



ORDINANCE No. 2024-08-01

An Ordinance Amending the City of Banks Comprehensive Plan Map and Zoning Map to Replan and Rezone certain property associated with Sunset View at West Banks: Master Planned Development and Subdivision (~30.27 acres).

WHEREAS, the City of Banks has comprehensive planning, zoning and permitting authority over all land within its corporate boundaries pursuant to ORS Chapters 197, 227 and the City's acknowledged Comprehensive Plan, Development Code and related maps; and

WHEREAS, the City received a development application from David Weekley Homes known as the Sunset View at West Banks: Master Planned Development and Subdivision for approximately 30.27 acres located inside the City's Urban Growth Boundary and inside the city limits involving a variety of city and county zones; and

WHEREAS, the application includes comprehensive plan map amendment and zoning map amendment for Tax Lots 2N4360000600 (Exhibit D, Sheet 3 to the application) and provides the following general description of the proposal:

The amendments to the Comprehensive Plan and Zone Map include replacing the area currently zoned Medium Density- High to Medium Density- Low, transferring one acre of land currently zoned Medium Density- High to Industrial, and transferring two acres of land currently zoned Industrial to be distributed to High Density Residential and Mixed Use. This proposed Comprehensive Plan and Zone Map amendment would facilitate a proposed Master Planned development that would provide 144 single-family attached and detached homes, and a one-acre Water Treatment Facility to be conveyed to the City.

WHEREAS, the plan amendment and zone change aspect of the development application proposes the following changes:

Current Zoning	Current Zoning acreage	Proposed acreage
FD-10 (Wash. Co.)	30.27	0
MDR-Low (City)	0	4.93
HDR (City)	0	5.98
MU (City)	0	8.42
Industrial (City)	0	10.94
Total	30.27	30.27

Current Plan Designation	Current Plan acreage	Proposed acreage
MDR-High (City)	5.50	0
MDR-Low (City)	0	4.93
HDR (City)	3.28	5.98
MU (City)	8.24	8.42
Industrial (City)	12.93	10.94
Total	30.27	30.27

WHEREAS, the City provided the following notice of applicant’s proposal to replan and rezone these parcels:

- Individual notices were mailed to all property owners within 250 feet of the development property on July 10, 2024, 20 days prior to the first hearing, and again on July 24, 2024.
- DCLC noticed on June 27, 2024.
- Notice of the proposal and hearing dates posted on City's website July 10, 2024, for Planning Commission Hearing and again on July 24, 2024, for City Council Hearing.
- Notice of the proposal and hearing dates published in the Forest Grove News-Times newspaper July 31, 2024.

WHEREAS, City planning staff analyzed the plan amendment and zone change request, in the context of the overall development proposal, and issued a comprehensive staff report on July 24, 2024, prior to the July 30, 2024, initial public hearing; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the development proposal, including the plan amendment and zone change request on July 30, 2024, at which time the Planning Commission accepted all manner of public comment and testimony; and

WHEREAS, at the conclusion of the July 30, 2024, hearing, the Planning Commission continued the matter to August 8, 2024, at which time it deliberated and voted to recommend approval of the plan amendment and zone change request with conditions; and

WHEREAS, the City Council held a duly noticed public hearing on the plan amendment and zone change request on August 13, 2024, at which time the Council accepted the Planning Commission’s recommendation and all manner of public comment and testimony.

NOW THEREFORE, based on the foregoing findings, which are incorporated herein by this reference, the Banks City Council Ordains as follows:

Section 1. Plan Map Amendment. The City of Banks hereby amends the Banks Comprehensive Plan Map to change the plan designation for Tax Lot 2N4360000600 described and illustrated in Exhibit A, attached hereto and incorporated herein by this reference.

Section 2. Zoning Map Amendment. The City of Banks hereby amends the Banks Zoning Map to rezone Tax Lots 2N4360000600 as reflected in Exhibit B, attached hereto and incorporated herein by this reference.

Section 3. Severability: If any portion, provision, section or subsection of this ordinance is found to be invalid or unenforceable for any reason, such finding shall not affect the validity or enforceability of any other provision, section or subsection of the ordinance.

Read for the first time on August 13, 2024, based on the following vote:

Summary of Vote

Marsha Kirk	Yes/No	Recused
Don Giannetti	Yes/No	
Catherine Sawyer	Yes/No	
Niki Walters	Yes/No	
Marilyn McCalister	Yes/No	
Peter Edison	Yes/No	

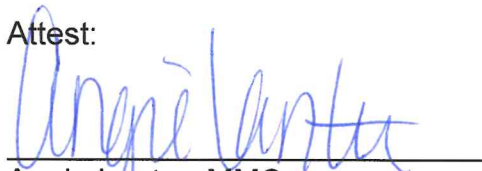
Read for the second time and adopted September 10, 2024, based on the following vote:

Summary of Vote

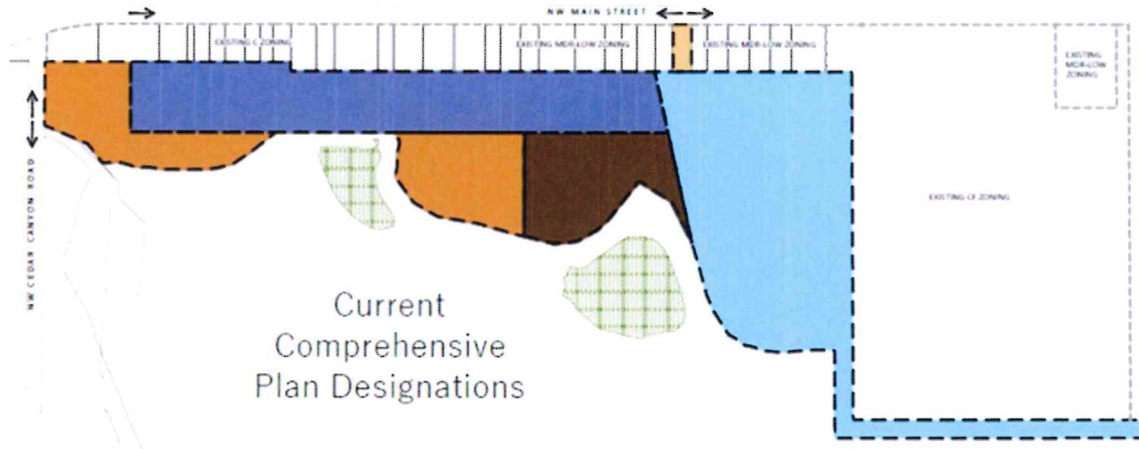
Marsha Kirk	Yes/No	Recused
Don Giannetti	Yes/No	
Catherine Sawyer	Yes/No	
Niki Walters	Yes/No	
Marilyn McCalister	Yes/No	
Peter Edison	Yes/No	

This ordinance shall take effect on the 21st day following the second reading.





Stephanie Jones, Mayor

Attest:

Angie Lanter, MMC
City Recorder/Assistant City Manager

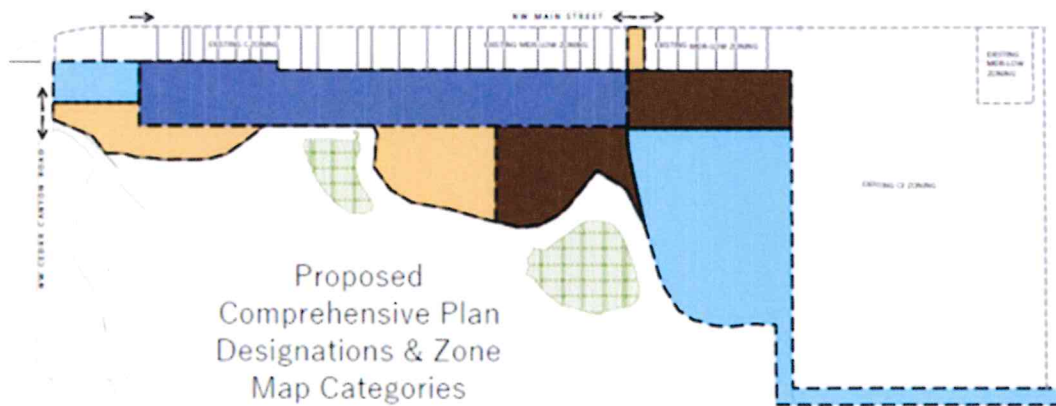
Existing Comprehensive Plan Map Designations







Legend - Current Comprehensive Plan

	MDR-LOW	0.21 AC
	MDR-HIGH	5.50 AC
	HDR	3.28 AC
	MU	8.34 AC
	I	12.96 AC
TOTAL SITE AREA:		30.29 AC

Proposed Comprehensive Plan Map Designations

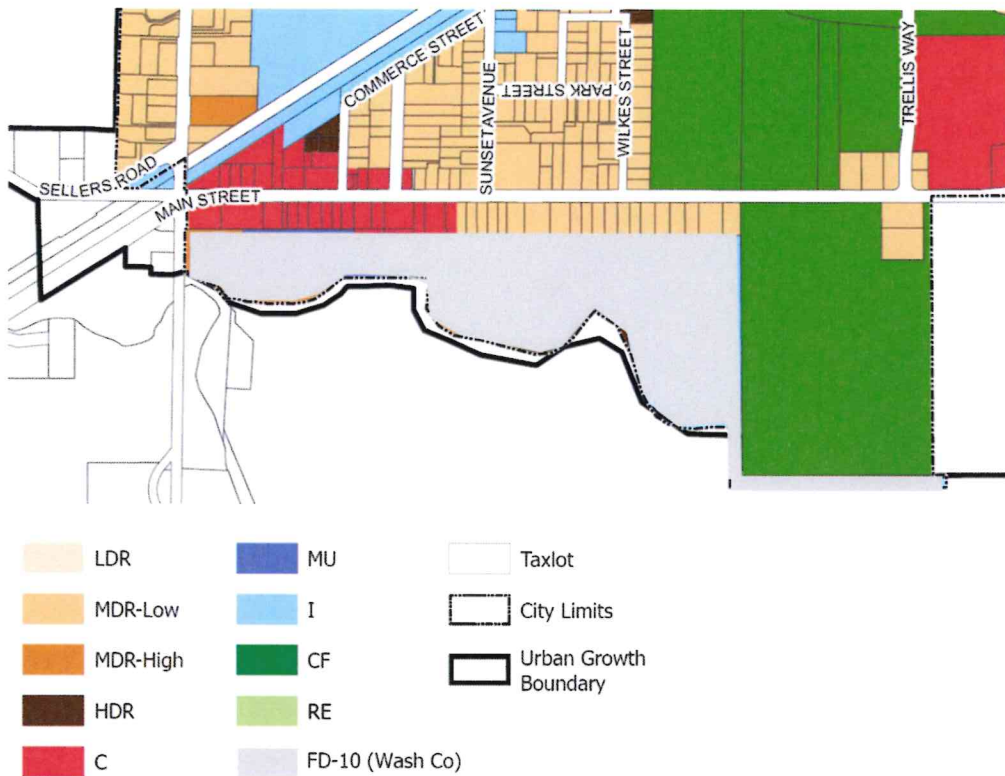


Legend - Proposed Comprehensive Plan & Zone Map

	MDR-LOW	4.94 AC
	HDR	5.98 AC
	MU	8.36 AC
	I	11.01 AC
TOTAL SITE AREA:		30.29 AC



Existing Zone Map Designations



Proposed Zone Map Designations

