



STAFF REPORT
ANX1-14/ZC1-14

DATE: July 10, 2014 for the July 29, 2014 Planning Commission Meeting

REQUEST: Approval of an application for annexation and a corresponding zone changes for approximately 172.93 (+/-) acres

APPLICANT: Michael Cerbone Doug Hixson
Cardno Quail Valley Golf Course Corp.
5415 SW Westgate Dr. 12565 NW Aerts Rd.
Portland, OR 97221 Banks, OR 97106

PROPERTY: Generally bounded by Aerts Road to the East; Washington Avenue, Sixth Street and Rose Avenue to the South; NW Banks Road to the North; and the Railroad to the West. County tax map 2N331 TL 100, 201, 500; 2N331CA TL 6900; 2N331D TL 100, 101, 400, 1000.

APPLICABLE CODE: Annexations Chapter 30.01 through 30.06; Zoning of Annexed Areas Chapter 151.025

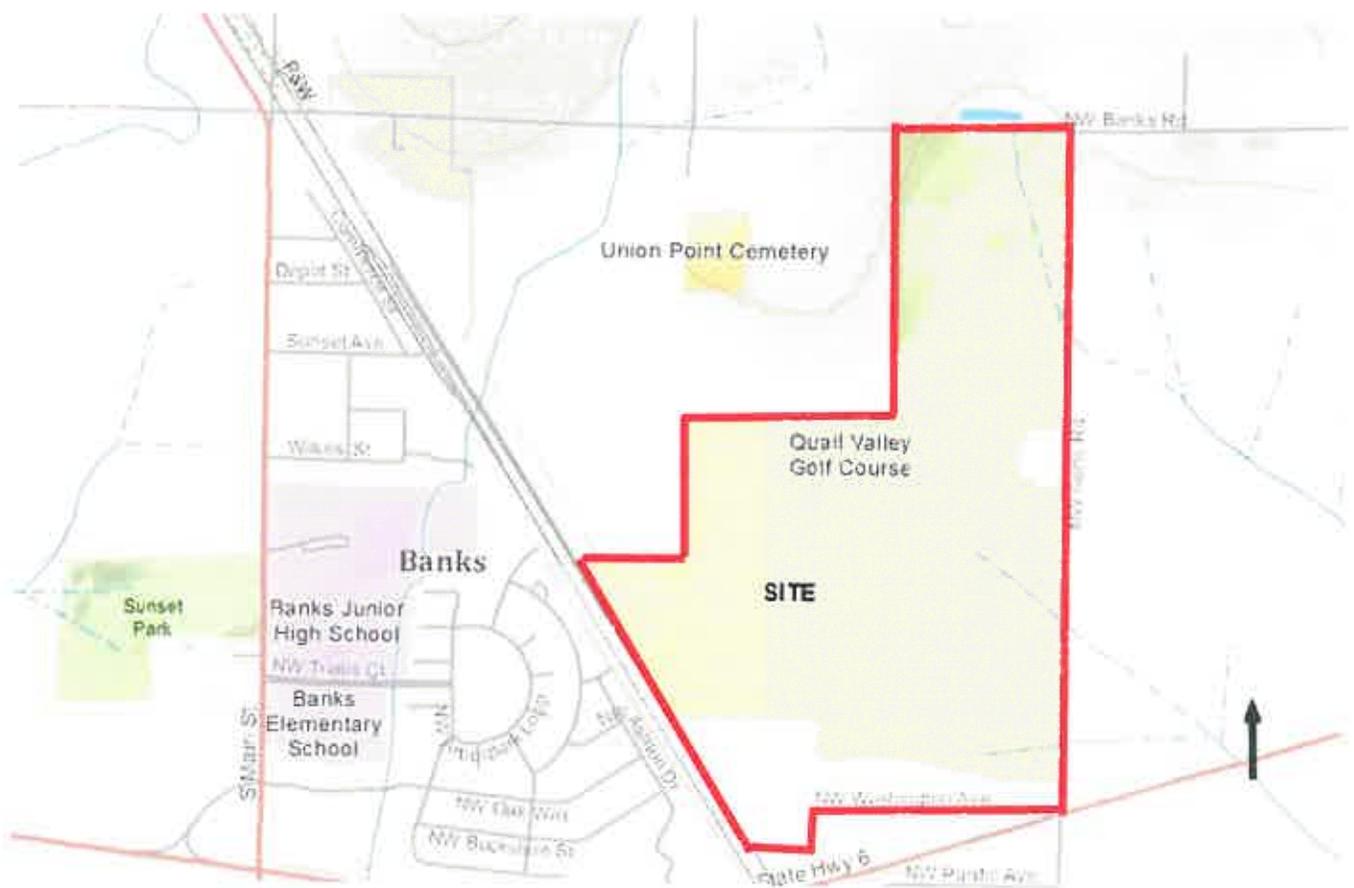
1. EXECUTIVE SUMMARY

The Quail Valley Golf Course seeks annexation into the Banks City Limits. The properties were included in the Banks Urban Growth Boundary in 2011. A map of the eight (8) properties proposed for annexation is shown below and is included in the applicant's submittal.

The site is designated Washington County Future Development FD-10. If annexed into the City, the site would receive the following zoning designations, consistent with the City of Banks UGB zoning designations. A summary of each of the properties and the corresponding zoning is set forth below.

Map#	Tax Lot #	Banks Zoning	Density	Acres
2N331CA	6900	Community Facilities (CF)	N/A	8.93
2N331	100	Community Facilities (CF)	N/A	44.3
	201	Community Facilities (CF)	N/A	23.64
	201	Low Density Single Family (LDS1)	6 du/ac	2.3
	500	Community Facilities (CF)	N/A	15.8

Map#	Tax Lot #	Banks Zoning	Density	Acres
2N331D	100	Community Facilities (CF)	N/A	51.36
	100	Single Family Residential (R-5)	8 du/ac	8.14
	100	Low Density Single Family (LDSF)	6 du/ac	3.5
	100	Commercial (C)	.25 FAR	2.6
	101	Commercial (C)	.25 FAR	0.9
	400	High Density Single Family (HDSF)	10 du/ac	7.96
	400	Single Family Residential (R-5)	8 du/ac	2.0
	1000	Single Family Residential (R-5)	8 du/ac	1.5



Source: Washington County GIS 7.14.14

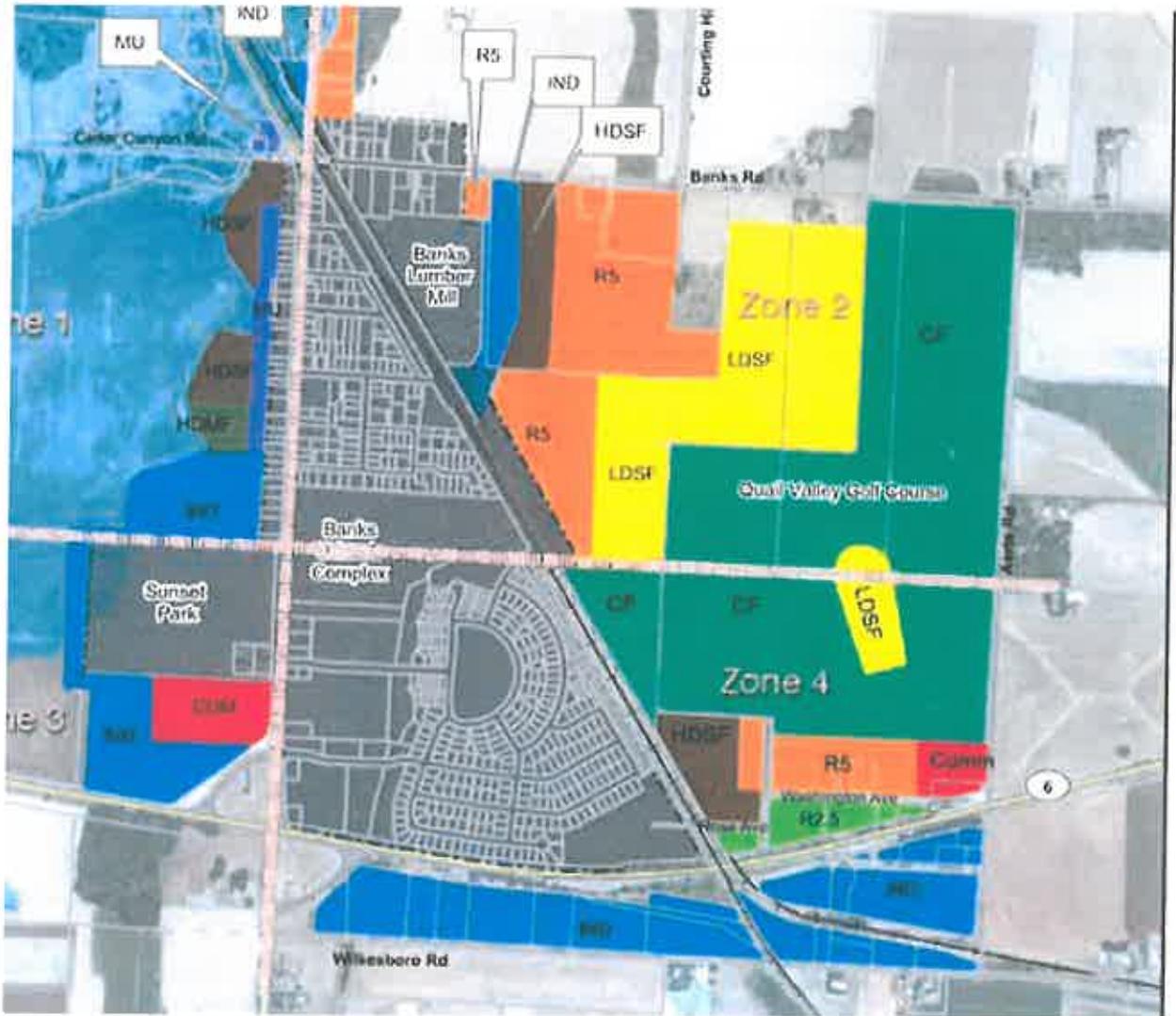
Adjacent properties to the west are large undeveloped parcels outside the UGB along Aerts Road. Washington Avenue is located at the southern boundary of the site. Across Washington Avenue are properties zoned County FD-10, inside the UGB and outside the city limits. The railroad is located along the western boundary, as well as properties currently zoned County FD-10. To the north lies additional largely undeveloped County FD-10 properties as well as Banks Road. The applicant has provided a map showing the site as well as the surrounding properties on Page 6 of the applicant's submittal (**Appendix A**).

The site is within the Banks Fire District, the Banks Public School District and the Washington County Sheriff's Department district. Clean Water Services is the sanitary sewer and storm conveyance provider for the area. The site is relatively flat with rolling topography in areas and is made up mostly of the golf course. The site is contiguous to the Banks City Limits.

2. OBSERVATIONS

CONCURRENT ANNEXATION AND ZONE CHANGE APPLICATIONS

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. The map is shown below and attached in the applicant's submittal (**Appendix A**).



Source: Cardno Submittal March 2014/Banks UGB Comprehensive Plan

PROPOSED USES

- The applicant has provided a preliminary concept plan of the site showing how it could be developed in the future if the voters approve the annexation (**Appendix A**). A diagram of a conceptual layout and the locations of future streets is provided below. The conceptual development plan is non-binding; it shows how a roadway could be provided through the site and how development of the site could occur. There is no design application proposed as part of the annexation.



Source: Cardno Submittal March 2014

- This application has been analyzed based on the most intense development that could occur. The applicant has submitted data showing that maximum gross residential density for the site which is shown in the table below:

Land Use Type	Site Area (acres)	Density	Units (gross)
Low Density Single Family (LDSF)	5.8	6 du/ac	34.8
Single Family Residential (R-5)	11.64	8 du/ac	93.12
High Density Single Family (HDSF)	7.96	10 du/ac	79.6
TOTAL			207.52 units 166 net units (assuming a 20% dedication for streets and open space)

- The City of Banks 2011 UGB Expansion Study identifies the site to assist with meeting its twenty (20) year supply of residential and commercial lands. The site will also provide recreational opportunities. The land identified as commercial located at the intersection of Washington and Aerts will provide new commercially zoned land that can provide services on the west side of the community. This will provide existing and future residents the opportunity to patronize services closer to home, providing access to pedestrians, cyclists and motorists. Additional commercial lands will also provide job opportunities, consistent with the goals articulated in the Banks Comprehensive Plan.
- Future development proposals will be required to apply for Planning approval (either Tentative Subdivision Plan Review, Partition, Planned Development Review and/or Design Review) to ensure compliance with the Banks Zoning Code, Public Works Design Standards and Clean Water Services Design and Construction Standards.

STREET SYSTEM AND TRANSPORTATION IMPACTS

- Street access is available from Aerts Road, extending through the site. Washington Avenue is also available to serve the site from the south. Additional traffic could potentially result in delays in the traffic system. Prior to development of any property within the 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 proposed development result in impacts that are beyond these thresholds the applicant will be required to construct improvements necessary to mitigate the impacts. Additional ROW dedication and street improvements would be required as a part of a development proposal following annexation. The City's standard practice is to require half-street improvements as minimum conditions of development proposals, to be installed and funded by developers.
- 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. Staff finds that the proposed change is consistent with the acknowledged comprehensive plan and Transportation System Plan.
- Development proposals may need to be accompanied by analysis of traffic impacts to ensure that the affected streets and intersections have adequate capacity to accommodate increased traffic.
- The City's Transportation System Development Charges (SDC's) are directly related to the volume of traffic generated by specific types of use. The SDC's collected from development can be used to pay for improvements to projects included in the City's Transportation System Plan.

UTILITIES & STORM DRAINAGE

- Electricity, telephone, and gas are provided to nearby residential properties and could be made available through the extension of nearby lines and public service infrastructure.
- Water usage was evaluated by the applicant's consultant. The proposed development is expected to generate a peak instantaneous demand of 121GPM. (Refer to the calculations in the applicant

submittal.) The methodology for determining the proposed water demand was taken from the *Water System Master Plan, City of Banks, June 2009*. This method incorporates increased commercial and industrial demand within the unit flows for the project per capita population growth. The applicant states that since the publication of the Mater Plan, the City of Banks has completed the Berhman Well #2 project, which was anticipated to reliably add 220 GPM to the public system. If the existing system cannot meet the additional needs of the Quail Valley Annexation, there exists the potential to add the Quail Valley Golf Course Well to the system. As outlined in the Master Plan, the existing well on the golf course is permitted for a maximum rate of 0.89 CFS (399 GPM) for supplemental irrigation. Additional hydrogeological feasibility studies and confirmation that the existing well is constructed to State standards would be required. The Quail Valley development would likely be served by a 12" major loop and distribution grid utilizing 8' lines. Improvements could tie into the existing public system to the west within the Arbor Village subdivision. Connection points include a 12" lie in NW Scottson Terrace and an 8" line in NW Bellingham Court and NW Buckshire Street. The City Engineer reviewed the applicant's statement and has no objections.

- Sanitary sewer usage was evaluated by the applicant's consultant. Flow calculations were determined based on the proposed zoning and the 2009 CWS Sanitary Sewer Master Plan. The proposed zoning is anticipated to generate a total peak sanitary sewer flow of approximately 0.357 CFS. (Refer to the calculations in the applicant submittal.) The proposed development could be served by 8" sanitary sewer mains and will tie into existing public infrastructure within the Phase 2 of the Arbor Village to the west. Potential points of connection to the 8" mains include the terminus of NW Scottson Terrace, NW Bellingham Court and NW Ashton Drive. (See CWS Map Panels 1787, 1887 and 1888). Connection to the existing public system will require boring under an existing railroad right-of-way, which will likely dictate a single point of connection for Quail Valley. Due to the natural topography of the site, Quail Valley to the public system. The City Engineer reviewed the applicant's statement and has no objections.
- Storm water will fall under the jurisdiction of CWS and will be required to meet their standards. Storm water treatment and detention will follow CWS methodology and specific measures will be determined and evaluated during the design process. Preliminary investigations indicate that storm water improvements will connect to public improvements at the intersection of NW Buckshite Street and NW Ashton Drive in Arbor Village Phase 2. The storm line at this point is 24" and discharges into an unnamed tributary of East Fork Dairy Creek just north of Highway 6 (see CWS Map Panel 1888). The City Engineer reviewed the applicant's statement and has no objections.

PUBLIC & PRIVATE AGENCIES AND PUBLIC NOTICE

- The City of Banks Engineer, Washington County Planning and Engineering Departments, Clean Water Services, Banks Fire District, Banks School District, Oregon Department of Transportation (ODOT), Clean Water Services and the Oregon Department of Land Conservation and Development have been provided an opportunity to review the proposal. Comments from these organizations have been incorporated into this staff report. No agencies objected to the proposed annexation.
- Notice of this request was mailed to property owners located within 300 feet of the subject site. Notice was also published in the local newspaper. Staff has received no written comments from the public regarding the application.

2. COMPLAINE WITH APPLICABLE CODE

Applicable criteria are shown in italics.

30.02 REVIEW CRITERIA

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

- (1) *The property is contiguous to the existing city limits;*
- (2) *The property is located within Banks Urban Growth Boundary; and*
- (3) *Any other prerequisite requirement that may be applicable under the Oregon Revised Statutes.*

Finding: The area proposed to be annexed into the City, more specifically described in this report, is contiguous to the existing City of Banks city limits. Specifically, tax lot 6900 of Washington County Tax Map 2N331CA is located contiguous to that portion of tax lot 600 of Washington County Tax Map 2N33100 that is located within the Banks city limits. The property proposed for annexation is wholly located within the City of Banks UGB as amended by Ordinance 2011-04-01. The applicant has demonstrated consistency with Oregon Revised Statute 222.111 and Statewide Planning Goals, as discussed herein. This section is met.

(B) *Timeliness criteria. The Council 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.*

Finding: The Applicant has coordinated with CWS to confirm that there is adequate capacity within the Waste Water Treatment plant that would service the subject property and that adequate sanitary services can be extended to the site to support future development of the property. Refer to the applicant submittal for correspondence from CWS confirming adequate capacity and serviceability. This section is met.

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

Finding: The applicant has coordinated with urban service providers including the Banks Fire District, Banks School District, the Washington County Sheriff's Office and Clean Water Services, none of whom have raised objections. This section is met.

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

Finding: The applicant has provided a utility analysis and has coordinated with Clean Water Services for sanitary sewer and storm water services. The subject properties are within the CWS service boundaries and there are no identified deficiencies that would preclude the availability of facilities for future development, consistent with the Comprehensive Plan. The applicant has also stated that they have a functioning well with water rights on the property that could supplement the City's existing water system. The City Engineer reviewed the applicant's statement and has no objections.

(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.

Finding: The applicant states that they are aware of the need to extend services to the site and that the extension of services will be the financial responsibility of the developer. The applicant understands that if the annexation is approved that the City does not accept responsibility to extend and provide services. At the time of development, the applicant will enter into a development agreement or provide assurances to ensure that infrastructure is available to the site. The applicant has submitted a utility analysis and the City Engineer concurs with the preliminary findings. This section is met.

(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.

Finding: The applicant has submitted the required analyses for this annexation application. There are no studies underway that could result in the property not being appropriate for annexation. The sites are designated for community facilities, residential and commercial lands in the City's Comprehensive Plan. This section is met.

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

Finding: The applicant is aware of this provision. Staff finds no factors in the record that impact the timeliness of this annexation application.

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

Finding: The applicant is aware of this requirement and has submitted a complete application. This section is met.

(Ord. 102500, passed 10-25-2000)

3. APPLICABILITY OF STATEWIDE PLANNING GOALS AND CITY OF BANKS COMPREHENSIVE PLAN GOALS

A number of Oregon's 19 Statewide Planning Goals and City of Banks Comprehensive Plan Goals and Guidelines apply to this application. The City of Banks Comprehensive Plan "mirrors" the Statewide Planning Goals and is therefore addressed together with the Statewide Planning Goals.

1. **The following Statewide Planning Goals and City of Banks Comprehensive Plan Goals have been considered by the City of Banks as they pertain to this request:**

A. Statewide Planning Goal and City of Banks Comprehensive Plan Goal Citizen Involvement (Goal 1)

Finding:

The City's acknowledged Comprehensive Plan and Municipal Code includes citizen involvement procedures with which the review of this application will comply. This process allows for citizens to communicate their input into the application review conducted by the City at public hearings or by submitting written comments. The City of Banks Planning Commission will review and comment on the proposed annexation and zoning map amendment on July 24, 2014 to make a recommendation to the City Council. The City Council will hold a hearing in August 2014. The city posted site notices as described in the public notice section of this report. This process complies with the Goal.

B. Statewide Planning Goal and City of Banks Comprehensive Plan Goal Land Use Planning (Goal 2)

Finding:

The procedural requirements for annexation and zone changes are contained in the Banks Municipal Code, which involve assessment of the application's merits, notice to affected parties, and public hearings. The proposal is to change the zoning designation of urban land within the Urban Growth Boundary, in compliance with Goal 2. The City's decision is based on findings of fact. This Goal is met.

C. Statewide Planning Goal and City of Banks Comprehensive Plan Goal Agricultural Lands (Goal 3)

Finding:

This Goal is not applicable because the site is within the City of Banks Urban Growth Boundary and no identified agricultural resources are located on site. The site is designated for residential development, community facilities and commercial development in the Comprehensive Plan and is currently zoned for Future Development by Washington County.

D. Statewide Planning Goal and City of Banks Comprehensive Plan Goal Forest Lands (Goal 4)

Finding:

This Goal is not applicable because the site is within the City of Banks Urban Growth Boundary and no identified forest resources are located on site. The site is designated for residential development, community facilities and commercial development in the Comprehensive Plan.

E. Statewide Planning Goal and City of Banks Open Spaces, Scenic and Historic Areas and Natural Resources (Goal 5)

Finding:

There are no identified Goal 5 resources on site. The subject site is not designated as open space, a scenic or historic area, or a natural resource area by the City of Banks and does not contain any known significant open space, scenic, historic, or natural resources. The proposed annexation and zone change do not conflict with this Goal.

F. Statewide Planning Goal and City of Banks Comprehensive Plan Goal Air, Water and Land Resources Quality (Goal 6)

Finding:

The site is currently planned for residential, commercial and community facility use. If the annexation were approved, the site would be subject to City regulations that do not allow off-site impacts from noise, vibration, odors, glare, or other “nuisance” effects. The potential harmful effects on air, water and land resource quality is limited. The annexation and zone change proposal will therefore have no significant impact with respect to this Goal.

G. Statewide Planning Goals and City of Banks Comprehensive Plan Goals Areas Subject to Natural Disasters and Hazards (Goal 7)

Finding:

The subject site is not located within a mapped flood plain, potential flood hazard, potential landslide hazard, or earthquake hazard area. The proposal to zone the subject property for residential, commercial and community facilities development is consistent with avoidance of natural disasters and hazards under Goal 7.

H. Statewide Planning Goals and City of Banks Comprehensive Plan Goals Recreational Needs (Goal 8)

Finding:

The majority of the site is golf course property presently designated for community facilities and will add to the recreational needs for residents and visitors. The requested annexation and zone change to Community Facilities (CF) will not result in a reduction in land planned or reserved for

recreational use and will actually add to the City's planning for recreational needs. This Goal is met.

I. Statewide Planning Goals and City of Banks Comprehensive Plan Goals Economic Development (Goal 9)

Finding:

The site is presently designated for residential, commercial and community facilities development on the Comprehensive Plan. Lands identified as commercial will enhance employment and economic development in Banks. This Goal is met.

J. Statewide Planning Goals and City of Banks Comprehensive Plan Goals Housing (Goal 10)

Finding:

A portion of the property (5.8 acres zoned Low Density Single Family (LDSF); 11.64 acres zoned R-5 Single Family (R-5); and 7.96 acres zoned High Density Single Family (HDSF) is proposed for annexation. The annexation would increase the residential land supply within the city limits by 25.3 acres and would allow more intense development than currently permitted under County regulations. The applicant has submitted a land needs analysis prepared by PNW Economics LLC. (Attached as Exhibit 1) Findings provided as based on the Preferred Alternative Strategy for expansion of the UGB (adopted by the City Council in 2010) show the following:

1. The City of Banks UGB had a total inventory of 13.0 net buildable acres of available residential land (prior to the UGB amendment) all of which were under the R-5 zoning designation.
2. The City of Banks has no inventory of residential land types of both lower density zoning (LDSF) or higher density zoning (HDSF, R2.5, MDMF).
3. The Banks City Council adopted population growth and projections and housing needs analysis from the UGB expansion strategy which found the following:
 - There is a total, net buildable residential land demand of 136.6 acres through 2029; and
 - A deficit of net buildable residential land exists within the City of Banks totaling 123.7 acres.

The proposed annexation therefore adds 25.3 acres to the residential land supply, proving housing for unmet needs in Banks. This Goal is met.

K. Statewide Planning Goals and City of Banks Comprehensive Plan Goals Public Facilities and Services (Goal 11)

Finding:

The subject property lies within the Urban Growth Boundary (UGB) and therefore requires the extension of public facilities and services at the developer's expense. Full urban services are available to serve the site. Electricity, telephone, and gas are provided to adjacent residential properties and could be made available through the extension of nearby lines and public service infrastructure. Water, storm sewer and sanitary sewer can also be made available as discussed in the applicant's submittal and in the Observation section of this report. This Goal is met.

L. Statewide Planning Goals and City of Banks Comprehensive Plan Goals Transportation (Goal 12)

Finding:

This Goal requires the City to prepare and implement a Transportation System Plan (TSP). The Banks TSP assumed that this site would be developed under the City's Community Facilities, (CF), Low Density Single Family (LDSF) and Single Family Residential (R-5) Zoning designations, respectively.

Street access is available from Aerts Road, extending through the site. Washington Avenue is also available to serve the site from the south. Additional traffic could potentially result in delays in the traffic system. Prior to development of any property within the 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 proposed development result in impacts that are beyond these thresholds the applicant will be required to construct improvements necessary to mitigate the impacts. Additional ROW dedication and street improvements would be required as a part of a development proposal following annexation. The City's standard practice is to require half-street improvements as minimum conditions of development proposals, to be installed and funded by developers.

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. Staff finds that the proposed change is consistent with the acknowledged comprehensive plan and Transportation System Plan.

Development proposals may need to be accompanied by analysis of traffic impacts to ensure that the affected streets and intersections have adequate capacity to accommodate increased traffic. This Goal is met.

M. Statewide Planning Goal and City of Banks Comprehensive Plan Goal Energy Conservation (Goal 13)

Finding:

The proposed zoning would permit development in accordance with the Comprehensive Plan with the potential to create an energy-efficient land use pattern within the City's Urban Growth Boundary. This Goal is met.

N. Statewide Planning Goal and City of Banks Comprehensive Plan Goal Urbanization (Goal 14)

Finding:

The subject property is within the Urban Growth Boundary and no expansion of the UGB is proposed. The proposed annexation and zone change is the first step in the transition from rural to urbanized land as foreseen in the Comprehensive Plan. Development of the site will trigger requirements for the developer to provide infrastructure, including necessary sewer lines, storm drainage lines, water line extensions, and street improvements. This Goal is met.

O. Other Goals

Finding:

The following goals are not applicable to this application:

- Willamette River Greenway (Goal 15)
- Estuarine Resources (Goal 16)
- Coastal Shorelands (Goal 17)
- Beaches and Dunes (Goal 18)
- Ocean Resources (Goal 19)

2. The following Administrative Rule has been considered by the City of Banks as it pertains to this request:

TRANSPORTATION PLANNING RULE

OAR 660 Division 12 – Transportation Planning:

660-012-0060 Plan and Land Use Regulation Amendments

(1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

(b) Change standards implementing a functional classification system; or

(c) As measured at the end of the planning period identified in the adopted transportation system plan:

(A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or

(C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

Finding:

The annexation of this site and the application of the CF, LDSE, R-5 and C zoning designations are consistent with the Comprehensive Plan and the level of development analyzed in the 2010 TSP.

This proposal itself does not “significantly affect” the impacted street segments (as defined by the Transportation Planning Rule) because the annexation and zoning are consistent with the TSP traffic assumptions. Full determination of the required improvements would be deferred until the time of development of the site, and would consist of half-street improvements at a minimum.

Based on the above, the City finds that the proposed annexation and zone change are consistent with the land uses envisioned by the Comprehensive Plan and the Transportation System Plan.

Therefore, the proposed annexation and zone change are consistent with the Comprehensive Plan and TSP and would not require a change in the functional classification or street standards.

As spelled out by the City of Banks Public Works Design Standards, specific development proposals may trigger the requirement for traffic analysis reports identifying projected trip generation levels, recommendations for public improvements, and access management. Any mitigation strategies prompted by the results of the traffic analysis reports would be installed as conditions of development. This Goal is met.

3. The following section addresses the zoning upon annexation request.

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.

(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.

Finding:

Staff is requesting the Council place the property in a zoning classification consistent with the corresponding zone identified in the Comprehensive Plan. Annexation proceedings are occurring concurrently with the zone change.

151.157 COMPREHENSIVE PLAN AND ZONING AMENDMENT CRITERIA.

(A) Quasi-judicial comprehensive plan and/or zoning amendment applications shall be approved if the following criteria have been met.

(B) The proposed change is consistent with and supportive of the Comprehensive Plan goals, objectives, and policies.

(C) The proposed change is compatible with the surrounding existing and planned land use pattern.

(D) Public facilities (i.e. transportation system, water supply, sewer service, storm water disposal, and police and fire protection) are capable of supporting the uses permitted in the proposed zone.

(E) The proposed change is consistent with the statewide planning goals.

(F) Amendments that affect transportation facilities. Except as provided in division (C), amendments to the comprehensive plan and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Banks Transportation System Plan. This shall be accomplished by one of the following:

Finding:

The proposed zone change is an "automatic" zone change because the properties are located within the UGB area and upon annexation, such properties receive the corresponding city zoning as outlined in the Comprehensive Plan.

The applicant has demonstrated consistency with criteria A-F throughout this report. The proposed zoning conforms to the city's comprehensive Plan. The proposal itself does not negatively impact transportation facilities. There is adequate and available public facilities and service to serve potential development. The proposal complies with Statewide Planning Goals. There are no known significant adverse effects on designated open spaces, scenic, historic or natural resources by urbanization of the subject site at the time of annexation. This section is met.

4. RECOMMENDATION

Based on the findings of fact and the material submitted by the applicant, staff recommends that the Planning Commission recommend **APPROVAL** of this application to the City Council for placement on the November 4, 2014 ballot.

Appendix:

- A. Applicant Submittal
- B. Service Provider Comments
- C. Banks 2011 UGB Report (incorporated by reference and on file)

EXHIBIT A

QUAIL VALLEY GOLF COURSE

Banks,
Oregon

An Application for:
Petition for Annexation

Submitted:
March 12, 2014

Applicant:
Quail Valley Golf Course, LLC
12565 NW Aerts Rd
Banks, Oregon 97106

Prepared by:
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5415 SW Westgate Drive, Suite 100
Portland, Oregon 97221
503/419-2500

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- B. Clean Water Services Service Provider Letter
- C. Utility Serviceability
- D. Annexation Application
- E. Mailing Labels
- F. Washington County Maps
- G. Economic Analysis

INTRODUCTION

GENERAL INFORMATION

Applicant: Quail Valley Golf Course
12565 NW Aerts Rd,
Banks, OR 97106

Applicant's Representative Cardno
5415 SW Westgate Drive; Suite 100
Portland, Oregon 97221
Phone: (503) 419-2500
Fax: (503) 419-2600
Contact: Michael Cerbone, AICP
michael.cerbone@cardno.com

Tax Lot Information:	Map	Tax Lot
	2N331	100, 201 & 500
	2N331CA	6900
	2N331D	100, 101, 400, 1000

Location: Banks, Oregon
Generally bounded by Aerts Road to the East;
Washington Avenue, Sixth Street and Rose Avenue
to the South; NW Banks Road to the North; and the
Railroad to the West.

Current Zoning District: Washington County – Future Development 10 Acre
District (FD-10)

Project Site Area: +/- 172.93 gross acres

SUMMARY OF PROPOSAL

The Quail Valley Golf Course (applicant) seeks to annex into the Banks City Limits. The property was included within the Banks Urban Growth Boundary in November of 2003 (ORD 111301).

SUPPLEMENTAL WATER FOR THE CITY OF BANKS

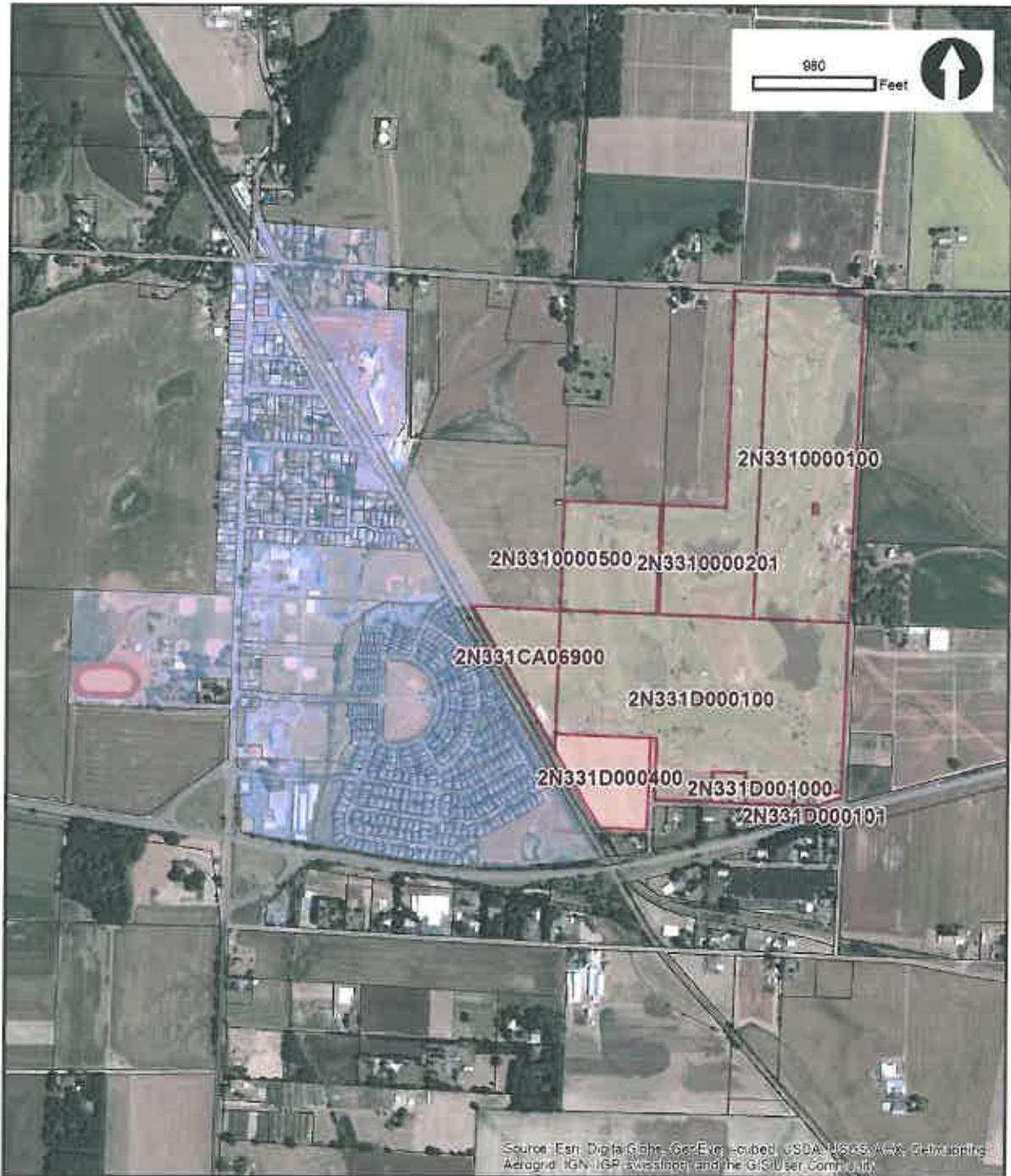
The applicant maintains a functioning water well utilized as a supplemental source for irrigation of the golf course. The applicant's primary source for irrigation water is the Tualatin Valley Irrigation District (TVID), upon annexation the applicant will continue to utilize TVID to irrigate the golf course. The applicant holds a water right with the Oregon Water Resources Department (WRD) to use the ground water well (Permit No. G-13543), said right authorizes use of up to .89 cubic feet per second to irrigate 101.6 acres. The well is capable of producing more water than the applicant needs and could be available to the City to supplement the existing water system.

NEEDED COMMERCIAL, RESIDENTIAL AND OPEN SPACE LAND

The proposed annexation would result in the addition of Commercial, Residential and Open Space to the City of Banks Urban Growth Boundary (UGB). The applicant has analyzed the existing UGB and determined that the requested annexation is timely, please see Exhibit G for more detail. A summary of each of the properties and the corresponding zoning is set forth below.

Map#	TL#	Acres	Zoning	Density
2n331Ca	6900	8.93	Community Facilities (CF)	N/A
2n331	100	44.3	Community Facilities (CF)	N/A
	201	23.64	Community Facilities (CF)	N/A
	201	2.3	Low Density Single Family (LDSF)	6 du/acre
	500	15.8	Community Facilities (CF)	N/A
2n331D	100	51.36	Community Facilities (CF)	N/A
	100	8.14	Single Family Residential (R-5)	8 du/acre
	100	3.5	Low Density Single Family (LDSF)	6 du/acre
	100	2.6	Commercial	.25 FAR
	101	0.9	Commercial	.25 FAR
	400	7.96	High Density Single Family	10 du/acre
	400	2	Single Family Residential (R-5)	8 du/acre
	1000	1.5	Single Family Residential (R-5)	8 du/acre

172.93 Total Acres

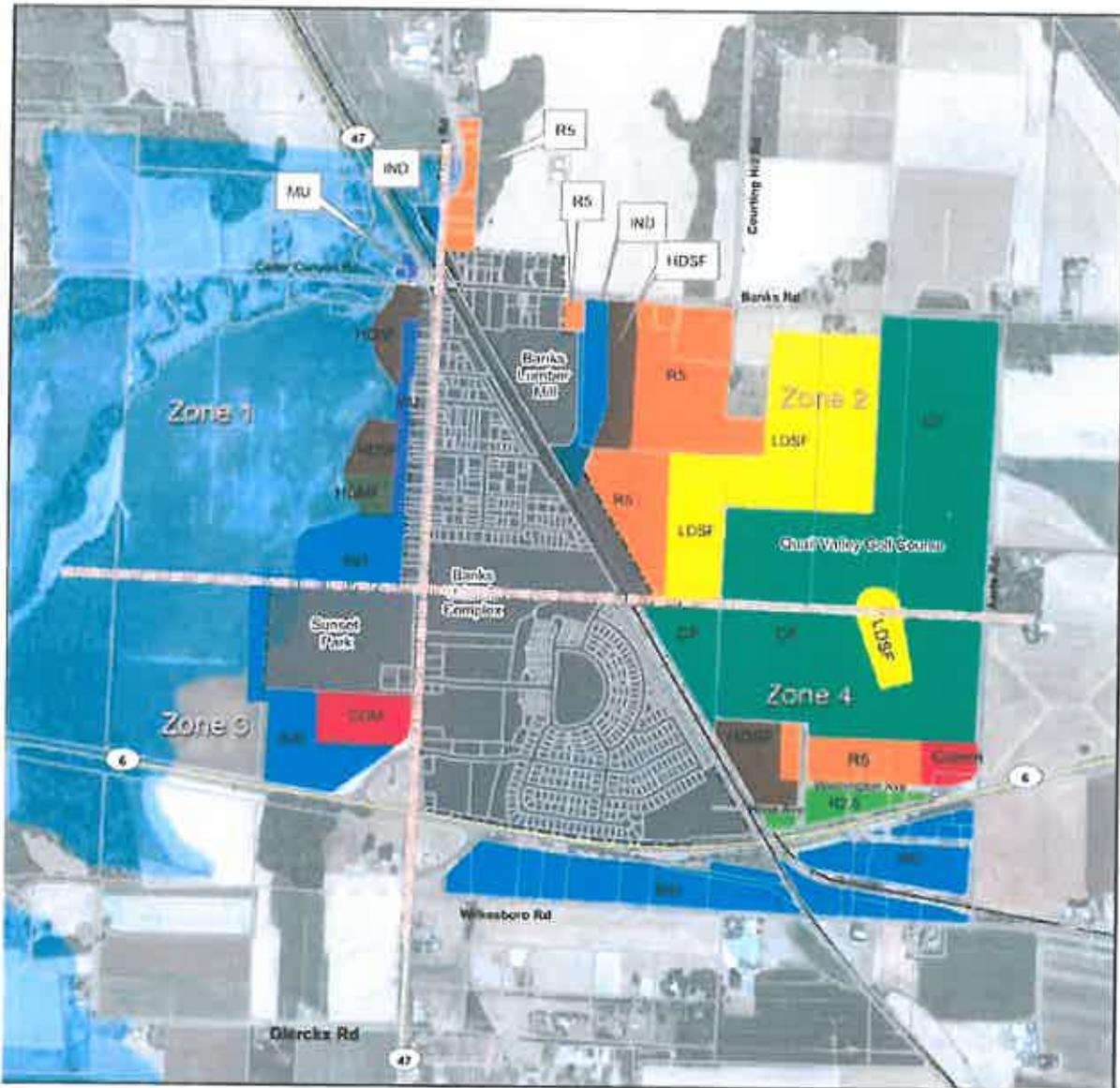


Quail Valley Annexation

Tax Lots

Banks, Oregon





Proposed Zoning for the annexed area is set forth above. The subject property is comprised primarily of land zoned Community Facility, a 3.5 acre Commercial node is located at the intersection of Washington and Aerts, Low Density Single Family is proposed within the interior of the golf course, with High Density Single Family and Single Family (R-5) situated along Washington Avenue.

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-10 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-10 plan designation for lands which have been included inside the UGB.

III. SPECIAL POLICIES

A. Definitions

1. **Urban Growth Boundary** means the area within which urban development will occur as represented in the City of Banks' Comprehensive Plan. The CITY is responsible for comprehensive planning within the UGB.

Response: The applicant is requesting approval to annex into the City of Banks and is proposing to allow for development as envisioned within the City's comprehensive plan.

2. **Urban Planning Area** means the area inside the Urban Growth Boundary, but outside the city limits. The CITY and the COUNTY shall notify one another of proposed comprehensive planning and development actions within the Urban Planning Area according to the provisions of this Agreement.

Response: The applicant understands this provision and assumes the City will notify the County regarding the proposed annexation. The applicant has coordinated with the Washington County election department, Clean Water Services, the Washington County Sheriff's office as well as the Washington County Cartography and GIS Department.

3. **Urban Reserve Study Area** means the undesignated rural lands surrounding the CITY. These lands may undergo future study through a cooperative effort between the COUNTY and CITY to designate Urban Reserves pursuant to OAR 660-021.

Response: The applicant is proposing to annex lands that are located within the Urban Growth Boundary, not within the Urban Reserve Area.

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

Response: The applicant understands this portion of the agreement. 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).

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.

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

Response: The applicant has coordinated the submittal with Clean Water Services, a division of Washington County who will be responsible for sanitary sewer and stormwater services once the subject properties are annexed into Clean Water Services.

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 so that the subject properties can be developed at a later date within the City Limits allowing annexation to take place prior to development review.

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: The applicant is not requesting development approval at this time, subsequent development of the site will be complete after annexation and will be reviewed by City staff.

LAND USE DECISION CRITERIA

CITY OF BANKS CHAPTER 30 – GENERAL PROVISIONS

30.01. 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,

(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: The Applicant has completed all necessary application forms and paid required fees consistent with this requirement.

(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: The applicant has provided formal responses demonstrating the requested annexation is consistent with the Urban Planning Area Agreement in effect between the City of Banks and Washington County.

30.02. 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 6900 of Washington County Assessors map 2N331CA is located contiguous to that portion of tax lot 600 of Washington County Assessors map 2N33100 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: The Applicant has addressed Oregon Revised Statute 222.111 within this request 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: The Applicant has coordinated with Clean Water Services (CWS) to confirm that there is adequate capacity within the Waste Water Treatment plant that would service the subject property and that adequate sanitary services can be extended to the site to support the anticipated development of property. Please refer to Exhibit B for a correspondence from CWS confirming adequate capacity and serviceability.

The applicant has included a memo regarding utility capacity demonstrating the site can be served and is timely for annexation. The memo is included as Exhibit C.

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

Response: 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.

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

Response: The applicant has prepared a utility analysis included as Exhibit C and 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 and there are no identified deficiencies within the City or CWS facilities that would preclude the ability for development consistent with the City's adopted comprehensive plan. The applicant has a functioning well with water rights on the property that could compliment the City's existing water system.

(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. The applicant or designee will at the time development enter into a development agreement or provide such assurances (bond etc) to ensure that infrastructure is available to the site. The Utility Analysis provided by the applicant as well as the correspondence from the service providers supports the requested annexation. The applicant has a functioning well with water rights on the property that could compliment the City's existing water system.

(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. The applicant has coordinated with CWS regarding potential development of the property and has analyzed the City's existing water capacity and finds no reason to determine that the requested annexation is not timely. The applicant has included an Economic Analysis of the City to further support the need for additional land within the City demonstrating that the requested petition for annexation is timely.

(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 of the proposed property sought to be annexed is owned by the Quail Valley Golf Course 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: The applicant has enclosed a certified legal description from the Washington County Cartography staff.

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

Response: The applicant has enclosed a copy of the County Assessor's quarter section maps showing the proposed annexed area and adjacent city territory.

(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: The applicant has included a general land use plan indicating the type and intensity of development. Each of the proposed land use districts identified on the map correspond to the table provided above in terms of density and intensity of development. Transportation corridors are shown on several of the attached exhibits. The majority of the area sought to be annexed is proposed to remain as open space.

(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: The applicant has enclosed a preliminary development plan that depicts how the property could be developed as well as an analysis of the utility system demonstrating it is feasible to serve the property with appropriate infrastructure. As identified within the City's 2011 UGB expansion the site is identified to assist the city with meeting its twenty (20) year supply of residential and commercial property. The site will also assist the City will providing recreational opportunities consistent with Statewide Planning Goal 8. The proposed approximately 3.5

acres of commercial land located at the intersection of Washington and Aerts will provide new commercially zoned land that can provide services on the west of the community where there currently are no commercial services available. This will provide existing and future community members the opportunity to patronize services closer to their homes, providing access to pedestrians and bicyclist as well as motorist. Additional commercial zoned 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 residential land will assist the community with providing new housing options with the possibility to develop a range of housing types. Portions of the subject property are identified for Low Density Residential (6 dwelling units per acre), Single Family Residential (8 dwelling units per acre), and High Density Single Family (10 dwelling units per acre). Using the gross acreage identified in the above table, the property could provide approximately 166 new dwelling units (assuming a 20% dedication for streets and open space). These new home would assist the community in providing a range of housing consistent with Statewide Planning Goal 10.

The new homes and commercial property will provide jobs during construction. 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 Cardno 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 assure that adequate capacity exists within existing facilities and will require construction of new facilities as development dictates. The subject property contains a well with water rights that can complement the existing City of Banks water system.

(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 are known to be required at this time. Prior to approval of subdivision for the residential land or site development for the commercial land the applicant or designee will be required to design and extend urban services as required by the City of Banks, including extension of water and sanitary sewer services and improvements to the existing and planned transportation system.

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

Response: The applicant has coordinated with the Banks School District. The applicant has analyzed the water, sanitary sewer and stormwater needs for the property and articulated those within the attached memo.

(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 homes and commercial buildings can have negative effects on adjacent property. 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. Additional traffic could potentially result in delays within the transportation system. 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 deigned 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.

(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: The applicant has prepared an Economic Analysis in support of the proposed annexation which is included as Exhibit G. The analysis concludes that additional land is needed within the City to meet the community's needs.

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

Response: The applicant has prepared an Economic Analysis in support of the proposed annexation which is included as Exhibit G. The analysis concludes that additional land is needed within the City to meet the community's 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 applicant has prepared an Economic Analysis in support of the proposed annexation which is included as Exhibit G. The analysis concludes that additional land is needed within the City to meet the community's needs.

(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: The applicant has attached a list of the current property owners within 300 feet of the exterior boundary of the subject property.

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 6900 of Washington County Assessors map 2N331CA is located contiguous to that portion of tax lot 600 of Washington County Assessors map 2N33100 that is located within the City of Banks city limits.

(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 Quail Valley Golf Course who is the applicant in this petition for annexation.

(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 November 2014 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 November 2014 election.

(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 November 2014 election.



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
- 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

PRE-APPLICATION DATE: _____

Service Provider: PLEASE RETURN THIS FORM TO:

APPLICANT:

COMPANY: Cardno
 CONTACT: Michael Cerbone
 ADDRESS: 5415 SW Westgate Drive
Portland, Oregon 97221
 PHONE: 503 419 2500

OWNER(S):

NAME: Quail Valley Golf Course
 ADDRESS: 12565 NW Aerts Rd
Banks, Oregon 97106
 PHONE: 503 324 4444

Property Desc.: Tax Map(s): 2n331 Lot Number(s): 100, 201, 500

2n331d 100, 101, 400, 1000

Site Size: 172.93 acres 2n331ca - 6900

Site Address: 12565 NW Aerts Road
 Nearest cross street (or directions to site):
Aerts and Washington

PROPOSED PROJECT NAME: Quail Valley Golf Course Annexation

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

No development is proposed at this time, the applicant is requesting approval of an annexation only

EXISTING USE: Residential / Golf Course PROPOSED USE: Commercial, Residential and Golf

IF RESIDENTIAL: 167
 NO. OF DWELLING UNITS:
 SINGLE FAM. 103 MULTI-FAM. 64

IF INDUSTRIAL/COMMERCIAL:
 TYPE OF USE: To be determined
 NO. OF SQ. FT. (GROSS FLOOR AREA) 38,115

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 level of service is available to the proposed use on the attached sheets for the project.

Service level is adequate for emergency calls only. Currently, the base level of Police Service in Washington County is .50 officer per 1,000 population. The Enhanced Sheriff's Patrol District (ESPD) has increase the level to 1.0 officer Per 1,000 population in specified areas.

SIGNATURE: Douglas P... POSITION: Criminal Records Manager DATE: 03/12/14

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
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 Current Planning Section
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 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
- 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: Quail Valley Golf Course Annexation

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

No development is proposed at this time, the applicant is requesting approval of an annexation only

EXISTING USE: Residential / Golf Course

PROPOSED USE: Commercial, Residential and Golf Course

IF RESIDENTIAL: 167
 NO. OF DWELLING UNITS:
 SINGLE FAM. 103 MULTI-FAM. 64

IF INDUSTRIAL/COMMERCIAL:
 TYPE OF USE: To be determined
 NO. OF SQ. FT. (GROSS FLOOR AREA) 38,115

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.

SIGNATURE: Bob Huston POSITION: Superintendent DATE: 3-31-14

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: _____

CONTACT: _____

ADDRESS: _____

PHONE: _____

OWNER(S):

NAME: Quail Valley Golf Course

ADDRESS: 12565 NW Aerts Rd
Banks, Oregon 97106

PHONE: 503 324 4444

Property Desc.: Tax Map(s): 2n331 Lot Number(s): 100, 201, 500
2n331d 100, 101, 400, 1000

Site Size: 172.93 acres 2n331ca - 6900

Site Address: 12565 NW Aerts Road
 Nearest cross street (or directions to site):
Aerts and Washington

Angie Lanter

From: Michael Cerbone (Portland)
Sent: Monday, March 10, 2014 10:12 AM
To: 'levie@banksfire.org'
Subject: RE: Quail Valley Golf Course Annexation: Fire Service Coordination
Attachments: ServiceProviderFire.pdf

Levi,

Attached is a service provider letter I found on Washington County's website that you could use to respond.

Thanks,

Michael Cerbone, AICP
Project Manager
CARDNO

From: Michael Cerbone (Portland)
Sent: Monday, March 10, 2014 9:19 AM
To: 'levie@banksfire.org'
Subject: Quail Valley Golf Course Annexation: Fire Service Coordination

Levi,

Thanks for taking the time to talk with me today. As I noted on the phone we are proposing to annex approximately 173 acres into the UGB, most of which will remain a golf course, so of which, as detailed below is proposed to be developed in the future with residential and commercial uses.

Map#	TL#	Acres	Zoning	Density
2n331Ca	6900	8.93	Community Facilities (CF)	N/A
2n331	100	44.3	Community Facilities (CF)	N/A
	201	23.64	Community Facilities (CF)	N/A
	201	2.3	Low Density Single Family (LDSF)	6 du/acre
	500	15.8	Community Facilities (CF)	N/A
2n331D	100	51.36	Community Facilities (CF)	N/A
	100	8.14	Single Family Residential (R-5)	8 du/acre
	100	3.5	Low Density Single Family (LDSF)	6 du/acre
	100	2.6	Commercial	.25 FAR
	101	0.9	Commercial	.25 FAR
	400	7.96	High Density Single Family	10 du/acre
	400	2	Single Family Residential (R-5)	8 du/acre
	1000	1.5	Single Family Residential (R-5)	8 du/acre

172.93

Please let me know if there are any questions.

Thank you,

Michael Cerbone, AICP

Project Manager
CARDNO



Phone (+1) 503-419-2500 Fax (+1) 503-419-2600 Direct (+1) 503-419-2585 Mobile (+1) 503-730-8618
Address 5415 SW Westgate Drive, Suite 100 Portland, OR 97221
Email michael.cerbone@cardno.com Web www.cardno.com

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Michael Cerbone (Portland)

From: Laurie Harris <HarrisL@CleanWaterServices.org>
Sent: Monday, March 10, 2014 3:48 PM
To: Michael Cerbone (Portland)
Subject: RE: Quail Valley Golf Course: Annexation

Hello Michael,

Thank you for the reminder. I understand from reviewing the city code that your annexation application packet to the City of Banks needs to include a "detailed statement of availability, capacity, and status of existing sewer and drainage facilities."

A couple months ago I talked about this with Andy Braun, a manager within the Conveyance Department, since he participated in the proposed Banks UGB expansion planning process. Based on my conversation with Andy and information from the Sanitary Sewer Master Plan Update (2009) and the city's UGB expansion PAPA findings I can confirm the following information:

1. Clean Water Services is the sanitary sewer and storm conveyance provider for the area,
2. The subject properties will need to be annexed into Clean Water Services' service area upon annexation to the City of Banks,
3. Public sanitary sewer and storm conveyance systems exist within the current city limits,
4. Extension of public sanitary sewer and public storm conveyance will be required in order to serve the proposed annexation area,
5. Per the Urban Grown Boundary Expansion Justification Technical Report (October 2010) the City of Banks found that the "UGB expansion areas can be efficiently served with sanitary sewer and storm conveyance," and
6. Proposals for future development will require service availability letters that will indicate whether conveyance improvements need to be made in order for the proposed development to comply with Clean Water Services' Design and Construction Standards.

If it would help you prepare the "detailed statement of availability, capacity, and status of existing facilities" I can arrange a meeting for you to talk with Andy Braun to learn more about the information that Clean Water Services has regarding availability, capacity and status of existing sewer and drainage facilities in the Banks area. You can also call Andy directly at 503-681-3615.

Please let me know if can provide additional assistance.

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

TECHNICAL MEMORANDUM



To: City of Banks, City Engineer
Attn: Gordon Munro

From: Michael Cerbone, Project Manager

Date: March 10, 2014

Project: Quail Valley Annexation
Cardno#: 21305760
Re: Public Utility Availability

5415 SW Westgate Drive
Suite 100
Portland, Oregon 97221
USA

Phone (503) 419-2500
Fax (503) 419-2600

www.cardno.com

This technical memorandum will outline the planned public utility needs and existing public facilities available to serve the proposed Quail Valley Annexation into the City of Banks.

SANITARY SEWER

The proposed Quail Valley development is anticipated to generate a total peak sanitary sewer flow of approximately 0.357 CFS (see attached calculations). Flow calculations have been determined based on the proposed land use zoning and the 2009 CWS Sanitary Sewer Master Plan. The proposed development will be served by 8 inch diameter sanitary sewer mains, and will tie into existing public infrastructure within the Phase 2 of the Arbor Village subdivision to the west. Potential points of connection to existing 8 inch sanitary sewer mains in Arbor Village at the terminus of NW Scottston Terrace, NW Bellingham Court, and NW Ashton Drive (see CWS Map Panels 1787, 1887, and 1888). Connection to the existing public system will require boring under an existing railroad right-of-way, which will likely dictate a single point of connection for Quail Valley. Due to the natural topography of the site, and subject to the depth of the existing sanitary sewer lines, pump stations may be necessary to connect the Quail Valley development to the public sanitary system.

STORMWATER

The Quail Valley development would fall under the jurisdiction of CWS, and as such will meet the requirements as listed in the *Design and Construction Standards for Sanitary Sewer and Surface Water Management* issued in July 2009. Stormwater treatment and detention will follow CWS methodology, and specific measures will be determined as the design progresses. Proposed treatment of public and private stormwater will occur within the Quail Valley development and will not impact neighboring properties. Preliminary investigations indicate that the proposed stormwater improvements will connect into the public stormwater system at the intersection of NW Buckshite Street and NW Ashton Drive in Arbor Village Phase 2. The storm line at this point is 24 inches and discharges into an unnamed tributary of East Fork Dairy Creek just north of Highway 6 (see CWS Map Panel 1888).

WATER

The proposed development is expected to generate a peak instantaneous demand of 121 GPM (see attached calculations). The methodology for determining the proposed water demand was taken from the *Water System Master Plan, City of Banks* issued in June 2009. This method incorporates increased commercial and industrial demand within the unit flows for the project per capita population growth. Since the publication of the Master Plan, the City of Banks has completed the Berhman Well #2 project, which was anticipated to reliably add 220 GPM to the public system. If the existing public water system cannot meet the additional needs of the Quail Valley Annexation there exists the potential add the Quail Valley Golf Course Well to the system. As outlined in the Master Plan, the existing Well on the Quail Valley Golf Course is permitted for a



maximum rate of 0.89 CFS (399 GPM) for supplemental irrigation. Additional hydrogeological feasibility studies and confirmation that the existing well is constructed to State would be required for this option. The Quail Valley development will be served by a 12 inch major loop and a distribution grid which will likely be 8 inches and will be verified by modeling. The proposed improvements can tie into the existing public system to the west within the Arbor Village Subdivision. Connection points include a 12 inch line in NW Scottson Terrace, and 8 inch lines in NW Bellingham Court and NW Buckshire Street.

QUAIL VALLEY ANNEXATION
PRELIMINARY SANITARY SEWER FLOW PROJECTIONS

Prepared by: RPM
Date: 3/10/2014

Land Use Type	Site Area (AC)	Units	Unit Flow
SFR4 (Low Density SF)	5.8	6 du/acre	67.0 gallons per capita day ¹
SFR5 (Single Family Res)	11.64	8 du/acre	67.0 gallons per capita day ¹
SFR6 (High Density SF)	7.96	10 du/acre	67.0 gallons per capita day ¹
CG (General Commercial)	3.5	0.25 floor area ratio	3,659 gallons per day per acre (Unit ADWF Factor) ⁴

A) Residential	Number of Units ⁵	Unit Flow Rate (gpod) ¹	People per Dwelling Unit ⁴	People	Total Sewage (gpd)	Total Sewage (cfs)	Total Sewage (Residential Equivalent)	Peaking Factor ²	Peak Flow (gpd)	I/I Inflow Factor (g/ac/d) ³	I/I Inflow (gpd)	Total Peak Flow (cfs)
SFR4	34.8	67	2.4	84	5,596	0.008	35	2.5	13,990	4,000	23,200	0.058
SFR5	93.12	67	2.4	223	14,974	0.022	93	2.5	37,434	4,000	46,560	0.130
SFR6	79.6	67	2.4	191	12,800	0.019	80	2.5	31,999	4,000	31,840	0.099
Subtotal												0.286

B) Commercial	Property Area (ac) ⁵	Unit Flow Rate (gpapd) ⁴	Total Sewage (gpd)	Total Sewage (cfs)	Total Sewage (Residential Equivalent)	Peaking Factor ²	Peak Flow (gpd)	I/I Inflow Factor (g/ac/d) ³	I/I Inflow (gpd)	Total Peak Flow (cfs)
CG	3.5	3,659	12,807	0.019	80	2.5	32,016	4,000	14,000	0.071
Subtotal										0.071
TOTAL										0.357

Assumptions:

¹ Gallons per capita day demand projections are from the Clean Water Services Master Plan, dated March 2009, Table 2-2 for Specified Land Use.

² Peaking factors are from CWS email from Jackie Humphreys, dated 7/15/2013.

³ I/I Inflow factor is from CWS email from Jackie Humphreys, dated 7/15/2013.

⁴ Value from Clean Water Services Master Plan, dated March 2009, Table 2-2 for Specified Land Use.

⁵ Zoning and Density per Table & Site Plan per email from Michael Carbons (Cardno), dated 3/10/2014.

**QUAIL VALLEY ANNEXATION
PRELIMINARY WATER DEMAND PROJECTIONS**

Prepared by: RPM
Date: 3/10/2014

Land Use Type	Site Area (AC)	Units	Unit Flow
SFR4 (Low Density SF)	5.8	6 du/acre	152.0 gallons per capita day ¹
SFR5 (Single Family Res)	11.64	8 du/acre	152.0 gallons per capita day ¹
SFR6 (High Density SF)	7.96	10 du/acre	152.0 gallons per capita day ¹

A) Residential	Number of Units ³	Unit Flow Rate (gpcd) ¹	People per Dwelling Unit ⁴	People	Total Demand (gpd)	Average Daily Demand (gpm)	Peaking Factor ²	Maximum Daily Demand (gpm)
SFR4	34.8	152	2.4	84	12,695	8,816	2.3	20
SFR5	93.12	152	2.4	223	33,970	23,590	2.3	54
SFR6	79.6	152	2.4	191	29,038	20,165	2.3	46
TOTAL								121

Assumptions:

¹ Gallons per capita day demand projections are from the Water System Master Plan, City of Banks, dated June 2009.

² Peaking factors are from the Water System Master Plan, City of Banks, dated June 2009.

³ Zoning and Density per Table & Site Plan per email from Michael Carbone (Cardno), dated 3/10/2014.

⁴ Value from Clean Water Services Master Plan, dated March 2009, Table 2-2 for Specified Land Use.

ANNEXATION LAND NEEDS ANALYSIS BANKS, OREGON

Prepared for: Cardno, Inc.

Prepared by: PNW Economics, LLC

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Introduction

PNW Economics has been retained by Cardno, Inc. ("Cardno") to provide economic analysis of residential and commercial land needs for the City of Banks. Cardno is supporting its client in an annexation request for the Quail Valley Golf Course in support of an annexation application for the Quail Valley Golf Course and adjacent parcels.

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

Undeveloped Residential Land

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

Findings are summarized as follows as of their adoption:

- The City of Banks UGB had a total inventory of 13.0 net buildable acres of available residential land.
- Of that, all 13.0 acres were under the R5 zoning designation.

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

- The City of Banks has no inventory of residential land types of both lower density zoning (LDSF) or higher density zoning (HDSF, R2.5, HDMF, MU).

Figure 1: 2010 Banks UGB Residential Land Inventory & Land Need Findings (CH2MHILL Table 2)

Table 2: City of Banks 2029 Residential Land Needs Analysis Update

Buildable Lands Inventory for Housing (net buildable acres)							
	LDSF¹	R5	HDSF¹	R2.5	HDMF¹	MU¹	Total
Current UGB Acres		86.8		3.5			90.3
Acres in Use		73.8		3.5			77.3
Constrained Acres							0.0
Available Acres	0.0	13.0	0.0	0.0	0.0	0.0	13.0
Current Acres %	0.0%	96.1%	0.0%	3.9%	0.0%	0.0%	100.0%
Acres in Use %	0.0%	95.5%	0.0%	4.5%	0.0%	0.0%	100.0%
Available Acres %	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Existing Units per Acres in Use		5.85		16.57			6.34

Land Needed by Land Use Type (net buildable acres)							
	LDSF	R5	HDSF	R2.5	HDMF	MU	Total
Acres Needed	45.7	58.5	20.7	4.9	1.9	4.9	136.6
New Acres Needed	45.7	45.6	20.7	4.9	1.9	4.9	123.7

¹ Proposed zoning district to be adopted into Banks Zoning Ordinance concurrent with adoption of UGB expansion amendment into Banks Comprehensive Plan

Alternatively, Banks City Council adopted population growth projections and housing needs analysis that finds the following need for land:

- Total, net buildable residential land demand of 136.6 acres through 2029.
- A deficit of net, buildable residential land within the City of Banks of 123.7 acres.

A review of the US Housing & Urban Development (“HUD”) comprehensive residential building permit database showed no new residential units permitted by the City of Banks since the publication and adoption of these findings by the City of Banks.

With no reductions in existing residential land inventory by way of new construction permitted, as well as the status of Quail Valley Golf Course and nearby, subject parcels as within the Banks UGB but not yet annexed, an existing residential inventory of 13.0 acres of net, buildable land zoned R5 is the current inventory of land within Banks City Limits.

Undeveloped Commercial & Community Facilities Land

In support of Banks UGB amendment, a similar analysis of employment land, including commercial land need and community facilities need resulting from commercial growth, was included by CH2MHILL in their October 2010 technical memorandum.² Results of that study of employment land inventory within the City of Banks UGB, as well as estimates of employment land need adopted by Banks City Council are found in Figure 2.

Figure 2: 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 had a total inventory of 1.07 net buildable acres of available commercial land.
- The City of Banks UGB had no land available for future community facilities.

Undeveloped Residential, Commercial & Community Facilities Land Conclusion

Based on documented, net buildable land inventory findings adopted by the City of Banks, PNW Economics concludes the following available land inventory estimates should be considered for any future annexation analysis:

- Residential Land Inventory: *No more than 13.0* net buildable acres, all zoned R5.
- Commercial Land Inventory: *No more than 1.07* net buildable acres.
- Community Facilities Land Inventory: **Zero (0.0)** net buildable acres.

² <http://www.cityofbanks.org/vertical/sites/%7B9449421F-C29B-4D8D-BE42-4EB124C2CA36%7D/uploads/%7BED48A4B9-5D96-4A15-91E4-5EF2AB8DEE5C%7D.PDF>

(2) Short-Term Demand for Proposed Development

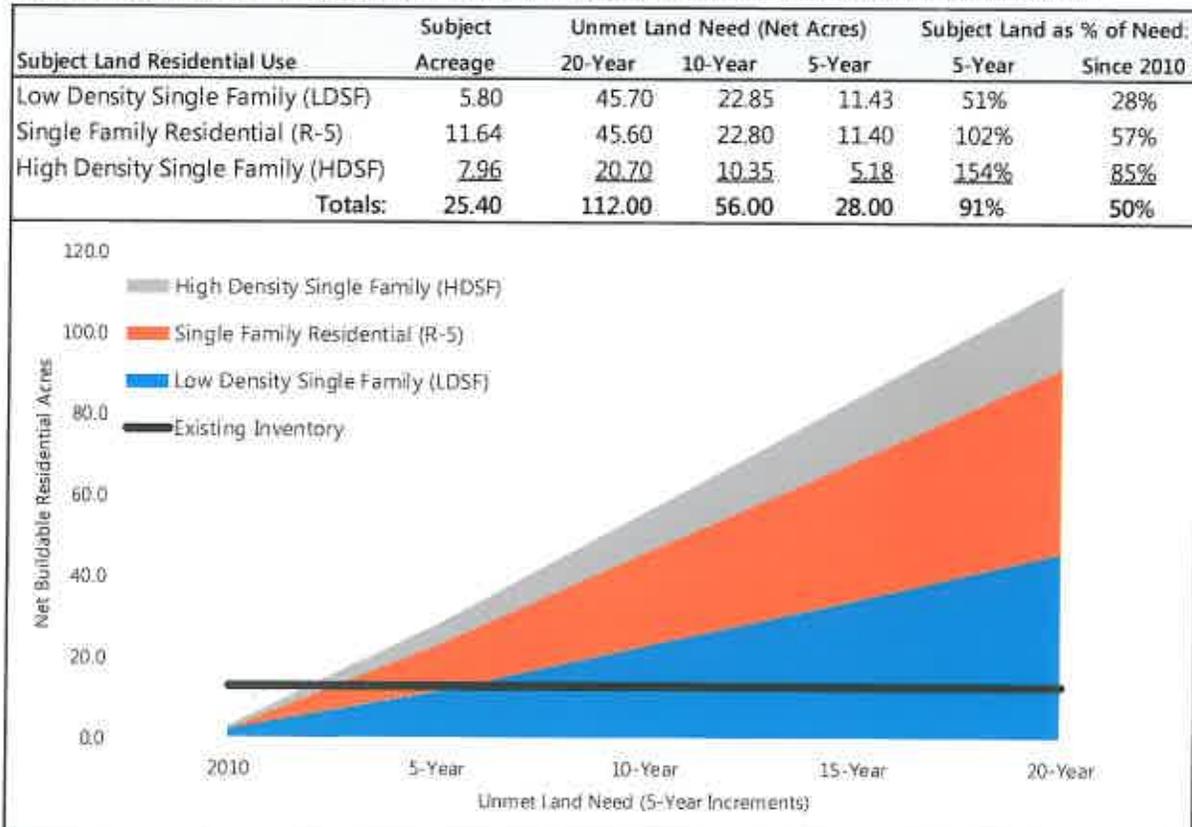
Short-Term Residential Land Demand

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 residential land need/demand by the City of Banks and the types and quantities of land being considered for annexation. Results of that analysis are found in Figure 3. Key findings are as follows:

- The proposed annexation comprises 25.40 acres of various potential residential types by City of Banks zoning type.
- Single Family Residential (R5) comprises the largest share of residential land in the proposed annexation (11.64 net developable acres).
- The proposed annexation area in total represents only 91% of documented, 28.00 acres of net developable acreage in unmet need over a five-year period for Banks.
- As indicated by the solid line for Existing Inventory (13.0 net acres), growth in total unmet residential land need exceeds total existing land supply in Banks by 2012-2013.

Figure 3: 2010 Banks UGB Residential Land Inventory & Short-Term Land Need Reconciliation



SOURCE: CH2MHILL, Cardno Inc., and PNW Economics, LLC

5-Year Demand Including Need Since 2010

Considering that unmet need was documented in 2010, with no new residential additions or identified permitting as a result of land constraint issues, it is reasonable to conclude that up to four years of pent-up demand for unavailable residential development, or unmet need, should also be considered in a short-term residential demand analysis. In other words, the next five years would likely see up to nine years' equivalent in residential demand pressure with the addition of residential land inventory truly suitable to new residential community development.

As documented by the Oregonian on January 7, 2014,³ The City of Forest Grove issued its single greatest quantity of single-family housing permits in 2013. Forest Grove Community Development Director Jon Holan characterized the issue as due in no small part to higher land and housing costs in Washington County jurisdictions to the east. With additional residential acreage truly suitable for residential community development in Banks, the City of Banks can expect to capture some of that westward population move and resulting residential demand.

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

- The 25.40 acres of residential land for the proposed annexation represents only 50% of true, short-term residential land unmet need/demand given development trends in western Washington County.
- The 11.64 net developable acres of land for single-family development (R5) in the proposed annexation would meet only 50% of unmet need/demand in the next five years.
- Proposed additions of low-density single-family residential land (LDSF) and high-density single-family residential land (HDSF) are absolutely needed additions to the City of Banks residential land supply as neither are currently accommodated by existing inventory whatsoever (Figure 1).

Short-Term Commercial Land Demand

5-Year Demand

An analysis of short-term, five year commercial land demand was performed for the City of Banks similarly to the analysis described above for residential land. For commercial land need, two estimates of commercial 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.

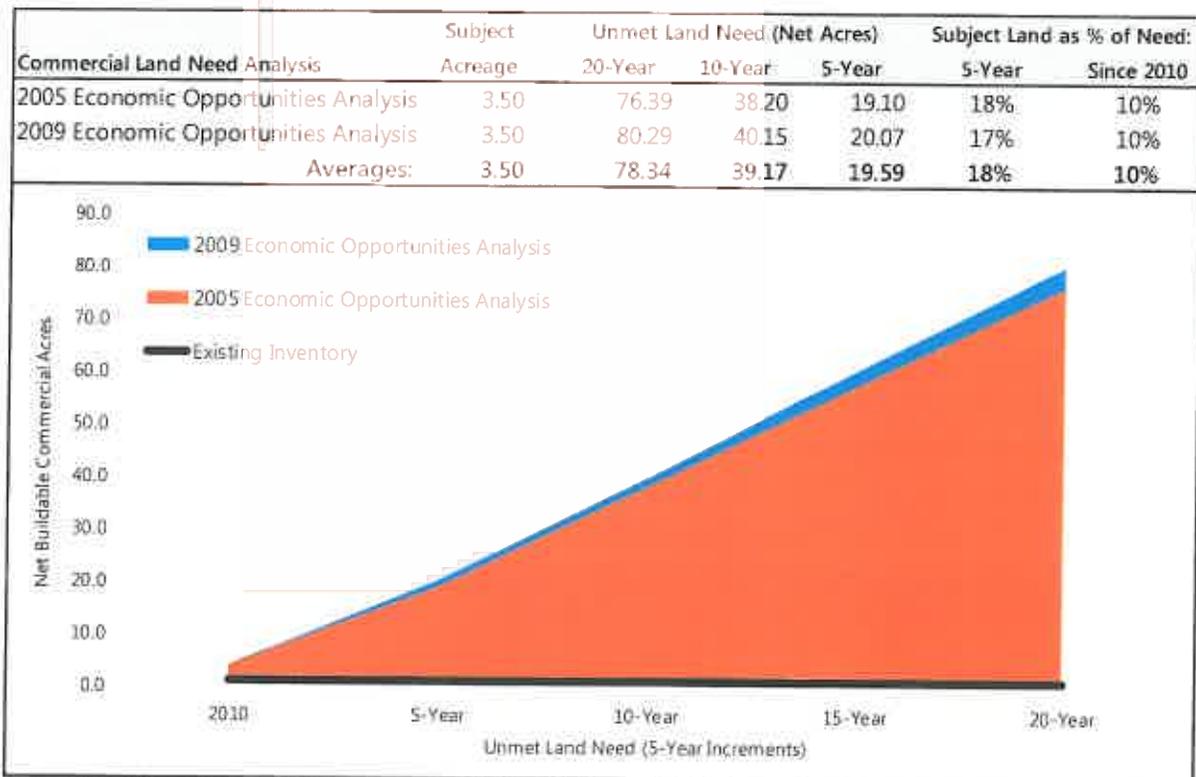
Both documents provide twenty-year estimates of commercial land demand for the City of Banks. The 2005 EOA was completed and adopted prior to 2010 UGB amendment analysis. However, the 2009 EOA was cited as in-progress as part of City of Banks Aspirations (Appendix F of the CH2MHILL Technical Document)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

³ http://www.oregonlive.com/forest-grove/index.ssf/2014/01/single-family_housing_permits.html

Results of the analysis of commercial land need are found in Figure 4. Key findings are as follows:

- The proposed annexation comprises only 3.50 acres of potential commercial development use.
- The proposed annexation area in total represents between 17% and 18% of documented commercial land need according to both EOA estimates for Banks.
- As indicated by the solid line for Existing Inventory (1.07 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 Commercial Land Inventory & Short-Term Land Need Reconciliation



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

5-Year Demand Including Need Since 2010

Like short-term residential land need analysis, and because the deficit of commercial land in Banks is even more acute, PNW Economics conducted an analysis of short-term need for commercial land including pent-up demand since 2010.

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

- The 3.5 acres of residential land for the proposed annexation represents only 10% of true, short-term commercial land unmet need/demand given development trends in

western Washington County, as well as commercial land needed to serve new residential development if annexation is approved.

(3) Probable Phasing of Proposed Development

At present, there are no phasing plans for land proposed to be annexed into the City of Banks. In total, between residential and commercial land that would be available for development, the annexation would comprise a mere 28.90 acres of new land for development. The remainder, greatly comprising Quail Valley Golf Course, would be classified as existing Community Facilities improvements and land.

Based on the analysis, however, PNW Economics concludes the following about likely timing of land need as a result of this annexation:

- Banks is a seriously land-constrained jurisdiction for developable residential and commercial land.
- UGB amendment was a move forward in seeking remedy to the acute lack of land for planned growth of Banks, however annexation and provision of services via annexation has not yet occurred and Banks continues to be land constrained.
- The proposed annexation area comprises roughly 50% of short-term residential land need and no more than 10% of short-term commercial land need in Banks.
- Development trends in western Washington County, as documented very recently for Forest Grove, are symptomatic of Banks' inability to deliver new residential and commercial capacity for existing and future residents.

In other words, land supply constraints in terms of quantity and quality within the City of Banks is pushing new and vital commercial and residential development to other jurisdictions with land available, like Forest Grove. This in turn forces residents of Banks to increasingly depend up on shopping and employment opportunities, and vehicle trips, outside of Banks in longer distances.

With land proposed for annexation added to the City and services provided, it can be expected that new residential and commercial development would likely happen reasonably quickly given the five-year absence of any new commercial or residential diversity in the City.



ANNEXATION APPLICATION

NAME OF APPLICANT: Cardno - Attention Michael Cerbone
ADDRESS: 5415 SW Westgate Drive, Portland, Oregon 97221
PHONE NO: (503) 419-2500 EMAIL ADDRESS michael.cerbone@cardno.com
SIGNATURE: _____
DATE: _____ DO YOU OWN THE PROPERTY? YES ___ NO

NAME OF OWNER*: (if different than applicant) _____
ADDRESS: 12565 NW Aerts Road, Banks, Oregon 97106
PHONE NO: (503) 324-4444 EMAIL ADDRESS _____
SIGNATURE: _____
DATE: _____

* "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.

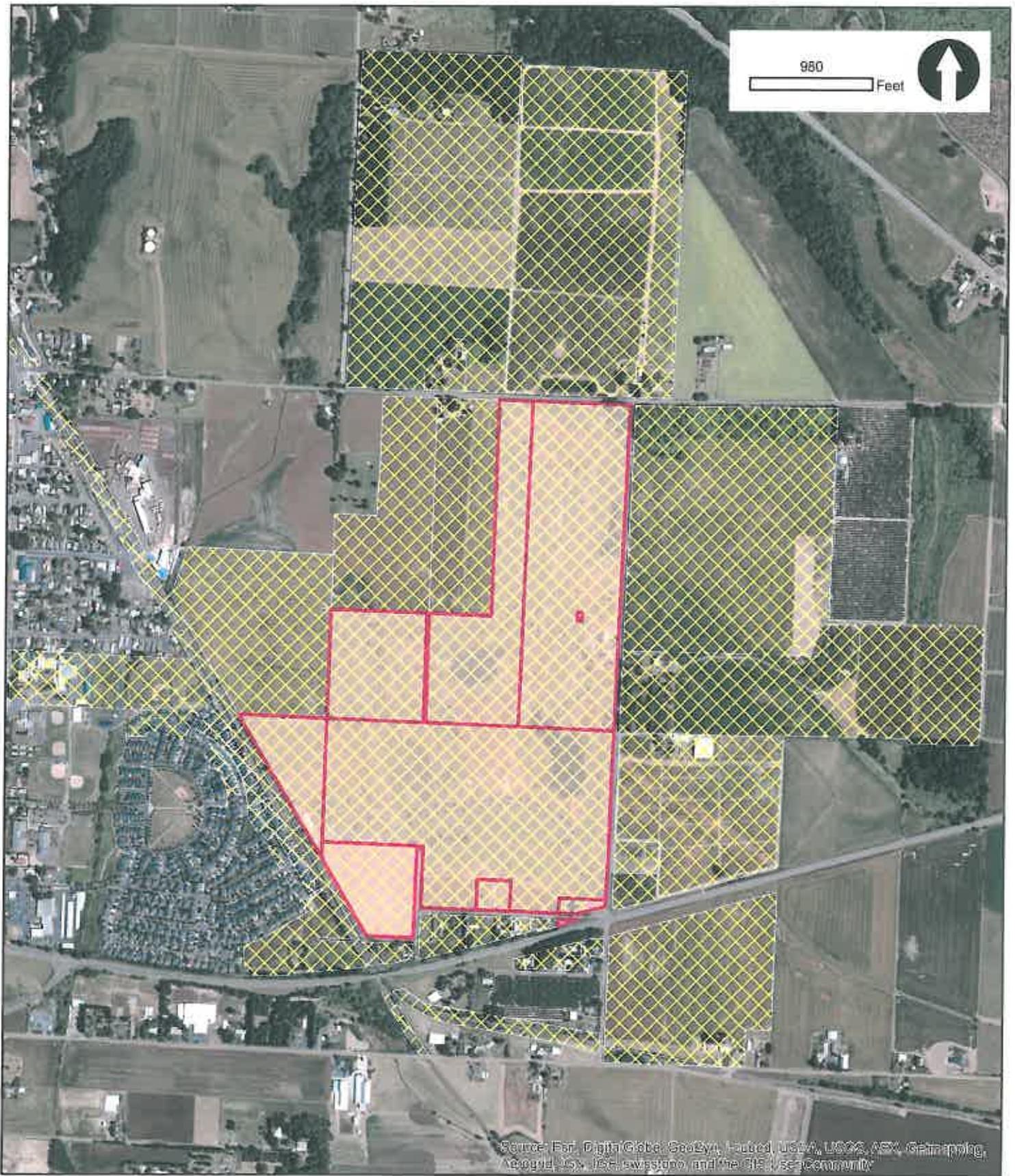
The annexation application will be processed in conformance with Ordinance No. 102500 and state statute provisions. You will need to submit the following items (12 copies of items 1-10.) as specified under Section 3.A. of Ordinance No. 102500:

1. 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;
2. Legal description of the property to be annexed and a boundary survey certified by a registered engineer or surveyor, including:
 - A. "*Certification of Legal Description and map*" form signed by Washington County Cartography staff (blank form attached);
 - B. "*Certification of Property Ownership of at least One-Half Land Area*" form signed by Washington County Cartography staff (blank form attached);
 - C. "*Certification of Registered Voters*" form signed by Washington County Elections Department staff (blank form attached);
3. Map of the area to be annexed including adjacent City territory;
4. General land use plan indicating types and intensities of proposed development, transportation corridors, watercourses, significant natural features, open space, and adjoining development;
5. 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;
6. 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;
7. A detailed statement outlining method and source of financing required to provide the additional facilities;
8. A detailed statement of availability, capacity, and status of existing water, sewer, drainage, transportation, park and school facilities;

9. 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 sub-community or neighborhood that it will become a part of, and proposed actions to mitigate such effects;
10. 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:
 - A. Availability within the current City limits of undeveloped land designated for proposed urban development;
 - B. Analysis of immediate, short-term (1 to 5 years) demand for proposed urban development; and
 - C. Probable phasing of proposed urban development consistent with projected demand for the period that the annexation area is expected to be developed;
11. List of property owners (printed on self-adhesive labels) within three hundred (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 a legible scale drawing of the site.

FOR OFFICIAL USE ONLY		FILING FEE DEPOSIT _____
DATE RECEIVED _____	DATE APPROVED _____	REVIEWED BY _____

Date of Form: 3-22-13



Quail Valley GC-- Proposed Annexation

Tax Lots within 300' Buffer

Banks, Oregon



AERTS ACRES LLC
PO BOX 3981
PORTLAND, OR 97208-3981

AERTS JEAN M
12910 NW MAPLECREST WAY
BANKS, OR 97106-6037

ANNA CATHRYN E & JOEL W
12800 NW MAPLECREST WAY
BANKS, OR 97106-6035

ARBOR VILLAGE HOMEOWNERS ASSN
14273 NW SCIENCE PARK DR
PORTLAND, OR 97229-5416

ARNST JON & BLAYNE
12638 NW ASHTON DR
BANKS, OR 97106-6031

BACKSTROM GARY V
4657 NW IMNAHA CT
PORTLAND, OR 97229-2707

BAGGARLEY CHRIS T & JENNIFER
12692 NW ASHTON DR
BANKS, OR 97106-6031

BALMER WILLIAM K & CONNIE L
12776 NW MAPLECREST WAY
BANKS, OR 97106-6035

BANKS SCHOOL DIST #13
PO BOX 38
BANKS, OR 97106-0038

BAYLESS JEFFREY W & JENNIFER L
PO BOX 212
BANKS, OR 97106-0212

BECKER DARRYL LEONARD & BRANDIE JEAN
41262 NW ROSE AVE
BANKS, OR 97106

BENCH JEREMY THOMAS & ANGELA D
12867 NW MAPLECREST WAY
BANKS, OR 97106-6029

BRANSTITRE JAMES L & TERESA M
12737 NW ASHTON DR
BANKS, OR 97106-6033

BRUCKNER JOHN R & CORINA L
41613 NW BUCKSHIRE ST
BANKS, OR 97106-6006

CAMERON ANTHONY
41612 NW OAK WAY
BANKS, OR 97106-6019

CARPENTER MICHAEL A & CHRISTINE J
12728 NW MAPLECREST WAY
BANKS, OR 97106-6035

CARTE RONALD & LESLIE & TANKERSLEY LAURIE
c/o TRUSSELL EVELYN LIFE ESTATE
41108 NW WASHINGTON AVE
BANKS, OR 97106-8126

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

DAVIS HOLLY FAITH
12747 NW MAPLECREST WAY
BANKS, OR 97106-6029

DENNISTON MICHAEL
12838 NW MAPLECREST WAY
BANKS, OR 97106-6035

DENTON MELISSA
12727 NW HAMMOND PL
BANKS, OR 97106-6034

DERRICK RONALD L & JANET M
5485 NW OSPREY PL
PORTLAND, OR 97229-1091

DIBLER RICHARD & SHIRLEY
PO BOX 507
BANKS, OR 97106-0507

DUFUR ERIC
12891 NW MAPLE CREST WAY
BANKS, OR 97106-6029

DUYCK ANDREW W
12734 NW HAMMOND PL
BANKS, OR 97106-6034

DUYCK NICHOLAS H & LACIE N
41617 NW OAK WAY
BANKS, OR 97106-6022

ENDERLE AARON I & ANESA A
12826 NW MAPLECREST WAY
BANKS, OR 97106-6035

EVANS RUSTY A & MARY K
12740 NW ASHTON DR
BANKS, OR 97106-6032

FUHRMAN ERIC & MELISSE THER MARTINEZ
12934 NW MAPLECREST WAY
BANKS, OR 97106-6037

GERACI LISA
13028 NW SCOTTSTON TER
BANKS, OR 97106-6044

GOMBOS ATTILA & ELISABETH

12548 NW ASHTON DR
BANKS, OR 97106-6031

HALL BRAD R & ANGELA M

350 NW WILDWOOD ST
HILLSBORO, OR 97124-2152

HARRISON NICHOLAS R & TIFFANY L

12898 MAPLE CREST WAY
BANKS, OR 97106-6035

HENDERSON RYAN M & CAMI L

13014 NW SCOTTSTON TER
BANKS, OR 97106-6044

JANSEN ALBERT E/SUSAN M

40135 NW MOUNTAINDALE RD
BANKS, OR 97106-8134

KEMPER BRIAN S

12722 NW HAMMOND PL
BANKS, OR 97106-6034

KNIFER DAVID M & MARIANA X

12845 NW MAPLECREST WAY
BANKS, OR 97106-6029

LEYDEN JAMES & HELEN LIVING TRUST

BY JAMES/HELEN LEYDEN TRS
14950 NW COURTING HILL DR
BANKS, OR 97106-8507

MALLER DON & MISTY

14585 NW MALLER RD
BANKS, OR 97106-8410

MEEUWSEN ERIC J & TANISHA L

12739 NW HAMMOND PL
BANKS, OR 97106-6034

GREGG DANIELLE

32300 NW BEACH RD
HILLSBORO, OR 97124-8396

HANNA MARK S & DELINDA A

12793 NW MAPLECREST WAY
BANKS, OR 97106-6029

HARTLEY JOHN II

12496 NW ASHTON DR
BANKS, OR 97106-6031

HUGHES ROY L & SANDRA M

PO BX 246
NORTH PLAINS, OR 97133

JENSEN MAURICE & MARCELLA

41200 NW BANKS RD
BANKS, OR 97106-8504

KEMPER JACOBA L & KERMIT G DUYCK

12775 NW HAMMOND PL
BANKS, OR 97106-6034

LANEY ROBERT A/DIANNE M

12752 NW MAPLE CREST WAY
BANKS, OR 97106-6035

LITTLETON RICHARD L & KATHLEEN M

40875 NW PACIFIC AVE
BANKS, OR 97106-9032

MASTERS JEFF L

12582 NW ASHTON DR
BANKS, OR 97106-6031

MESENBRINK ANGELA M

41769 NW BELLINGHAM CT
BANKS, OR 97106-6039

GUTIERREZ ALBERT & MARIA ELENA SALDANA

12819 NW MAPLECREST WAY
BANKS, OR 97106-6029

HARRIS JANICE LOUISE

40800 NW WASHINGTON AVE
BANKS, OR 97106-8123

HATFIELD BRADLEY C

12769 NW MAPLECREST WAY
BANKS, OR 97106-6029

ISRAEL NATHANIEL

1501 LEAVONWORTH NO 14
SAN FRANCISCO, CA 94109

KEMPER ASHLEY S

12610 NW ASHTON DR
BANKS, OR 97106-6031

KEMPER RONALD W & KATHERINE L

PO BOX 265
BANKS, OR 97106-0265

LEWIS CHRISTOPHER

12570 NW ASHTON DR
BANKS, OR 97106-6031

LUNDIN FRANKLIN H & MARILYN J

12345 NW AERTS RD
BANKS, OR 97106-8121

MCALLISTER JEFFREY D

12946 NW MAPLECREST WAY
BANKS, OR 97106

NAKAGAWA EARLE H & PATRICE K

91-1095 WAIKAI ST
EWA BEACH, HI 96706-6458

NIELAND KRISTI J
12610 NW AERTS RD
BANKS, OR 97106-8140

NIELAND WILLIAM G
12994 NW MAPLECREST WAY
BANKS, OR 97106-6036

OREGON COUNTRY PROPERTIES LLC
c/o ALLEN STEPHEN & GRETEL
2453 26TH AVE
FOREST GROVE, OR 97116-1521

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

PACARRO FRANK S & AKAMINE JAN TERESE
PO BOX 1104
FOREST GROVE, OR 97116-4104

PARTAIN DEAN J & STEPHANIE R
40695 NW PACIFIC AVE
BANKS, OR 97106-9032

PETERSEN CHERYL
12746 NW HAMMOND PL
BANKS, OR 97106-6034

PETERSON JERAMIE A & LESLIE M
12534 NW ASHTON DR
BANKS, OR 97106-6031

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

POWELL CALEB & EMILEE
41706 NW BELLINGHAM CT
BANKS, OR 97106-6038

POWELL JAMES N
PO BOX 537
BANKS, OR 97106-0537

QUAIL HOLLOW APARTMENTS LLC
PO BOX 1082
CLACKAMAS, OR 97015-1082

QUAIL VALLEY GOLF CORP BY RON MACK
PO BOX 200
BANKS, OR 97106-0200

REICHEN LOIS M
8645 NW OLD CORNELIUS PASS RD
HILLSBORO, OR 97124-8074

REICHEN RONALD F & PENNY L
9025 NW OLD CORNELIUS PASS RD
HILLSBORO, OR 97124-8132

ROSA LAWRENCE K & MICHELLE V
12886 NW MAPLECREST WAY
BANKS, OR 97106-6035

ROSSING DAVID BRADLEY & SARAH LYNN
12652 NW ASHTON DR
BANKS, OR 97106-6031

ROSSMAN JASON T & MAURICIO MARVELI
12958 NW MAPLECREST WAY
BANKS, OR 97106-6037

RUIZ JASON
12763 NW HAMMOND PL
BANKS, OR 97106-6034

SCHARLEPP KENNETH F
12674 NW ASHTON DR
BANKS, OR 97106-6031

SHORT JASON G & RACHEL H
41612 NW BUCKSHIRE ST
BANKS, OR 97106-6053

SHUAI MINHUI & WEIJUN LU
12740 NW MAPLECREST WAY
BANKS, OR 97106-6035

SIMANTEL CAROL A
12814 NW MAPLECREST WAY
BANKS, OR 97106-6035

SOUTH BANKS J V
PO BOX 1082
CLACKAMAS, OR 97015-1082

TEACH JEREMIAH D & HEATHER M
12504 NW ASHTON DR
BANKS, OR 97106-6031

THURMAN JONATHAN G & BETHANY M
41744 NW BELLINGHAM CT
BANKS, OR 97106-6038

TRAN LUONG
12850 NW MAPLECREST WAY
BANKS, OR 97106-6035

UNITED STATES OF AMERICA
00000

VANDEHEY MITCHELL J & CHERIE L
43200 NW GREENVILLE RD
FOREST GROVE, OR 97116-8228

VANDERZANDEN FAMILY FARM LLC
40575 NW BANKS RD
BANKS, OR 97106-8502

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

VERHOORN FRANK C III & EDGE KATHLEEN C
12980 NW AERTS RD
BANKS, OR 97106-8118

VREDENBURG MARIAH C & GABE D MARSH
12751 NW HAMMOND PL
BANKS, OR 97106-6034

VREDENBURG STEPHEN D
41715 NW BELLINGHAM CT
BANKS, OR 97106-6039

WEBER JEFFREY E & SHELLY A
12874 NW MAPLECREST WAY
BANKS, OR 97106-6035

WERNER DENNIS J & KATHY M
12602 NW ASHTON DR
BANKS, OR 97106-6031

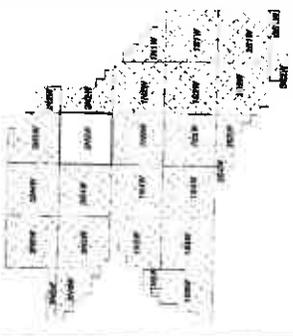
WILDGRUBE SONYA
12710 NW HAMMOND PL
BANKS, OR 97106-6034

WILSON WAYNE & ELIZABETH
12518 NW ASHTON DR
BANKS, OR 97106-6031

ZIMMERMAN JOHN R & VICKI J
13020 NW SCOTTSTON TER
BANKS, OR 97106-6044

ZIMMERMAN JUDY A
12702 NW HAMMOND PL
BANKS, OR 97106-6034

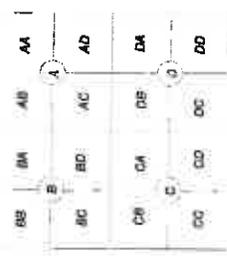
2N 3 31



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

30	31	32	33	34	35	36	37
7	8	9	10	11	12	13	14
15	16	17	18	19	20	21	22
23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38
1	2	3	4	5	6	7	8

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



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Bellevue, WA 98004
Tel: 206.461.1100
Fax: 206.461.1101
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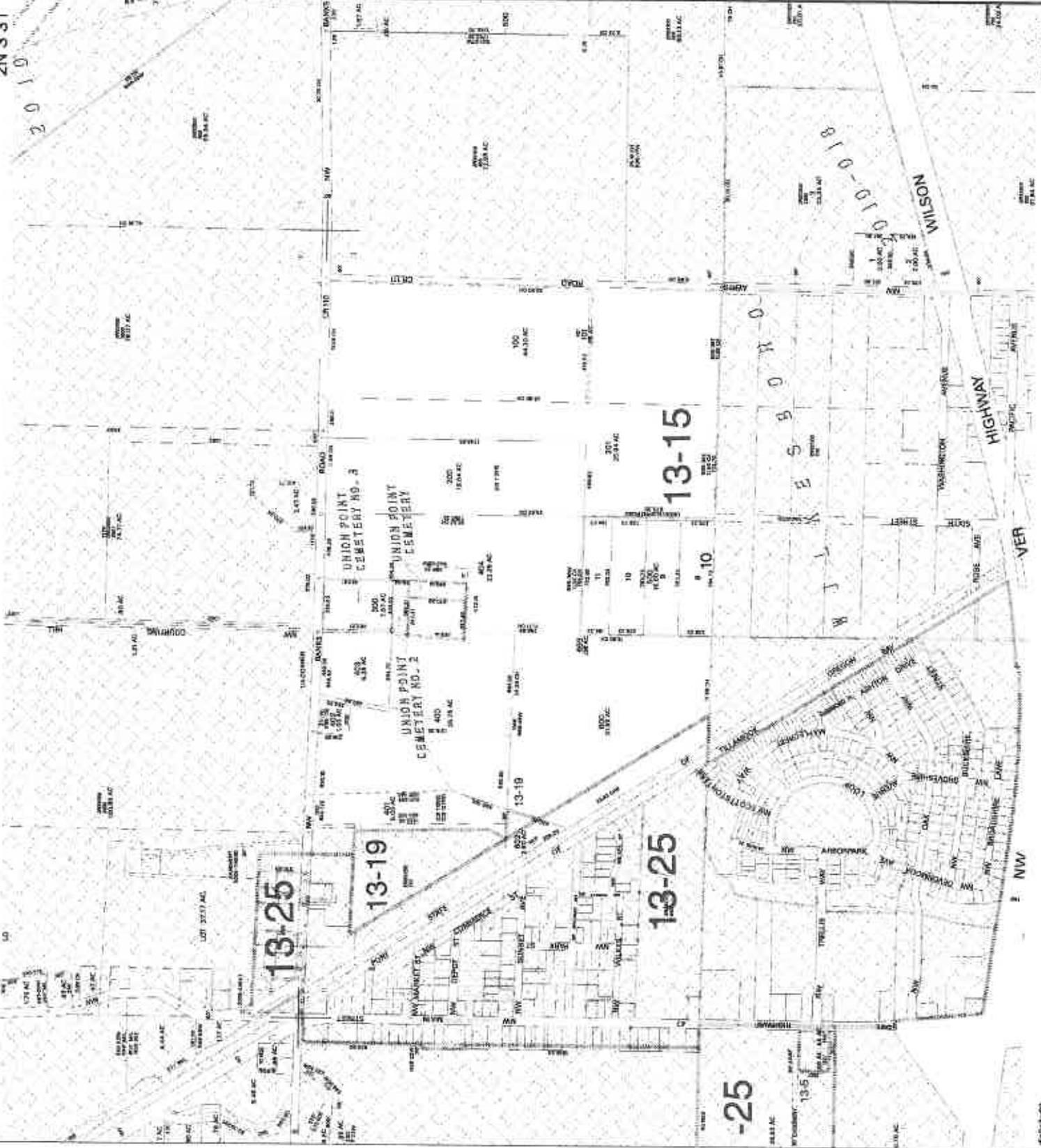
PLOT DATE: January 24, 2013
FOR ASSESSMENT PURPOSES
ONLY. DO NOT RELY ON
FOR OTHER USE

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BANKS
2N 3 31

2N 3 31

2010



2N 3 31

5/21/2010

2N 3 31CA

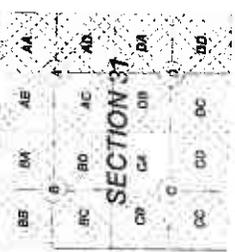
2N 3 31CA



WASHINGTON COUNTY OREGON
ME 1/4 SW 1/4 SECTION 31 2N 33W W.M.
SCALE 1" = 100'

30	31	32	33	34	35	36	37
1	2	3	4	5	6	7	8
9	10	11	12	13	14	15	16
17	18	19	20	21	22	23	24
25	26	27	28	29	30	31	32
33	34	35	36	37	38	39	40
41	42	43	44	45	46	47	48
49	50	51	52	53	54	55	56

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



Chancelled Taxable Parcels 2N331CA
9999 140-150-001-701-881-10000-10011-021



PLOT DATE: JULY 06, 2004
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ONLY. DO NOT RELY ON
FOR OTHER USE

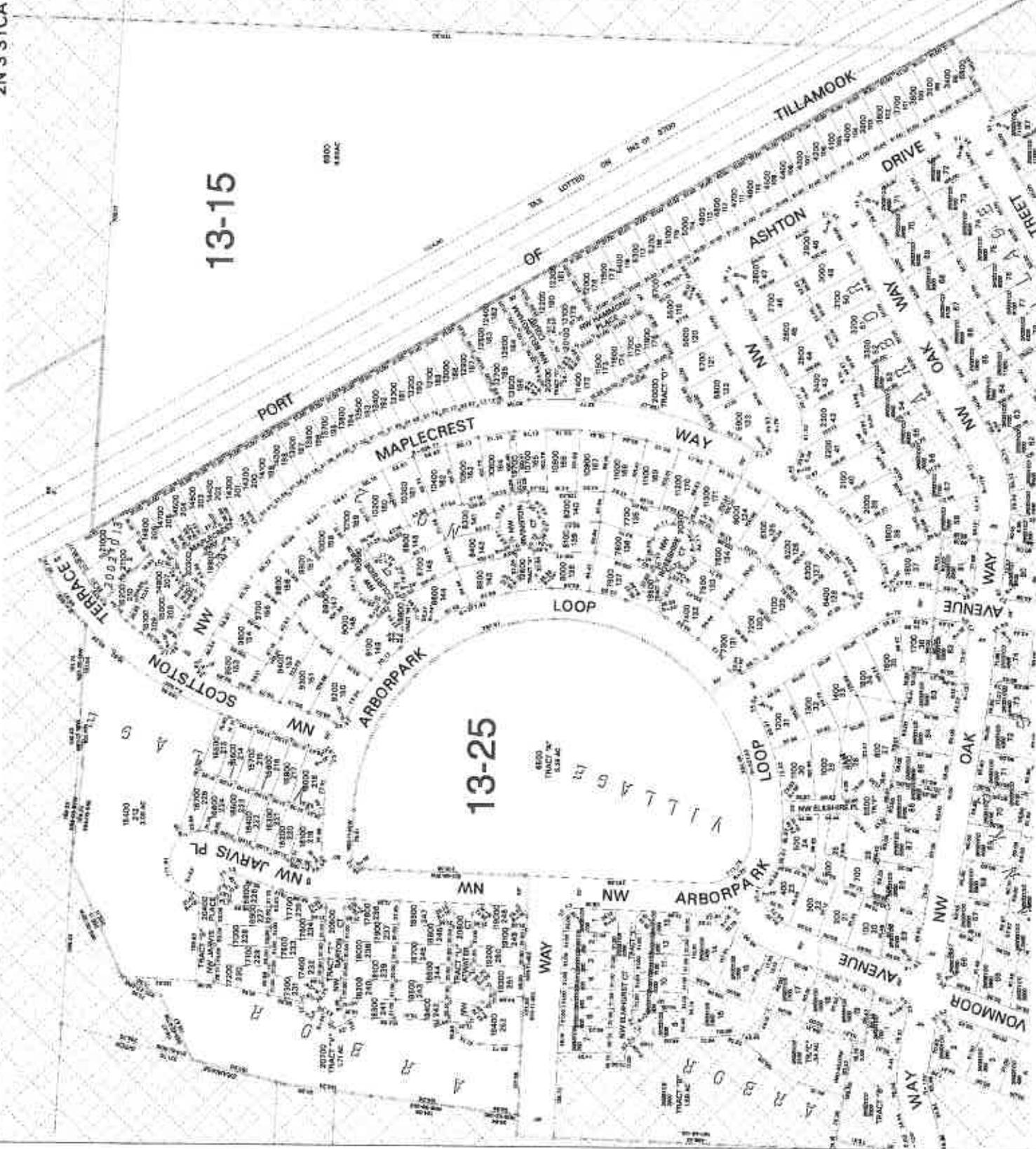
Map was automatically re-keyed using a cross-referenced
parcel and coordinate file and may not reflect the most
current parcel data. Please consult the appropriate map
for the most current information.

2N 3 31CA

2N 3 31CA

13-15

13-25



Proposed Boundary Change Washington County to the City of Banks

A PARCEL OF LAND LOCATED IN THE NORTHEAST, SOUTHEAST, AND SOUTHWEST ONE-QUARTERS OF SECTION 31, TOWNSHIP 2 NORTH, RANGE 3 WEST, OF THE WILLAMETTE MERIDIAN, WASHINGTON COUNTY OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 31, THENCE SOUTH 88°08'00" WEST, 332.80 FEET, MORE OR LESS, ALONG THE NORTHERLY SECTION LINE OF SAID SECTION 31 TO THE INTERSECTION OF SAID SECTION LINE AND THE NORTHERLY EXTENSION OF THE WESTERLY RIGHT OF WAY LINE OF NW AERTS ROAD (C.R. #111) (40' WIDE); THENCE SOUTH 02°20'23" WEST, 30.00 FEET MORE OR LESS TO A POINT OF INTERSECTION OF SAID WESTERLY RIGHT OF WAY LINE AND THE SOUTHERLY RIGHT OF WAY LINE OF NW BANKS ROAD (C.R. #110) (60' WIDE) AND THE POINT OF BEGINNING OF THIS DESCRIPTION;

THENCE SOUTH 02°20'23" WEST, 2602.12 FEET, MORE OR LESS, ALONG SAID WESTERLY RIGHT OF WAY LINE TO AN ANGLE POINT; THENCE SOUTH 02°10'20" WEST, 1381.96 FEET, MORE OR LESS, TO A POINT OF INTERSECTION OF SAID WESTERLY RIGHT OF WAY LINE AND THE NORTHERLY RIGHT OF WAY LINE OF NW WASHINGTON AVENUE (50' WIDE); THENCE SOUTH 74°03'57" WEST, 252.10, MORE OR LESS, ALONG SAID NORTHERLY RIGHT OF WAY LINE TO AN ANGLE POINT; THENCE NORTH 87°53'45" WEST, 1293.00 FEET, MORE OR LESS, TO THE WESTERLY RIGHT OF WAY LINE OF SIXTH STREET (50' WIDE) (UNIMPROVED); THENCE SOUTH 02°11'00" WEST, 247.91 FEET, MORE OR LESS, ALONG SAID WESTERLY RIGHT OF WAY LINE TO THE NORTHERLY RIGHT OF WAY LINE OF ROSE AVENUE (50' WIDE) (UNIMPROVED); THENCE NORTH 87°43'10" WEST, 367.48 FEET, MORE OR LESS, ALONG SAID NORTHERLY RIGHT OF WAY LINE TO THE EASTERLY RIGHT OF WAY LINE OF THE SOUTHERN PACIFIC RAILWAY RIGHT OF WAY (120' WIDE); THENCE NORTH 30°22'33" WEST, 2039.52 FEET, MORE OR LESS, ALONG SAID EASTERLY RIGHT OF WAY LINE TO A POINT OF INTERSECTION OF SAID EASTERLY RIGHT OF WAY LINE AND THE EAST/WEST CENTER OF SECTION LINE OF SAID SECTION 31; THENCE SOUTH 87°26'00" EAST, 700.17 FEET, MORE OR LESS, ALONG SAID CENTER OF SECTION LINE TO THE NORTH/SOUTH CENTER OF SECTION LINE OF SAID SECTION 31; THENCE NORTH 01°41'18" EAST, 872.75 FEET, MORE OR LESS, ALONG SAID CENTER OF SECTION LINE TO THE SOUTHERLY LINE OF THAT TRACT OF LAND DESCRIBED IN DEED DOCUMENT NO. 83-13789, WASHINGTON COUNTY DEED RECORDS; THENCE SOUTH 87°51'28" EAST, 1283.13 FEET, MORE OR LESS, ALONG SAID SOUTHERLY LINE AND THE SOUTHERLY LINE OF THAT TRACT OF LAND DESCRIBED IN BOOK 308, PAGE 426, SAID DEED RECORDS; THENCE NORTH 01°45'00" EAST, 1717.89 FEET, MORE OR LESS, TO THE SOUTHERLY RIGHT OF WAY LINE OF SAID NW BANKS ROAD; THENCE SOUTH 88°08'00" EAST, 1041.78 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

CONTAINS 7,595,242 SQUARE FEET OR 174.363 ACRES.

THE BASIS OF BEARINGS AND BOUNDARY RESOLUTION IS BASED ON SURVEY NO. 24,781, WASHINGTON COUNTY SURVEY RECORDS.

ANNEXATION CERTIFIED

BY TF

JAN 24 2014

WASHINGTON COUNTY A & T
CARTOGRAPHY

REGISTERED
PROFESSIONAL
LAND SURVEYOR

E D L

OREGON
JULY 12, 2005
ERIC D. LYNCH
56544

REMARKS: 12/31/14

EXHIBIT B

10 June 2014

Memorandum

To: Stacey Goldstein, Siegel Planning Services, LLC

From: Rob Peacock, PE
Gordon Munro, PE

Subject: Quail Valley Annexation Application
City of Banks, Oregon
K/J 0791015.00

We reviewed the Annexation Application for Quail Valley for consideration of services provided by the City of Banks, and have the following comments. Sanitary sewer and storm water are provided by CWS and they should be making comment on them. However, we have provided comments as well which would be superseded by anything that CWS indicates.

Sanitary Sewer

Sanitary sewer exists within the current city limits, and can be extended to the area proposed for annexation. Consult with Clean Water Services, the provider of sanitary sewer services for the City of Banks, for more detailed comments.

Stormwater

Stormwater treatment, detention, and conveyance can be accomplished on the area proposed for annexation. Consult with Clean Water Services, the provider of stormwater services for the City of Banks, for more detailed comments.

Water Service

The water system is sufficient to support the proposed annexation. There is sufficient water source and supply to provide service to the proposed annexation. The applicant has indicated that there is an existing well on the property that could potential supply additional water if required. The water distribution system within the current city limits can be extended to the area proposed for annexation and provide sufficient potable water service. The potable water system extension would need to be looped and connected to the City system in at least two locations. This would occur with an actual development in the future.

Streets

The transportation system is sufficient to support the proposed annexation. The proposed Quail Valley area can be accessed by existing streets. The annexation proposal indicates new streets will be constructed to provide access throughout the area proposed for annexation. Existing streets adjacent to the site may require improvements, and streets may be required to be extended, which would occur with an actual development in the future.

Michael Cerbone (Portland)

From: Laurie Harris <HarrisL@CleanWaterServices.org>
Sent: Monday, March 10, 2014 3:48 PM
To: Michael Cerbone (Portland)
Subject: RE: Quail Valley Golf Course: Annexation

Hello Michael,

Thank you for the reminder. I understand from reviewing the city code that your annexation application packet to the City of Banks needs to include a "detailed statement of availability, capacity, and status of existing sewer and drainage facilities."

A couple months ago I talked about this with Andy Braun, a manager within the Conveyance Department, since he participated in the proposed Banks UGB expansion planning process. Based on my conversation with Andy and information from the Sanitary Sewer Master Plan Update (2009) and the city's UGB expansion PAPA findings I can confirm the following information:

1. Clean Water Services is the sanitary sewer and storm conveyance provider for the area,
2. The subject properties will need to be annexed into Clean Water Services' service area upon annexation to the City of Banks,
3. Public sanitary sewer and storm conveyance systems exist within the current city limits,
4. Extension of public sanitary sewer and public storm conveyance will be required in order to serve the proposed annexation area,
5. Per the Urban Grown Boundary Expansion Justification Technical Report (October 2010) the City of Banks found that the "UGB expansion areas can be efficiently served with sanitary sewer and storm conveyance," and
6. Proposals for future development will require service availability letters that will indicate whether conveyance improvements need to be made in order for the proposed development to comply with Clean Water Services' Design and Construction Standards.

If it would help you prepare the "detailed statement of availability, capacity, and status of existing facilities" I can arrange a meeting for you to talk with Andy Braun to learn more about the information that Clean Water Services has regarding availability, capacity and status of existing sewer and drainage facilities in the Banks area. You can also call Andy directly at 503-681-3615.

Please let me know if can provide additional assistance.

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



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
- 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

PRE-APPLICATION DATE: _____

Service Provider: PLEASE RETURN THIS FORM TO: APPLICANT:

COMPANY: Cardno
 CONTACT: Michael Cerbone
 ADDRESS: 5415 SW Westgate Drive
Portland, Oregon 97221
 PHONE: 503 419 2500

OWNER(S):

NAME: Quail Valley Golf Course
 ADDRESS: 12565 NW Aerts Rd
Banks, Oregon 97106
 PHONE: 503 324 4444

Property Desc.: Tax Map(s): 2n331 Lot Number(s): 100, 201, 500
2n331d 100, 101, 400, 1000
 Site Size: 172.93 acres 2n331ca - 6900

Site Address: 12565 NW Aerts Road
 Nearest cross street (or directions to site):
Aerts and Washington

PROPOSED PROJECT NAME: Quail Valley Golf Course Annexation

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

No development is proposed at this time, the applicant is requesting approval of an annexation only

EXISTING USE: Residential / Golf Course

PROPOSED USE: Commercial, Residential and Golf Course

IF RESIDENTIAL: 167
 NO. OF DWELLING UNITS:
 SINGLE FAM. 103 MULTI-FAM. 64

IF INDUSTRIAL/COMMERCIAL:
 TYPE OF USE: To be determined
 NO. OF SQ. FT. (GROSS FLOOR AREA) 38,115

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 are required to be provided by the applicant for this project.
 Service level is adequate for emergency calls only. Currently, the base level of Police Service in Washington County is .50 officer per 1,000 population. The Enhanced Sheriff's Patrol District (ESPD) has increase the level to 1.0 officer Per 1,000 population in specified areas.

SIGNATURE: Douglas P. [Signature] POSITION: Criminal Records Manager DATE: 03/12/14

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

SIGNATURE: _____ POSITION: _____ DATE: _____