TO: APPLICANT:

COMPANY: AKS Engineering and Forestry LLC

CONTACT: Mimi Doukas

ADDRESS: MimiD@aks-eng.com

PHONE: 503-563-6151

OWNER(S):

NAME: Banks Lumber Co.

ADDRESS: 162 NE Commerce St.
Banks, OR 97106

PHONE: _____

Property Desc.:	Tax Map(s):	Lot Number(s):
	<u>2N33100</u>	<u>401</u>
	<u>2N33100</u>	<u>602</u>

Site Size: 6.70 Acres

Site Address: 41940 NW Banks Rd. (TL 401) & 42060 NW Sunset (TL602)
 Nearest cross street (or directions to site): _____

Mimi Doukas

From: Laurie Harris <HarrisL@CleanWaterServices.org>
Sent: Friday, November 28, 2014 9:16 AM
To: Mimi Doukas; Matt Scheidegger
Subject: RE: Annexation Letter

Categories: Filed by Newforma

Mimi:

This email is in response to your request for sanitary and stormwater service availability for two parcels of the Banks UGB expansion area (tax lots 2N3310000602 & 2N3310000401).

Clean Water Services (District) is the sanitary sewer and stormwater management service provider for the City of Banks (City) and the subject properties will need to be annexed into District's boundary upon annexation to the City. As part of the UGB expansion planning process, the City analyzed service availability for the UGB expansion areas as it relates to compliance with Statewide Planning Goal 11, Public Facilities and Services. The findings for this analysis are referenced in the City's Ordinance 2011-04-01 and accompanying attachment "Urban Growth Boundary Expansion Justification Technical Report (October 2010). Based upon a review of these findings it appears that the City reviewed District's 2009 master plan but did not conduct additional capacity analyses. An applicant proposing to develop these parcels is responsible for determining whether capacity improvements are necessary and for constructing public sanitary sewer and stormwater management infrastructure consistent with District's Design and Construction Standards.

You may request a pre-design meeting to address any outstanding questions related to District requirements. The pre-design meeting request form can be found here:

<http://www.cleanwaterservices.org/Content/Forms/Permit/Pre-Design%20Meeting%20Request%20Form.pdf>

Laurie Harris
Development Services
Plan Review

Clean Water Services
2550 Southwest Hillsboro Highway
Hillsboro, Oregon 97123
ph: (503) 681-3639
fax: (503) 681-4439
harrisl@cleanwaterservices.org
www.cleanwaterservices.org

From: Mimi Doukas [mailto:MimiD@aks-eng.com]
Sent: Monday, November 17, 2014 11:57 AM
To: Matt Scheidegger; Laurie Harris
Subject: RE: Annexation Letter

Hi Laurie:

We are proposing to annex all of TL 401 and part of TL602, as shown on the attached sketch. TL 401 currently contains a lumber mill facility and this annexation is to facilitate expansion of the mill. Specifically, the mill would like to pave the yard on their existing property as well as the annexation area to provide storage space for the logs. Right now, they are stored on a dirt lot that turns to mud in the winter making operations very slow and expensive. The current application is ONLY for annexation at this point, since the voter approval process takes some time to process and there is risk involved in the approval. If the property is annexed, a subsequent land use application would be submitted for the actual physical improvements.

The property will be zoned Industrial consistent with the Banks Comprehensive Plan. We need to show that urban services are available and have sufficient capacity to serve the proposed annexation with the proposed land use designation. For CWS, that would be for sanitary sewer service and storm drainage. Although the lumber company has specific plans for the property outlined above, the planning department wants us to consider what may generally be expected of the property in the future. The Industrial zone in Banks allows:

151.044 GENERAL INDUSTRIAL ZONE I.

(A) *Uses permitted outright.* No building, structure, or land shall be used, and no building or structure shall hereafter be erected, enlarged, or altered in this zone, except for the following uses:

- (1) Boat building;
- (2) Book bindery;
- (3) Bottling plant;
- (4) Coffee roasting;
- (5) Cold storage plant;
- (6) Feed and seed processing and storage;
- (7) Laboratories: experimental, dental, medical, photo, or motion picture, research or testing;
- (8) Laundry or dry cleaning plant;
- (9) Lumber yard;
- (10) Manufacture, assembly, compounding, processing, packaging or treatment of the products as bakery goods, candy, cosmetics, dairy products, food and beverage products, electric and neon signs, billboards or commercial advertising structures, clothing, furniture, electrical goods, heating equipment, paper products (but not paper itself), tools and hardware, boxes, coffins, medicines, musical instruments, toys, novelties, rubber or metal stamps, optical goods, scientific and precision instruments or equipment, pottery and other similar ceramic products, sash and door, surgical instruments and dressings, artificial limbs, dentures, hearing aids and other devices employed by the medical and dental professions, electrical appliances, electronic instruments and devices, radios, phonographs, television;
- (11) Planing mill;
- (12) Plastics; molding of, including the manufacture or products thereof, provided all grinding operations are conducted within a building;
- (13) Plumbing, electrical or general contractor and shop, including storage of contractors' equipment;
- (14) Plywood sales;
- (15) Public service and utility;
- (16) Sheet metal, machine and welding shop;
- (17) Vehicle and farm equipment repair;
- (18) Veterinarian or animal hospital;
- (19) Warehousing, distribution;
- (20) Weaving of clothing, wool, flax, and other fibrous materials; and
- (21) Accessory use of structure, including caretaker residence.

(B) *Conditional uses permitted.* In this zone, the following uses and their accessory uses may be permitted conditional uses when in accordance with §§ [151.115](#) et seq.:

- (1) Automobile service station;
- (2) Batteries, paint, pickles, sauerkraut or vinegar, wallboard, cans, soap and cleaning compounds, paper; manufacture of;
- (3) Brewery;

- (4) Drive-in theaters;
 - (5) Flour milling, grain storage, or elevator;
 - (6) Fruit packing and processing; cannery;
 - (7) Fuel oil distribution (home use only) and storage;
 - (8) Foundry;
 - (9) Natural resource extraction, gravel mining and rock crushing, subject to the provisions set forth in § [151.119](#);
 - (10) Manufacture of motor vehicles, trucks, recreational vehicles, and utility trailers as well as mobile homes;
 - (11) Public utility (such as water tower, substations, and the like);
 - (12) Radio and TV transmitters;
 - (13) Railroad right-of-way, truckage and related facilities;
 - (14) Slaughterhouse;
 - (15) Solid waste facilities; auto wrecking yards, junkyards; subject to the provisions of § [151.120](#);
 - (16) Stone, marble, and granite grinding, dressing, and cutting;
 - (17) Any other use held similar to the above uses, as approved by the City Council;
 - (18) Any processing activity or display essential or incidental to any permitted use in this zone and not conducted entirely within an enclosed building; and
 - (19) Any use or storage of hazardous materials in amounts or forms exceeding consumer commodities.
- (C) *Lot dimensions.* There shall be no minimum dimensional requirements in this zone except as may be required to meet other provisions of this chapter such as setback and parking requirements.
- (D) *Setback requirements.* Except as may otherwise be provided in § [151.097](#), the setbacks for nonresidential uses in this zone shall be as follows.
- (1) The front yard setback shall be 20 feet.
 - (2) The side and rear yard setback shall be 20 feet when abutting a residential zone.
 - (3) Setbacks are not required when side or rear property lines abut a railroad right-of-way.
- (E) *Height of buildings.* Except as otherwise provided in § [151.098](#), no building in this zone shall exceed a height of 3 stories or 35 feet, whichever is less.
- (F) *Additional requirements.* Additional requirements applicable to this zone include the provisions of §§ [151.060](#) *et seq.*
- (Ord. 2-2-80, passed 2-19-1980; Am. Ord. passed 4- -1989) Penalty, see § [151.999](#)

Generally speaking, most of the allowed uses are generally industrial/manufacturing. There is a size limitation to the site that will probably not allow to intense of development since the lot width is only 200 feet.

I hope that all helps – please let me know if there is more information you need. Sorry for the scramble on this – the deadlines to hit the ballot are tricky to hit. It’s a good sign that the two proposed annexations proposed this November were approved.

Cheers – Mimi

Mimi Doukas, AICP, RLA



AKS ENGINEERING & FORESTRY, LLC

12965 Herman Road, Suite 100

Tualatin, OR 97062

P (503) 563-6151

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www.aks-eng.com / MimiD@aks-eng.com

Offices in: Tualatin, OR | Salem, OR | Vancouver, WA

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EXHIBIT H: ECONOMIC ANALYSIS

ANNEXATION LAND NEEDS ANALYSIS BANKS, OREGON

Prepared for: AKS Engineering & Forestry, LLC

Prepared by: PNW Economics, LLC

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Introduction

PNW Economics has been retained by AKS Engineering & Forestry, LLC (“AKS”) to provide economic analysis of industrial land needs for the City of Banks. AKS is supporting its client in an annexation request for the Banks Lumber Company in support of an annexation application for Banks Lumber Company property.

To this end, this report addresses City of Banks Annexation Policies and Procedures (City of Banks Ordinance §30.01) Requirement (J):

(J) Narrative demonstrating need for the urban development proposed for the annexation area; need should be demonstrated based upon a factual analysis of the following factors:

(1) Availability within the current city limits of undeveloped land designated for proposed urban development.

(2) Analysis of immediate, short-term (1 to 5 years) demand for proposed urban development; and

(3) Probable phasing of proposed urban development consistent with projected demand for the period that the annexation area is expected to be developed.

Each of the three items of requirement discussion required by the City of Banks under §30.01 (J) are treated in turn in the following sections.

(1) Undeveloped Land Within City Limits

Existing Undeveloped Employment Land - Industrial

On January 13, 2010, the Banks City Council voted to approve the recommendation of a Preferred Alternative Strategy for expansion of the Banks Urban Growth Boundary (“UGB”). The decision rested on the demonstration of twenty-year land need within the City of Banks and a comparison of available land within the City UGB not unlike land need discussion required for an annexation request.

Key employment land inventory and future need findings, including industrial uses, which supported the decision by City Council, as reported by the firm CH2MHILL in their October 2010 technical memorandum¹ are found in Figure 1.

¹ <http://www.cityofbanks.org/vertical/sites/%7B9449421F-C29B-4D8D-BE42-4EB124C2CA36%7D/uploads/%7BED48A4B9-5D96-4A15-91E4-5EF2AB8DEE5C%7D.PDF>

Figure 1: 2010 Banks UGB Employment Land Inventory & Land Need Findings (CH2MHILL Table 6)

Table 6: City of Banks 2029 Employment Land Needs Analysis

Year	Commercial (buildable supply = 1.07 acres)		Industrial (buildable supply = 0.96 acres)		Community Facilities (no buildable supply allocation)		Total Demand	Total Net Buildable Supply	Total New Buildable Acres Needed
	Demand	Surplus (Deficit)	Demand	Surplus (Deficit)	Demand	Surplus (Deficit)			
2024	9.88	8.81	62.07	61.11	4.75	4.75	76.70	2.03	74.67
2025	10.32	9.25	64.86	63.90	4.96	4.96	80.15	2.03	78.12
2026	10.79	9.72	67.78	66.82	5.19	5.19	83.76	2.03	81.73
2027	11.27	10.20	70.83	69.87	5.42	5.42	87.53	2.03	85.50
2028	11.78	10.71	74.02	73.06	5.66	5.66	91.47	2.03	89.44
2029	12.31	11.24	77.35	76.39	5.92	5.92	95.58	2.03	93.55

Findings are summarized as follows as of the adoption of those findings:

- The City of Banks UGB in January 2010 had a total inventory of 0.96 net buildable acres of available industrial land.

Reductions in 2010 Employment Land Inventory – Industrial

Since adoption of the Employment Land Inventory in Figure 1, the City of Banks has not depleted its documented 0.96 net buildable acres of industrial land, largely due to its limited nature and the difficulty to see industrial development on anything less than one consolidated, contiguous acre.

Additions to 2010 Employment Land Inventory – Industrial

In 2012, the City of Banks successfully added 81.55 acres of gross land acreage designated for industrial use to its Urban Growth Boundary for identified 20-year economic need.² The subject 6.60 acres were included in the UGB amendment. But despite the addition of industrial land to the City of Banks UGB, there have been no annexations of industrial land and, therefore, additions to City of Banks serviceable industrial land inventory since adoption of the 2010 Employment Land Inventory summarized in Figure 1.

There has been one annexation since January of 2010 that has included employment land, though it was through a commercial designation. Approved by City of Banks voters in November of 2014, the Quail Valley Golf Course property annexation included 3.5 acres of land for commercial development. The recently approved annexation did not include land specifically for industrial uses.

² City of Banks Urban Growth Boundary Expansion Justification Technical Report, Table 8, CH2MHill, October 2010.

Current Undeveloped Industrial Employment Land Conclusion

Based on documented, net buildable land inventory findings adopted by the City of Banks and information about changes to city land inventory over the past four years, PNW Economics concludes the following available land inventory estimates should be considered for any future annexation analysis:

- Industrial Land Inventory: *No more than 0.96* net buildable acres.

(2) Short-Term Demand for Proposed Development

Short-Term Industrial Land Demand

5-Year Demand

As part of determining land need for annexation, a discussion of short-term (1-5 years) need for stated land types is required by the City of Banks. To this end, PNW Economics conducted a comparison of documented five-year industrial land need/demand by the City of Banks. For industrial land need, two estimates of industrial employment land demand were utilized for comparison purposes:

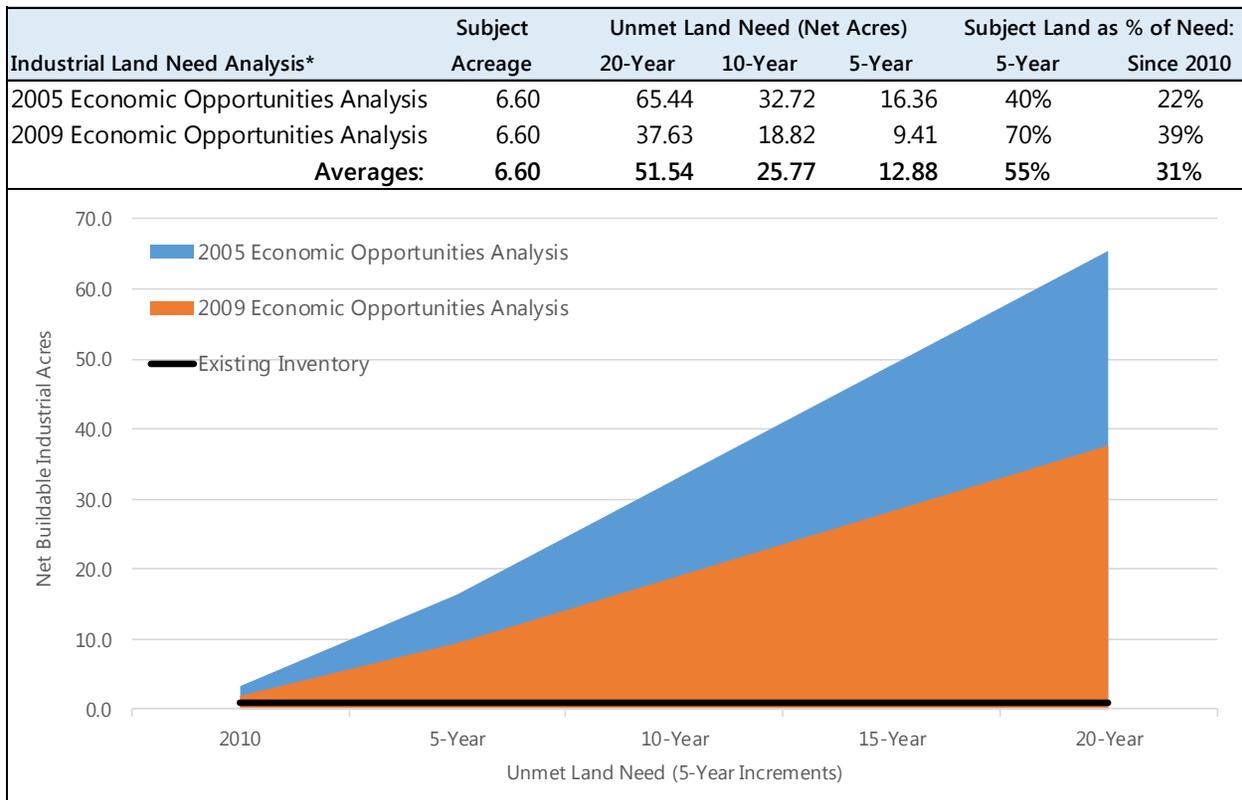
- 2005 City of Banks Economic Opportunities Analysis (“EOA”) by ECONorthwest; and
- 2009 City of Banks EOA by Johnson Reid, LLC.

Both documents provide twenty-year estimates of industrial land demand for the City of Banks. The 2005 EOA was completed and adopted prior to 2010 UGB amendment analysis. However, the 2009 EOA was cited as in-progress as part of City of Banks Aspirations (Appendix F of the CH2MHILL Technical Document) for growth as part of its UGB study process.

Results of the analysis of industrial land need are found in Figure 2. Key findings are as follows:

- The proposed two-parcel annexation comprises 6.60 acres of potential industrial development use.
- The two-parcel annexation area in total represents roughly 70% of five-year industrial land need, the average of documented industrial land need findings according to both EOA estimates for Banks.
- As indicated by the solid line for Existing Inventory (0.96 net acres), existing inventory of land is completely insufficient for any growth scenario for all years of the planning period.

Figure 4: 2010 Banks UGB Industrial Land Inventory & Short-Term Land Need Reconciliation



SOURCE: ECONorthwest (2005), Johnson Reid, LLC (2009), and PNW Economics, LLC

*Note: "Medium Growth" scenario estimates of industrial land demand from both Economic Opportunities Analyses

5-Year Demand Including Need Since 2010

PNW Economics conducted an analysis of short-term need for industrial land including pent-up demand since 2010.

We conclude the following about the proposed annexation industrial land and total (five-year plus pent-up demand) industrial land need in the next five years for Banks:

- The 6.6 acres of industrial land for the proposed annexation represents only 31% of true, short-term industrial land unmet need/demand given development trends in western Washington County and various existing and aspirational economic sector growth targeted by the City of Banks in both Economic Opportunity Analyses.

Highest & Best Use Considerations

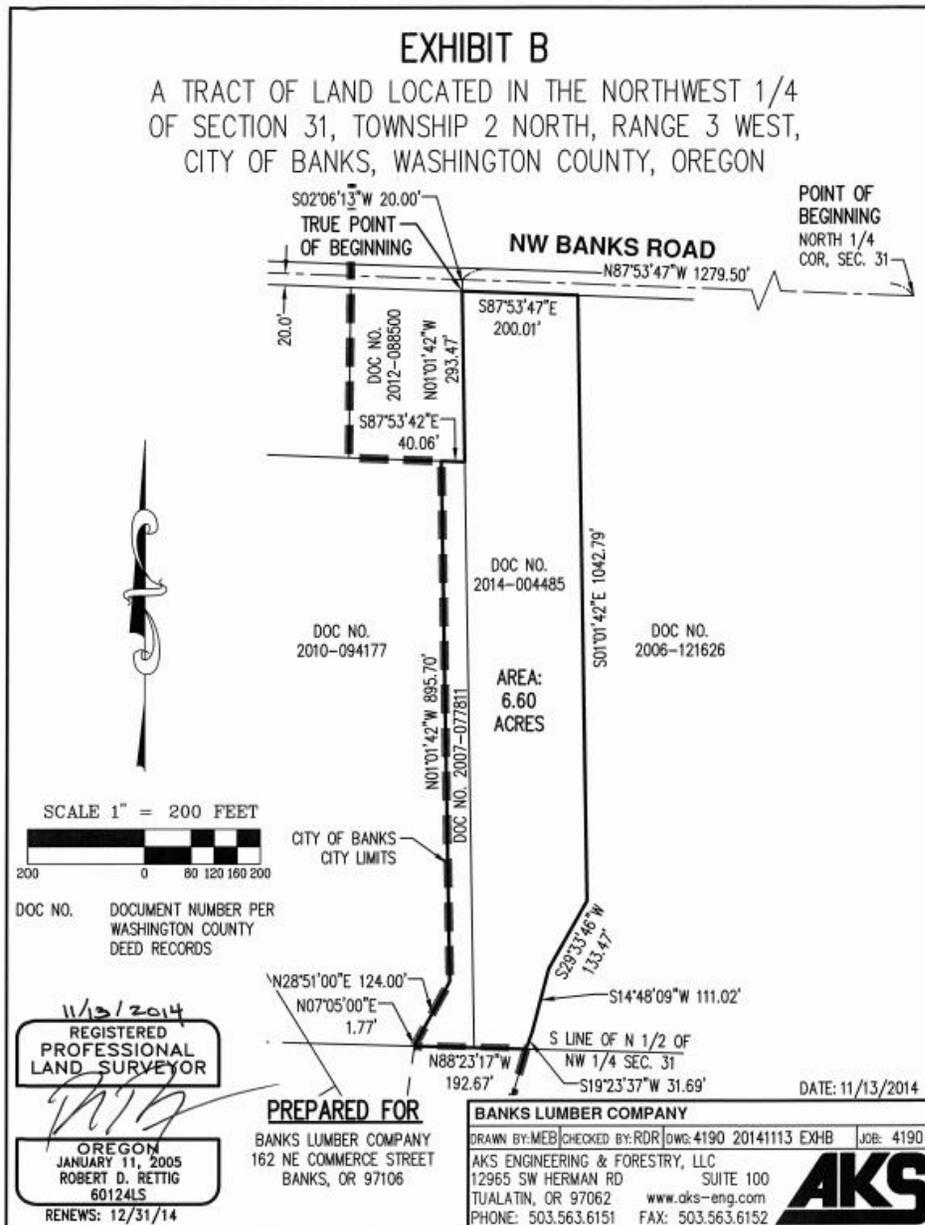
As part of short-term demand analysis for the proposed annexation area, a discussion of highest and best use issues for the properties is included. Highest and best use of a property is a real estate appraisal term representing what the best use of a property should be to maximize value for highest economic return.

Although there is no uniform or standard definition of highest and best use, the four common elements of highest and best use determination for a property are:

1. Legally permissible
2. Physically possible
3. Financially feasible; and
4. Most profitable.

Figure 5 provides a tax lot map for the two annexation parcels as a guide for highest and best use discussion.

Figure 5: Proposed Annexation Area Tax Lot Map



SOURCE: AKS Engineering & Forestry, LLC

Legally Permissible

Uses on the subject property under consideration for annexation would be guided by General Industrial (I) zoning designation by the City of Banks. The reader is referred to the City of Banks website for a detailed description of the I Zone in City ordinance.³

All uses determining highest and best use of the properties would need to fall under the Industrial category, including manufacturing, construction, transportation, warehousing, and affiliated sectors.

Conditional uses possibly permitted included automobile service station and drive-in theater, both of which would likely be of higher traffic-intensive development.

The subject property is bounded by easements, existing residential use, and is proximate to the Banks Lumber Company, an existing intensive industrial use. To the east, however, the subject property borders unincorporated property that is within the Urban Growth Boundary, but was added with the High Density Single Family Residential designation. Future industrial use of the subject as industrial development is not inconsistent with land to the east, but depending upon eventual use, buffering or additional setbacks may be necessary.

Physically Possible

The largely vacant subject property is irregularly shaped, comprising a deep and narrow parcel relative to length from north to south. It also has potentially narrow or restricted access to NW Banks Road given the location of an existing single-family residence and an electrical line easement on the northern side of the property.

For industrial uses not related to the lumber company, access to and from NW Banks Road and parcel shape will likely have limiting effect upon site development yield. Stand-alone industrial development on-site would likely be a maximum of five or six structures likely no larger than 5,000 square feet in size each. When setbacks, potential buffers, parking, and industrial truck access, circulation and turnarounds are accounted for, building counts and sizes will be significantly limited.

Industrial uses directly related to lumber company operations, however, would not necessarily require access to NW Banks Road and would not be subject to likely higher parking, truck access, and traffic requirements of stand-alone industrial uses. The long, narrower nature of the property is more conducive to eastern expansion of existing industrial lumber facility operations in terms of land yield as a result.

Financially Feasible & Most Profitable

For new development to be financially feasible, the income generated by that development must exceed the cost to develop as well as include appropriate profitable margin to ensure a rate of return for the development risk to make sense as an investment.

³ http://www.cityofbanks.org/index.asp?Type=B_BASIC&SEC={2D0BFBFA-E1F4-41C9-A2C9-564B10F60690}

Under these standard conditions, new and stand-alone development of size and nature described due to parcel shape and access restrictions would likely present some challenges to return on investment. Limited structure count and space yield would accordingly represent limited lease revenue on developed structures or land, and/or undesirably small facility size and usability for company function and sales. Accordingly, financial return as a leasehold industrial development or owner-occupied would certainly see potential risks from mentioned constraints.

As an eastern expansion of the lumber company, the undeveloped annexation area has higher usage yield for company operations uninhibited by the typical parking and truck access/turnaround requirements of stand-alone structures. Accordingly, there would likely be fewer constraints to full financial yield from the annexation area as a lumber company expansion.

Highest & Best Use Conclusion

The proposed annexation area is legally, physically, financially, and profitably suitable for existing and new industrial uses. However, based upon a basic physical and market review of the property as either a stand-alone industrial development or as an expansion of existing lumber company facilities, it is concluded that stand-alone development faces likely lower usage yield and access issues as a stand-alone area for new development. Expansion of the lumber company would not require the parking, access, and truck turnaround losses in developable space yield.

Accordingly, we conclude industrial uses are among the highest and best use of the property. However, the higher yield of the property as a lumber company expansion poses fewer financial return risks and, thus, higher economic return and higher/better use.

(3) Probable Phasing of Proposed Development

Banks Lumber Company plans to add new milling equipment along the eastern portion of the existing facility site. Additional paving area for log storage and other operations is also planned for the short term. With annexation, the subject properties facilitate the expansion of the facility, as well as guarantee future phase expansions of the company given the sizeable new processing facility investment. Specific plans for later-phased improvements are not certain at this time.

Conclusion

The Banks Lumber Company is seeking annexation of 6.60 acres of land into the City of Banks for the expansion of company operations. The subject property was added to the City of Banks UGB in 2012 for industrial use purposes based on identified, 20-year need for employment land consistent with Oregon land use planning goals. Annexation of the subject property would be consistent with the intent of the urban growth boundary expansion for the property.

At only 6.60 acres, the site satisfies only 31% of unmet industrial land need identified since 2010 and would support one of the city's largest and longest-operating employers.

As a stand-alone parcel for industrial development, the 6.60 acres are irregularly configured as a long, narrow rectangular site. Development on-site as a stand-alone property would have significant access, circulation, parking, and truck turnaround constraints that would reduce industrial development and on-site employment yield.

Alternatively, as a contiguous expansion of existing Banks Lumber Mill operations, the subject property has none of the constraints identified for stand-alone development. Accordingly, PNW Economics concludes expansion of lumber mill operations are the likely highest and best industrial use of the subject site.

EXHIBIT I: INFRASTRUCTURE DEMAND ANALYSIS



AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 F: (503) 563-6152

OFFICES IN: TUALATIN, OR - VANCOUVER, WA - SALEM-KEIZER, OR

To: City of Bank, City Engineer
Attn: Gordon Munro
From: John P. Christiansen, PE, Project Engineer
Subject: Banks Lumber Company – Public Utilities Demands
Date: March 4, 2015

This narrative is being provided to support the Annexation Application by Banks Lumber Company for Tax Lot 401, Map 2N 33 1 and a portion of Tax Lot 602, Map 2N 33 1. Approximately 6.60-acres of Industrial property will be annexed into the City of Banks under this proposal.

SANITARY SEWER

The proposed annexation does not include the development of facilities on-site which would generate wastewater. The subject property is currently served by public sanitary sewer via a connection to the 8" main in Sunset Avenue. The CWS SSMPU included the subject property and the proposed annexation area as 'Future Growth Area with Modeled Connection' (see *PLATE 4: FOREST GROVE & HILLSBORO BASINS BUILDOUT MODELING RESULTS & IMPROVEMENTS*). Sanitary Sewer service to the subject property will ultimately be provided with the extension of the *BANKS EAST TRUNK* which parallels the Southern Pacific Railroad and connects to the existing system at NW Oak Way.

The site has been included in the CWS SSMPU. Any sanitary sewer system demands resulting from on-site facility expansion will be evaluated with future development.

STORMWATER

The subject property falls under the jurisdiction of Clean Water Services (CWS). As such on-site stormwater quality and quantity facilities (if required) will be designed in accordance with the *Design and Construction Standards for Sanitary Sewer and Surface Water Management, R&O 07-20, dated June 2007*. Additional detail of the stormwater facilities will be developed during the engineering design phase.

DOMESTIC WATER

The *City of Banks Water System Master Plan*, (Amended November 1, 2011) identifies Banks Lumber Co as a *Large-Volume User* having used 2.0 MG in the year 2007 = 3.7 GPM (ADD). The primary water use on-site is to support mill operations (rest rooms and process water). The proposed annexation does not include the expansion of any on-site mill operations which would result in an increased demand on the public domestic water system. Water system demands of any future facility expansion will be evaluated at the time of future development.

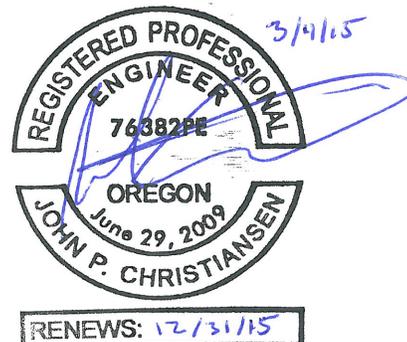
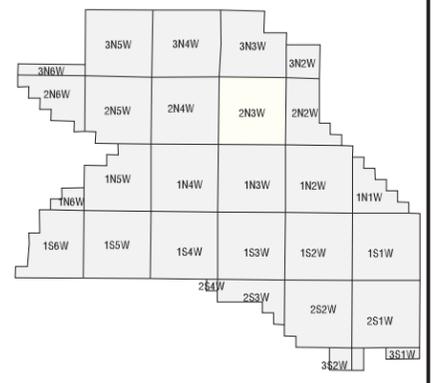
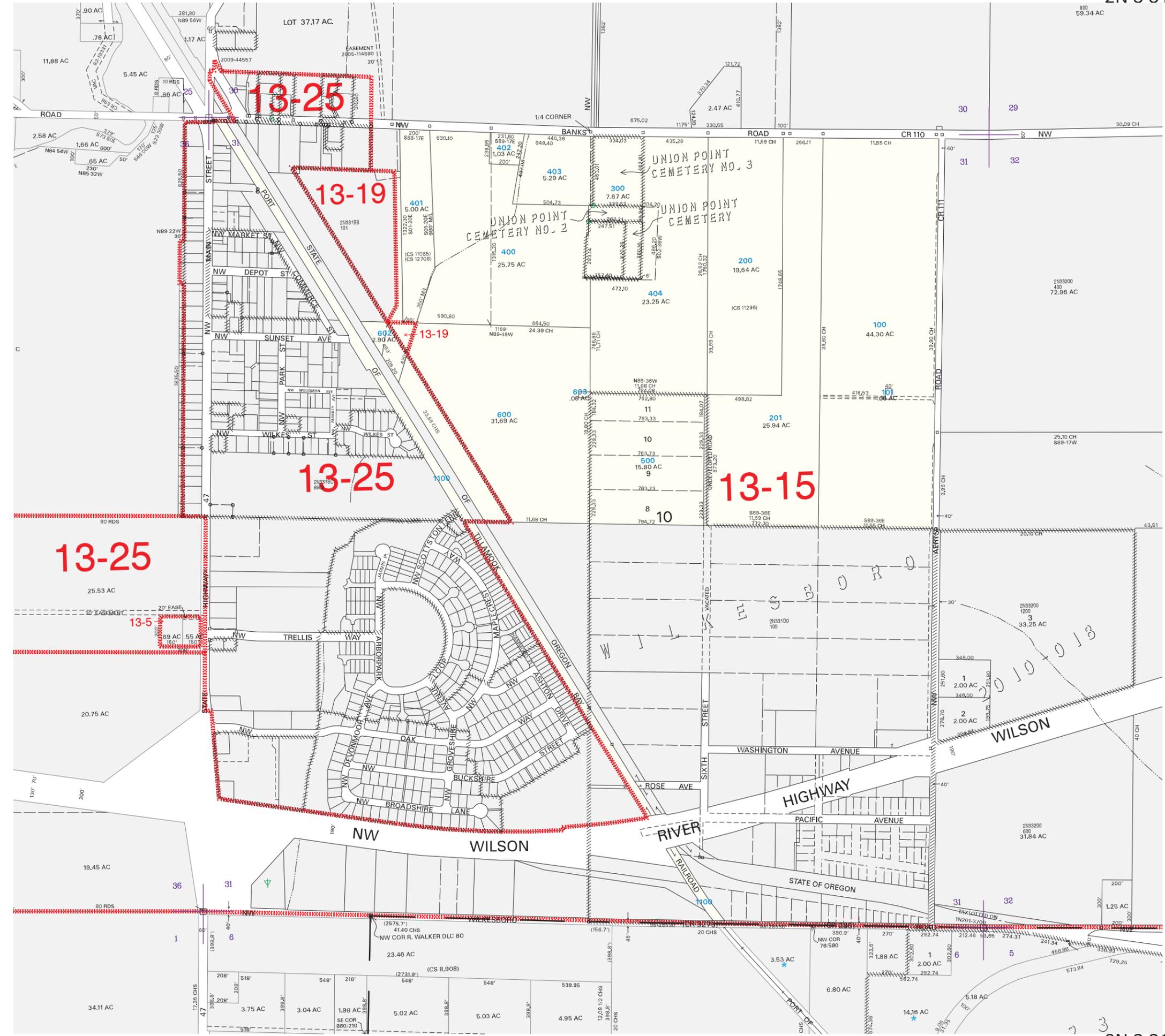




EXHIBIT J: TAXMAP



WASHINGTON COUNTY OREGON
 SECTION 31 T2N R3W W.M.
 SCALE 1" = 400'

36	31	32	33	34	35	36	41
1	6	5	4	3	2	1	6
12	7	8	9	10	11	12	7
18	18	17	16	15	14	13	18
24	19	20	21	22	23	24	19
25	30	29	28	27	26	25	30
36	31	32	33	34	35	36	31
B	5	4	3	2	1	B	

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.co.washington.or.us

BB	BA	AB	AA
(B)			(A)
BC	BD	AC	AD
CB	CA	DB	DA
(C)			(D)
CC	CD	DC	DD

Cancelled Taxlots For: 2N331
 1000, 818, 810, 800, 805, 806, 808, 809
 812, 815, 818, 819, 821, 900, 823, 700
 801, 802, 803, 804, 807, 814, 811, 822
 817, 820, 813, 601, 102



WASHINGTON COUNTY OREGON
Assessment
CARTOGRAPHY
Taxation

PLOT DATE: July 16, 2014
FOR ASSESSMENT PURPOSES ONLY - DO NOT RELY ON FOR OTHER USE

Map areas delineated by either gray shading or a cross-hatched pattern are for reference only and may not indicate the most current property boundaries. Please consult the appropriate map for the most current information.