



ORDINANCE No. 2015-10-05

**An Ordinance Annexing Approximately 1.24 acres to the City
(Greg Walters)**

WHEREAS, Greg Walters owns approximately 1.24 acres of land contiguous with the City's current boundary and within the City's Urban Growth Area (the "Annexation Territory" – more specifically described in Exhibit A, attached hereto and incorporated herein by this reference), and in conjunction with the City of Banks has requested annexation of the Annexation Territory; and

WHEREAS, to warrant annexation approval, the Annexation Territory must be within the City's Urban Growth Area and contiguous to the city boundary. The annexation applicant must also demonstrate compliance with each of the applicable approval standards set forth in Section 30.02 of the Banks Code of Ordinances ("BCO"), and, pursuant to Charter Section 3, the annexation request must be approved by a simple majority of the electorate voting in an election on the question of annexation; and

WHEREAS, on May 11, 2015, the Banks Planning Commission convened a duly noticed public hearing, took public testimony on the annexation request and recommended approval of the annexation as proposed; and

WHEREAS, on June 9, 2015, the City Council convened a duly noticed public hearing on to take public testimony and evaluate the Planning Commission's recommendation, and at the conclusion voted to recommend approval of the annexation; and

WHEREAS, on September 15, 2015 a majority of registered voters in the City of Banks voted to approve the annexation of the 1.24 acre Annexation Territory owned by Greg Walters, and the Washington County Elections Official certified those election results on September 30, 2015.

NOW THEREFORE, based on the foregoing, the Banks City Council ordains as follows:

Section 1 - Annexation. The real property described in Exhibit A, attached hereto and by this reference incorporated herein, comprising approximately 1.24 acres (collectively the "Annexation Territory") is hereby annexed and incorporated into the City of Banks.

Section 2 – Annexation of public rights-of-way. All federal, state, and local public rights-of-way within or abutting the Annexation Territory are hereby annexed and incorporated into the City of Banks.

Section 3 - Land Use Designations and Zoning. Land within the Annexation Territory is hereby subject to land use planning, regulation and permitting by the City of Banks under its duly adopted Comprehensive Plan and land use regulations, pursuant to which

the Annexation Territory (TLs 1001 and 1002 on Washington County map 2N 4 36) shall be zoned Single Family Residential (R-5), with a maximum residential development density of 8.71 units per net acre.

Section 4 – Assessment and Taxation. Land within the Annexation Territory shall be assessed and taxed by the City in the same manner as other similarly situated property within the City as of the effective date of this Ordinance.

Section 5 – Severability. If any portion of this ordinance is found to be invalid or unenforceable for any reason, that finding shall not affect the validity or enforceability of any other provision of this ordinance.

Section 6 – Transmittal. Pursuant to ORS 222.177 and Section 30.06 of the Banks Code of Ordinances, the City Recorder shall:

1. File a certified true copy of this Ordinance with the Oregon Secretary of State and the Washington County Assessor.
2. File with the Oregon Secretary of State an abstract of the September 30, 2015 election results within the City on the Greg Walters Annexation measure.
3. File with the Oregon Secretary of State a copy of the statement of landowner consent to this annexation.

Section 7 – Effective Date: This ordinance and the annexation it declares shall be effective upon filing with the Secretary of State's Office in accordance with ORS 222.180.

Brought before Banks City Council and read for the first time October 13, 2015.

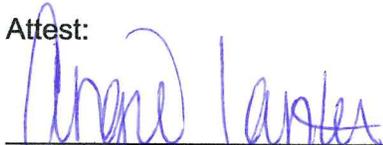
Read for the second time and adopted November 10, 2015.

This Ordinance becomes effective December 10, 2015.



Peter C. Edison, Mayor

Attest:


Angie Lanter, City Recorder

Summary of Votes

Teri Branstitre	Yes/No
Mark Gregg	Yes/No
Brian Biehl	Yes/No
Dan Keller	Yes/No Absent
Mark Walsh	Yes/No
Michael Nelson	Yes/No

EXHIBIT A

Exhibit A
Proposal No. WA-4106
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The South one-half of the following described real property, in the City of Banks, County of Washington and State of Oregon:

Beginning at a point on the West line of the Southwest one-quarter of Section 31, Township 2 North, Range 3 West of the Willamette Meridian, this point being 469.0 feet South of the Northwest corner of said one-quarter section, and from which point an iron pipe bears East 30.0 feet; from this point of beginning run South along the section line a distance of 208.7 feet; thence East at an angle of 90° to the section line a distance of 208.7 feet; thence North a distance of 208.7 feet; thence West a distance of 208.7 feet to the place of beginning.

Sept. 15, 2015
Annexation – Banks, Oregon;
2N4360001001 > 12683 NW Main
St
2N4360001002 > 12697 NW Main
St

