



**ORDINANCE No. 2024-09-02**  
**(CPA 24-03, ZMA 24-02)**

**An Ordinance Amending the City of Banks Comprehensive Plan Map and Zoning Map to Replan and Rezone certain property associated with Aerts Addition (East Banks) Master Planned Development and Subdivision (~204 acres).**

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**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 an application from The Holt Group, represented by AKS Engineering & Forestry, LLC, to replan, rezone and develop the Quail Valley Golf Course property owned by Van Dyke Family Land, LLC as a residential community – Aerts Addition (East Banks), Master Planned Development and Subdivision on ~204 acres located inside the City's Urban Growth Boundary and inside the city limits involving multiple zones; and

**WHEREAS**, the application includes comprehensive plan map and zoning map amendment for the following Tax Lots:

- 2N331D000100,
- 2N331D000400,
- 2N331D001000,
- 2N3310000100,
- 2N3310000201,
- 2N3310000500,
- 2N3310000600,
- 2N331CA06900;
- 2N331D000101; and

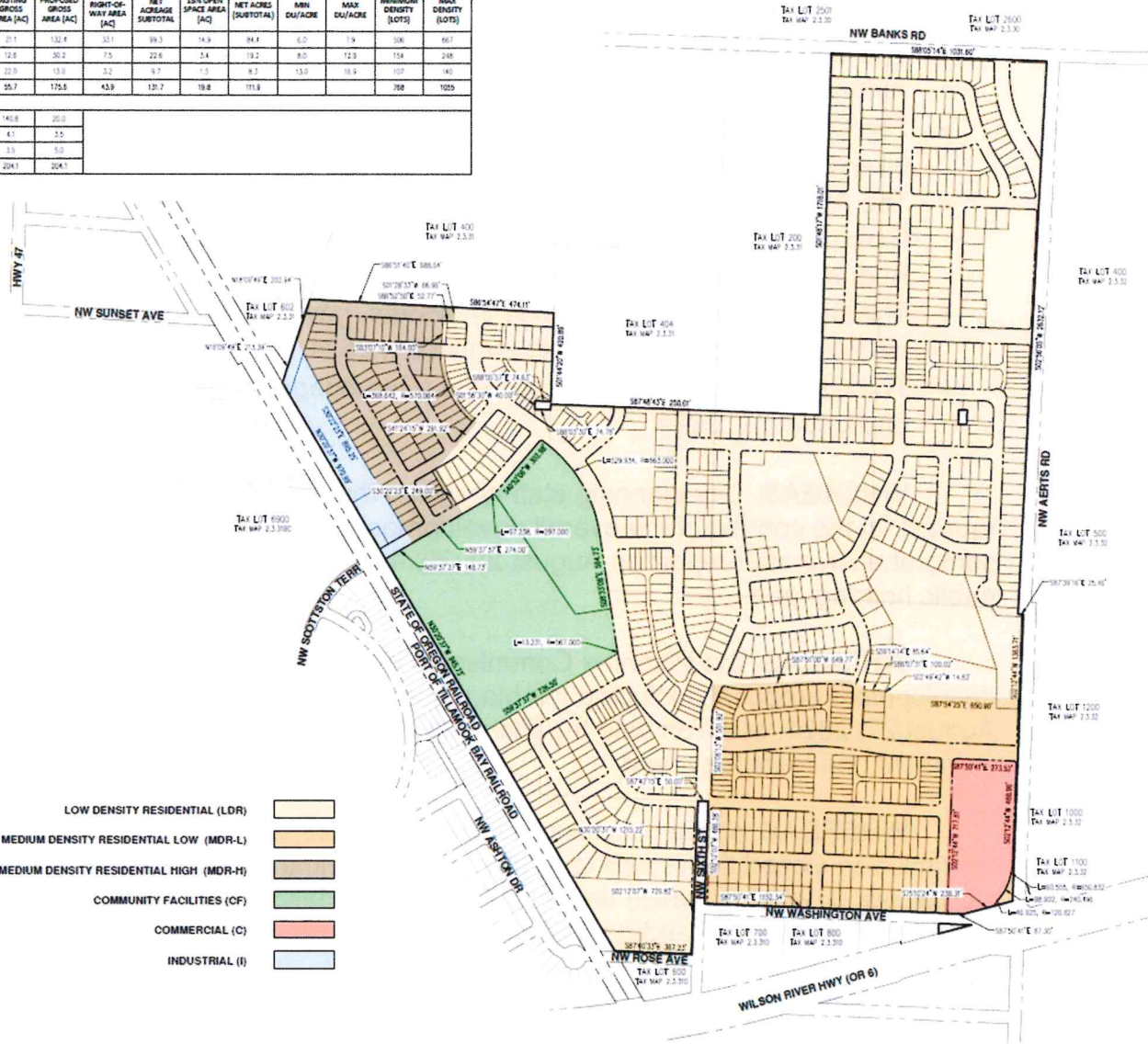
**WHEREAS**, the plan amendment and zone change generally proposes to replan and rezone the Quail Valley Golf Course, currently designated Community Facilities (CF), to a Low Density Residential (LDR) designation, with some increases in the amount of land designated Medium Density Residential-Low (MDR-L) in exchange for land designated Medium Density Residential-High (MDR-H). Approximately one acre of land will be shifted between Commercial (C) and Industrial (I) designations, in favor of the Commercial designation. The locations of the proposed designations roughly mirror



**Figure 2: Proposed Comprehensive Plan Map and Zone Map Designations**

**AERTS ADDITION DENSITY CALCULATIONS**

ZONING	EXISTING GROSS AREA (AC)	PROPOSED GROSS AREA (AC)	25% RIGHT-OF-WAY AREA (AC)	NET COVERAGE SUBTOTAL	15% OPEN SPACE AREA (AC)	NET ACRES (SUBTOTAL)	MIN DU/ACRE	MAX DU/ACRE	MINIMUM DENSITY (LOTS)	MAX DENSITY (LOTS)
LDR	21.1	132.4	32.1	99.3	14.9	84.4	6.2	7.9	336	667
MDR-LOW	12.6	30.2	7.5	22.6	3.4	19.2	8.0	12.0	154	248
MDR-HIGH	22.0	15.0	3.2	9.7	1.3	8.2	13.0	16.9	107	140
<b>RESIDENTIAL TOTAL</b>	<b>55.7</b>	<b>177.6</b>	<b>43.0</b>	<b>131.7</b>	<b>19.6</b>	<b>111.9</b>			<b>700</b>	<b>1055</b>
CF	140.8	20								
INDUSTRIAL (I)	4.5	3.5								
COMMERCIAL (C)	3.5	5.0								
<b>PROJECT TOTAL</b>	<b>204.1</b>	<b>204.1</b>								



**Table 1: Existing and Proposed Comprehensive Plan Map and Zone Map Designations**

Designation	Existing Acres ±	Proposed Acres ±
Community Facilities (CF)	140.8	20
MDR-High	22.0	13.0
MDR-Low	12.6	30.2
LDR	21.1	132.4
Commercial (C)	3.5	5.0
Industrial (I)	4.5	3.5
<b>Total</b>	<b>204.1</b>	<b>204.1</b>

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

- The applicant provided written notice to all property owners and residents within 300 feet of the subject site and held a neighborhood informational meeting on April 11, 2024.
- The City notified the DLCDC of the Comprehensive Plan Map and Zoning Map Amendments on July 23, 2024.
- The City notified affected property owners, governmental agencies, and anyone else who requested notice on August 7, 2024.
- The Applicant posted public notice about the project and the Planning Commission's August 27, 2024 hearing on the site's frontages on or before August 13, 2024, 14 days before the hearing.
- The City notified affected property owners, governmental agencies, and anyone else who requested notice on August 21, 2024
- The City published a public notice in a newspaper of general circulation in Banks on August 29, 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 August 20, 2024, prior to the August 27, 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 August 27, 2024, at which time the Planning Commission accepted all manner of public comment and testimony; and

**WHEREAS**, at the conclusion of the August 27, 2024, hearing, the Planning Commission closed the record to further written comments and continued the matter to September 3, 2024, at which time the Commission deliberated and voted to recommend approval of the plan amendment and zone change request to the City Council; and

**WHEREAS**, the City Council held a duly noticed public hearing on the plan amendment and zone change request on September 10, 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 and Zone Map Amendment.** The City of Banks hereby amends the Banks Comprehensive Plan Map and Zoning Map to change the plan and zone designation for Tax Lots 2N331D000100, 2N331D000400, 2N331D001000, 2N3310000100, 2N3310000201, 2N3310000500, 2N3310000600, and 2N331CA06900 as described and illustrated in Figure 2, incorporated herein by this reference.

**Section 2. Supporting Findings:** The City of Banks hereby incorporates and adopts as its own the findings of fact and conclusions of law set forth in the Staff Report prepared for the August 27, 2024 Planning Commission hearing in support of this plan amendment and zone change.

**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 September 10, 2024, based on the following vote:

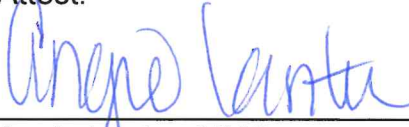
<u>Summary of Vote</u>	
Marsha Kirk	Yes/No
Don Giannetti	Yes/No
Catherine Sawyer	Yes/No
Niki Walters	Yes/No
Marilyn McCalister	Yes/No
Peter Edison	Yes/No

**Read** for the second time and adopted ~~October 8,~~ <sup>September 10,</sup> 2024, based on the following vote:

<u>Summary of Vote</u>	
Marsha Kirk	Yes/No
Don Giannetti	Yes/No
Catherine Sawyer	Yes/No
Niki Walters	Yes/No
Marilyn McCalister	Yes/No
Peter Edison	Yes/No

**Effective.** This ordinance shall take effect on the 21<sup>st</sup> day following the second reading.

  
Stephanie Jones, Mayor

Attest:  
  
Angie Lanter, MMC  
City Recorder/Assistant City Manager

