

**City of Banks**

**Planning Commission  
Notice of Decision**

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**File No.:** CMP 16-01 Concept Master Plan approval for 37 single-family lots and related open space

PSA 16-01 Preliminary Subdivision approval for 37 single-family lots and related open space

**Findings and Reasons:** As findings supporting its decision, the Planning Commission incorporates the April 26, 2016 Staff Report including Findings and Applicant's Submittal.

**Additional Findings:** The Planning Commission found that the Applicant's proposal met the Banks Zoning Code (BZO) applicable criteria as found in the Staff Report. The Planning Commission deliberated over the surfacing of the trail around and adjacent to the existing stormwater quality pond located in Tract C. The Applicant proposed the trail to be gravel in surface. Staff provided a discussion in the Staff Report regarding the benefits of keeping the trail a gravel surface and the benefits of requiring the trail be a paved surface. The Planning Commission found that a paved trail would provide year-round usage of the trail for strollers, bicycles, and other users and therefore requires the path be paved. The Planning Commission is aware that the paved pedestrian pathway is subject to approval of Clean Water Services.

The Planning Commission amended the General Conditions of Approval #8 to read as follows:

**8.** The Applicant shall obtain CWS consent for the public use of the portions of easements for public access. The pedestrian pathway shall be paved, subject to CWS approval. (Page 43 of the City of Banks Staff Report dated April 26, 2016.)

**Conclusion:** The Planning Commission concludes that CMP 16-01 and PSA 16-01 can meet all applicable criteria and the Applications can be approved as proposed subject to the Applicant fulfilling conditions of approval as listed in the Decision.

**Order:** The City of Banks Planning Commission orders that CMP 16-01 and PSA 16-01 be approved subject to the conditions of approval as listed in the document entitled May 2, 2016 Decision of the Planning Commission CMP 16-01 and PSA 16-01.

**Description and Date of Final Decision:** On April 26, 2016 the Planning Commission approved City File Nos. CMP 16-01 and PSA 16-01.

**How to Obtain More Information:** The decision is available for review on the City of Banks website. A copy may be obtained at cost at the following address:

City Manager  
City of Banks  
City Hall  
13680 NW Main Street  
Banks, OR 97106  
503-324-5112

**Right to Appeal:** This decision is effective the date of mailing, May 2, 2016. Within 14 days of the date of final decision by the Planning Commission, an appeal of the decision may be appeal to the City Council, consistent with BZO 151.176.

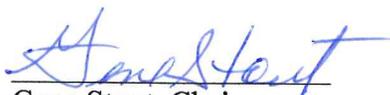
Appeals may be made by the applicant, the owner, or any other party who has participated in the public hearing either in person or in writing, by submitting comments on the specific land use application, directed at the applicable criteria.

Notice of the appeal shall be filed with the City Recorder along with the prescribed according to BZO 151.173. The notice of appeal must include the appellants name, address, and phone number and relationship to the land use application, and a statement giving the reasons for the appeal.

The City Council shall schedule a public hearing on the appeal according to the procedural and notice requirements of BZO 151.171 through 151.174

A land use decision shall not become effective until the termination of any local appeal pending against it.

DATED this 2nd Day of May 2016

  
Gene Stout, Chair