

03-12-14 P01:15 14



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 X

NAME OF OWNER*: (if different than applicant) Quail Valley Golf Corporation
 ADDRESS: 12565 NW Aerts Road, Banks, Oregon 97106
 PHONE NO: (503) 324-4444 EMAIL ADDRESS DHIXSON@QUAILVALLEYGOLF.COM
 SIGNATURE: Doug Hixson - Doug Hixson
 DATE: 12-10-13

* "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

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
58544

REMARKS: 12/5/14

THIS CONTRACT, Made the 25th day of ^{April} January, 19 83, between Karen J. Smith

the first party, and Florence K. Behrman, hereinafter called

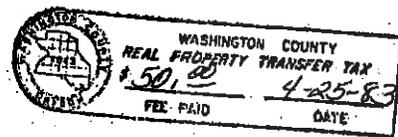
hereinafter called the second party, WITNESSETH, That in consideration of the stipulations herein contained and the payments to be made as hereinafter specified, the first party hereby agrees to sell, and the second party agrees to purchase, the following described real estate, situate in the County of Washington State of Oregon, to-wit:

Beginning at the quarter section corner on the N. side of said Sec. 31; thence E. along the N. line of said Sec. 31 a distance of 348.80 feet to the NE corner of a tract of land conveyed to the Union Point Cemetery Assn by deed recorded in Book 363, Page 87 Deed Records of Wash. Cty. Oregon; and the true point of beginning of the tract herein described; thence continuing E. along the N. line of said Sec. 31, a distance of 435.28 feet to the NW corner of a tract of land described in a deed to Maurice and Marcella Jansen in Book 308, Page 426, Deed Records of Wash. Cty. Ore; thence S. along the W. line of the aforesaid Jansen tract 1,750.32 feet to the most northerly NE corner of Wilkesboro, a Plat or Record, Wash. Cty. Ore; thence W. along the N. line of Wilkesboro 784.08 feet to the NW cor. thereof and a point on the quarter section line; thence N. along the quarter section line 766.86 feet to a point on the S. line of a 6.00 feet wide strip of land conveyed to Union Point Cemetery Assn. by deed recorded in Book 324, Page 498, Deed Records of Wash. Cty. Ore; thence E. along the S. line of the aforesaid Union Point Cemetery Assn. tract 331.32 feet to the SW corner of a tract of land conveyed to Ernest Behrman and Florence Behrman by deed recorded in Book 363, Page 88, Deed Records of Wash. Cty; thence N. 2°36' E. 6.00 feet to an iron pipe at the SE corner of Union Point Cemetery, a plat of record, Wash. Cty. Ore; thence N. 2°36' E. along the E. line of the aforesaid Union Point Cemetery 380.1 feet to an iron pipe at the NE corner thereof and said corner being the SE corner of Union Point Cemetery No. 2, a plat of record, Washington Cty. Ore; thence N. along the E. line of Union Point Cemetery No. 2, a distance of 99.94 feet to an angular corner in the E. line of Union Point Cemetery No. 2, and said cor. being the SE cor. of a tract of land conveyed to Union Point Cemetery Assn. by deed recorded in Book 363, Page 87, Deed Records of Wash. Cty.; thence along the E. line of the aforesaid Union Point Cemetery Assn. tract and the E. line of Union Point Cemetery No. 2 a distance of 5.55 feet to the NE corner of Union Point Cemetery No. 2; thence continuing N. along the E. line of the Union Point Cemetery Assn. tract described in Book 363, Page (legal description continued on reverse)

for the sum of Fifty Thousand and no/100 Dollars (\$ 50,000.00) on account of which Five Thousand and no/100 Dollars (\$ 5,000.00) is paid on the execution hereof (the receipt of which is hereby acknowledged by the first party, and the balance of \$ 45,000.00 to be paid to the order of the first party with interest at the rate of nine (9%) per cent per annum from July 1, 19 82, on the dates and in the amounts as follows:

Balance of \$45,000.00 payable in semi-annual installments of not less than \$2,445.75, which payment includes interest at the rate of 9% per annum; the first semi-annual payment being payable January 10, 1983, and a like payment on July 10 and January 10 of each subsequent year until the full purchase price and interest has been paid.

The second party has the right to pre-pay this contract on any semi-annual payment date.



(Continuation of legal description from reverse)

87, Deed Records, Wash. Cty. Ore.; 492.84 feet to the N. line of said Sec. 31, and the true point of beginning. SUBJECT to that certain Restrictive Covenant dated January 6, 1983, and recorded in Deed Records of Wash. Cty., which established the above tract as a non-buildable lot, and which covenant runs with the land.

Taxes for the current tax year shall be prorated between the parties hereto as of the date of the purchase of the premises, hereby agrees to pay all taxes hereafter levied and all public and municipal liens and assessments therefor for his fully imposed upon said premises, all promptly and before the same or any part thereof become past due...

The first party shall pay to the second party the amount of principal balance then due upon this contract, subject thereafter to the contract rate of interest until paid by second party. The first party shall also agree that when said purchase price is fully paid and upon request and upon surrender of the agreement, he will deliver a good and sufficient deed conveying said premises to the second party...

But in case the second party shall fail to make the payments aforesaid, or any of them, punctually and upon the strict terms and at the times above specified, he shall keep any of the other terms or conditions of this agreement, time of payment and strict performance being declared to be of the essence of this agreement, then the first party shall have the following rights: 1) to declare this contract null and void...

In case suit or action is instituted to enforce this contract or to enforce any of the provisions thereof, the prevailing party shall be entitled to such sum as the trial court may adjudge reasonable as attorney's fees to be allowed on such suit or action and if an appeal is taken from any judgment or decree of such trial court the prevailing party shall be entitled to such sum as the appellate court shall adjudge reasonable as attorney's fees on such appeal.

The second party further agrees that failure by the first party at any time to require performance by the second party of any provision hereof shall in no way affect first party's right hereunder to enforce the same, nor shall any waiver by said first party of any such provision hereof be held to be a waiver of any succeeding breach thereof or of its waiver of the provisions itself.

In construing this contract, it is understood that the first party or the second party may be more than one person, that if the context so requires, the singular pronoun shall be taken to mean and include the plural, the masculine, the feminine and neuter, and that generally all grammatical changes shall be made, assumed and implied to make the provisions hereof apply equally to corporations, and to individuals.

The true and actual consideration paid for the transfer stated in terms of dollars, is \$ 50,000.00

IN WITNESS WHEREOF, said parties have executed this instrument in duplicate; if either of the undersigned is a corporation, it has caused its corporate name to be signed and its corporate seal affixed hereto by its officers duly authorized thereunto by order of its board of directors.

Karen J. Smith

Florence K. Behrman

CONTRACT

BETWEEN Karen J. Smith AND Florence K. Behrman. STATE OF OREGON County of Washington. I, Donald W. Mason, Director of Assessment and Taxation and Ex-Officio Recorder of Conveyances for said county, do hereby certify that the within instrument of writing was received and recorded in book of records of said county.

9%

1983 APR 25 PM 2:46

Florence K. Behrman Route 1 Box 39 Banks, OR 97106

Until a change is requested, all tax statements shall be sent to the following address: same as above

STATE OF OREGON, County of Washington, January 25, 1983. Personally appeared the above named Florence K. Behrman

and acknowledged the foregoing instrument to be her voluntary act and deed.

Notary Public for Oregon: Ruth Loring My commission expires: 2-10-83

STATE OF OREGON, County of Washington, April 25, 1983. Personally appeared Karen J. Smith

when being duly sworn, each for himself and not one for the other did say that the former is the president and that the latter is the secretary of

and that the contents of the foregoing instrument are the corporate act and deed of said corporation and that said instrument was duly and legally adopted in the hall of said corporation by authority of the board of directors; and each of them acknowledged said instrument to be his voluntary act and deed. Notary Public for Oregon: Ruth Loring My commission expires: 2-10-87

3

6742

KNOW ALL MEN BY THESE PRESENTS, That we, Daniel E. Purdin and Leona Purdin, husband and wife, in consideration of Thirteen Thousand Five Hundred (\$13,500.00) Dollars, to us paid by Maurice Jansen and Mercalla Jansen, husband and wife, grantees, do hereby grant, bargain, sell and convey unto the said grantees, as tenants by the entirety, their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Washington and State of Oregon, bounded and described as follows, to-wit:

Beginning at a stake in the County Road 11.38 chains East of the quarter section corner on the north side of section 31 T 2 N R 3 W Will. Cor. in Washington County, Oregon; thence south 39.69 chains to a stake; thence south 89 degrees 36' East 11.59 chains to a stake; thence north 39.80 chains to a stake in the County road; thence west 11.59 chains to the place of beginning, containing 46.10 acres.

To Have and to Hold the above described and granted premises unto the said grantees as tenants by the entirety, their heirs and assigns forever. And we, the grantors, covenant that we are lawfully seized in fee simple of the above granted premises free from all incumbrances.

and that we will and our heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness our hand and seals, this 14th day of June, 1950.

Daniel E. Purdin (SEAL)
Leona Purdin (SEAL)

STATE OF OREGON,

County of Washington

On this 14th day of June, 1950, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Daniel E. Purdin and Leona Purdin, husband and wife,

who are known to me to be the identical individuals described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

W. A. Tupper
Notary Public for Oregon.
My Commission expires March 6, 1955

INDEXED

WARRANTY DEED

(FORM No. 16)

TO

STATE OF OREGON,

County of Washington

I certify that the within instrument was received for record on the 15th day of June 1950, at 2:30 o'clock P.M., and recorded in book 308 on page 426 of said County. WITNESS my hand and seal of County affixed.

W. A. Tupper

Maurice Jansen
County Clerk - Recorder
Deputy

RECORDED IN BOOK 308 PAGE 426

Maurice Jansen
Rd 2 Cor 222
Forest Grove, Or

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 Growth 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 I 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	3,656 gallons per day per acre (Unit ADMWF Factor) ⁴

	Number of Units ⁵	Unit Flow Rate (gpcpd) 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/acid) ³	I/I Inflow (gpd)	Total Peak Flow (cfs)
A) Residential												
SFR4	34.8	67	2.4	84	5,592	0.008	35	2.5	13,890	4,000	23,200	0.958
SFR5	93.12	67	2.4	223	14,974	0.022	93	2.5	37,434	4,000	46,560	0.138
SFR6	79.6	67	2.4	191	12,800	0.019	80	2.5	31,989	4,000	31,849	0.099
Subtotal												0.288

	Property Area (ac) ⁵	Unit Flow Rate (gpcpd) ⁴	Total Sewage (gpd)	Total Sewage (cfs)	Total Sewage (Residential Equivalent)	Peaking Factor ²	Peak Flow (gpd)	I/I Inflow Factor (g/acid) ³	I/I Inflow (gpd)	Total Peak Flow (cfs)
B) Commercial										
CG	3.5	3,656	12,807	0.019	80	2.5	32,016	4,000	14,000	0.071
Subtotal										0.357

TOTAL

Assumptions:

¹ Gallons per capita day demand projections are from the Clean Water Services Master Plan, dated March 2008, 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 2008, Table 2-2 for Specified Land Use.

⁵ Zoning and Density per Table 6, Site Plan per email from Michael Carbone (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

	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)
A) Residential								
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 Cerbone (Cardno), dated 3/10/2014.

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

CERTIFICATION OF PROPERTY OWNERSHIP OF

AT LEAST ONE-HALF LAND AREA

(DOUBLE MAJORITY METHOD)

I hereby certify that the attached description for a proposed boundary change involving the territory described in the petition contains the names of the owners* of at least one-half of the land area within the annexation area described in the petition, as shown on the last available complete assessment roll for Washington County.

NAME TED FOSTER
TITLE GIS TECH
DEPARTMENT CARTOGRAPHY
DATE 1/24/14

* "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.

ANNEXATION CERTIFIED

BY TF

JAN 24 2014

WASHINGTON COUNTY A & T
CARTOGRAPHY

CERTIFICATION OF LEGAL DESCRIPTION AND MAP

I hereby certify that the description of the property included within the attached petition (located on Assessor's Map 2N331 AND 2N331D) has been checked by myself, and it is a true and exact description of the property in Washington County under consideration. The description corresponds to the attached map indicating the property in Washington County under consideration.

NAME TED FOSTER

TITLE GIS TECH

DEPARTMENT CARTOGRAPHY

DATE 1/24/14

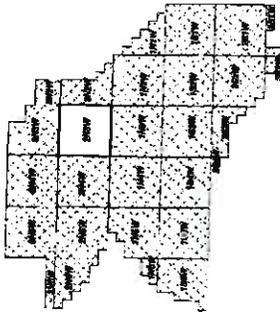
ANNEXATION CERTIFIED

BY TF

JAN 24 2014

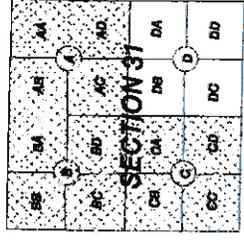
WASHINGTON COUNTY A & T
CARTOGRAPHY

2N 3 31D



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www.co.washington.or.us

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Cancelled Tumble For: 21881D
NO. 200, 110, 100, 174, 1, 100
100, 200, 100, 100, 100, 100

ANNEXATION CERTIFIED BY
WASHINGTON COUNTY
CARTOGRAPHY
1/24/14

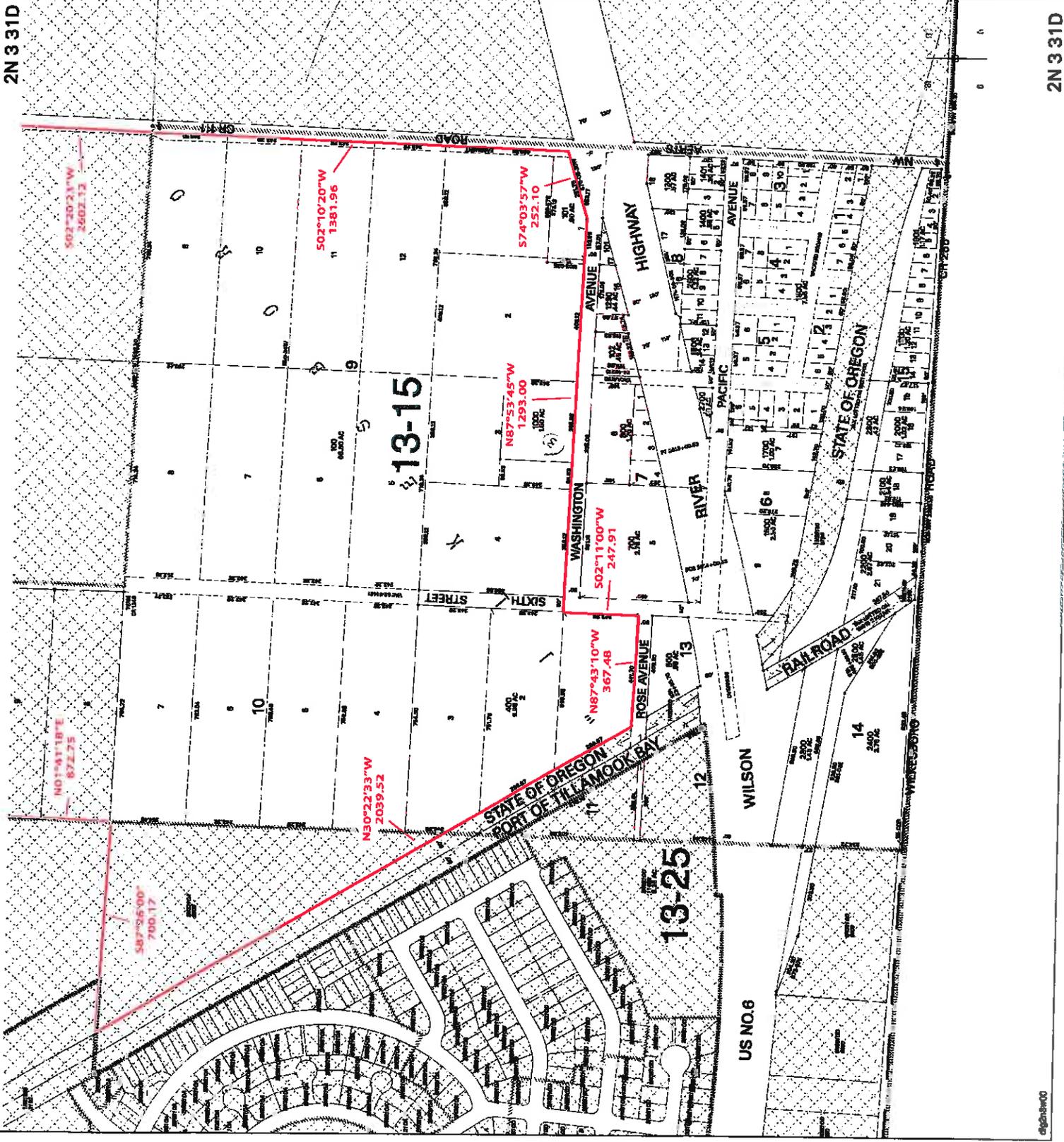


PLOT DATE: October 26, 2009
FOR ASSESSMENT PURPOSES
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FOR OTHER USE

Map areas delineated by other party shading or a cross-hatched pattern are not under the jurisdiction of the Assessor. Please refer to the appropriate map for this state-assessed information.

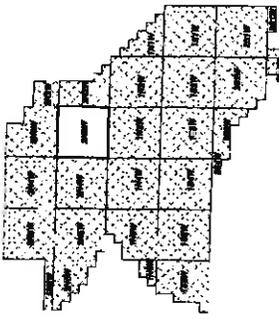
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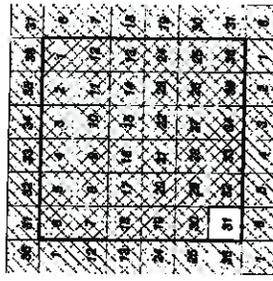


2N 3 31D

2N 331



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



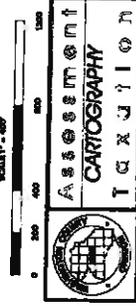
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BB	BA	AB	AA	
BC	BD	AC	AD	(A)
CB	CA	DB	DA	(D)
CC	CD	DC	DD	

Cancelled Taxlots For: 2N031

100, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296

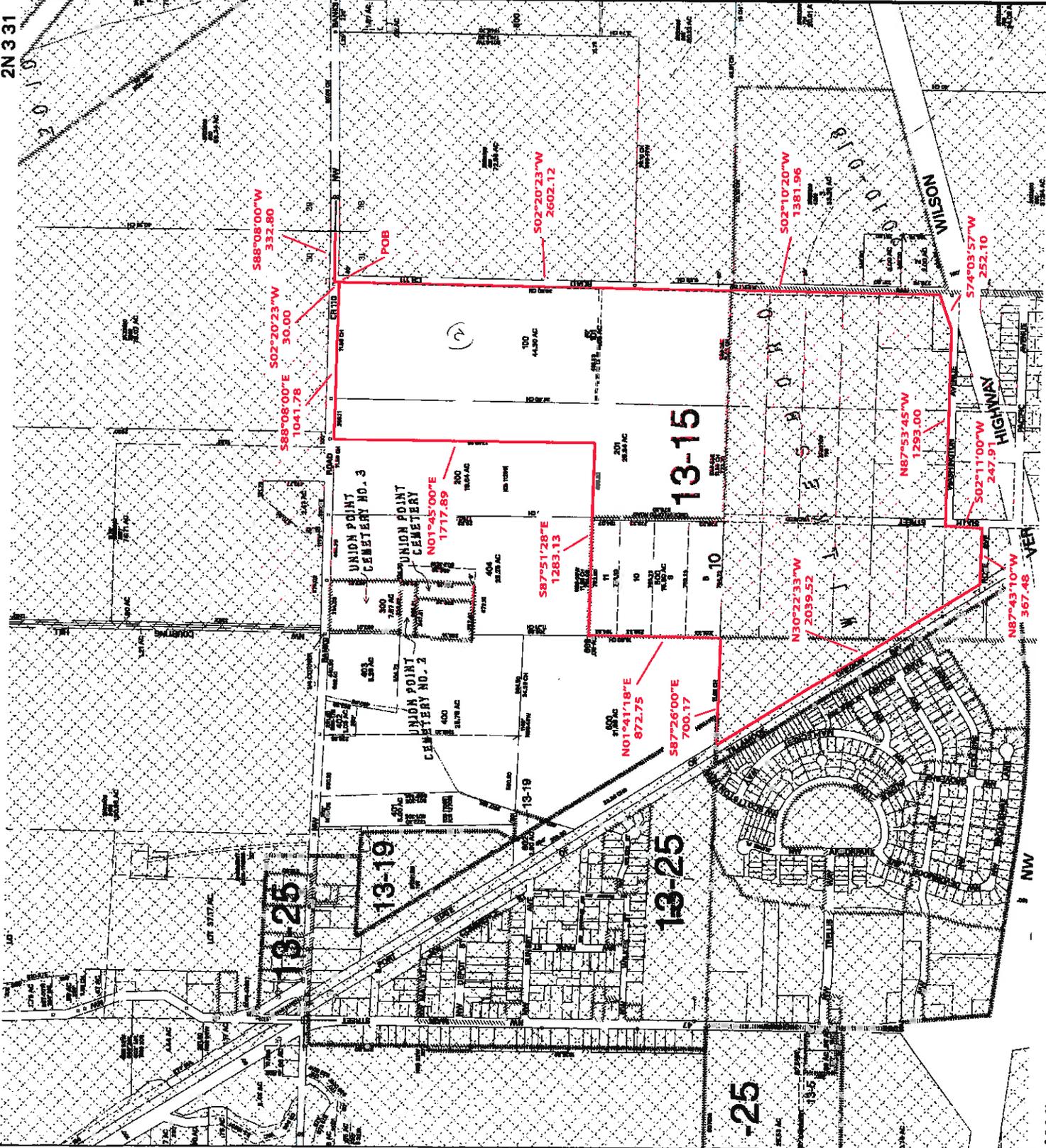
ANNEXATION CERTIFIED BY
WASHINGTON COUNTY
CARTOGRAPHY
1/24/14



PLOT DATE: January 24, 2013
FOR ASSESSMENT PURPOSES
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Map areas delineated by white gray shading or a cross-hatched pattern are for reference only and may not indicate the most current property boundaries. Please consult the appropriate map for the most current information.

BANKS
2N 331



2N 331

2N 331

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

20
11/10/14

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EXHIBITS

- A. Legal Description & Exhibit
- 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

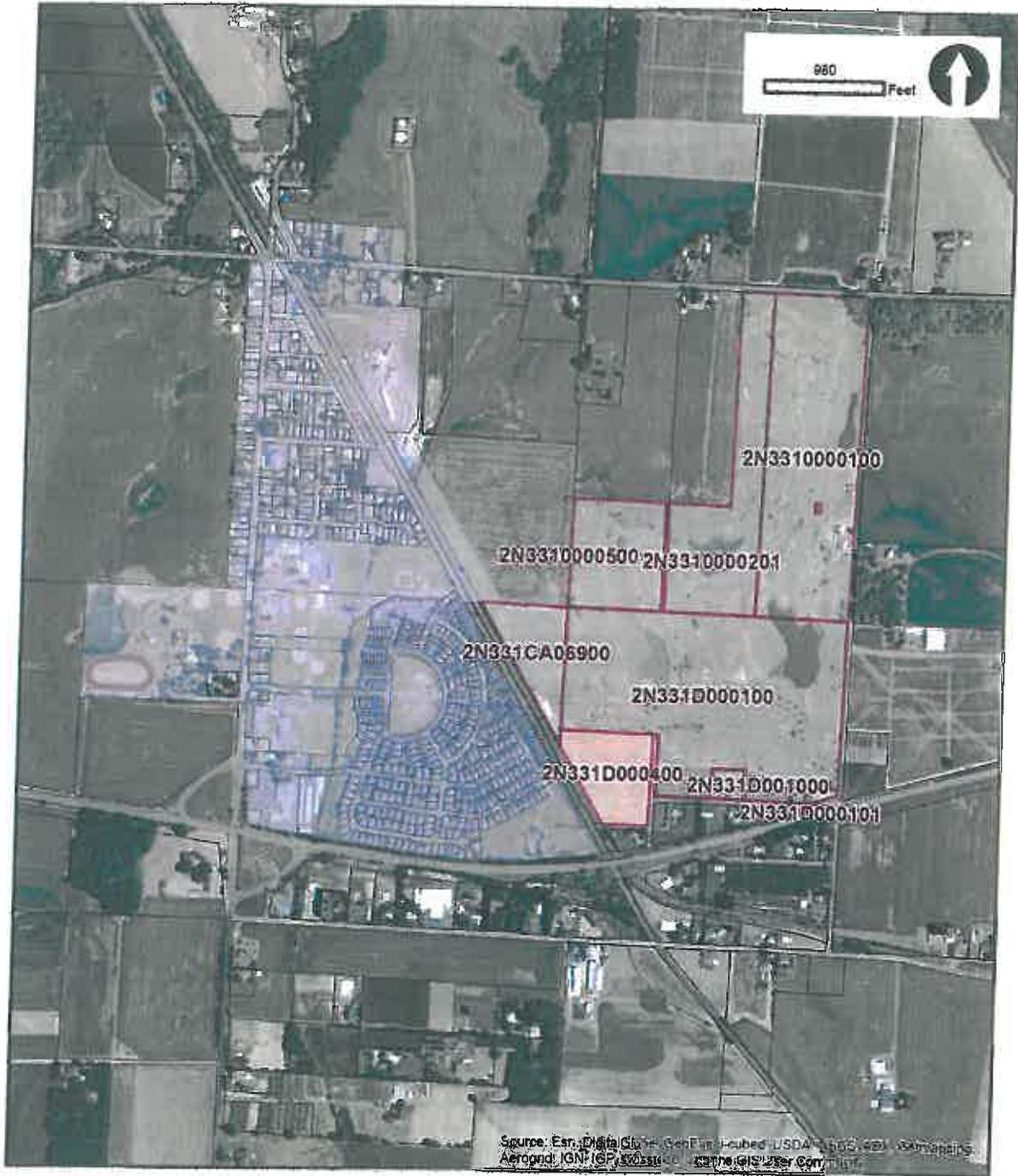
The applicant maintains a functioning water well utilized as a supplemental source for irrigation of the golf course. The applicant's primary source for irrigation water is the Tualatin Valley Irrigation District (TVID), upon annexation the applicant will continue to utilize TVID to irrigate the golf 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 #	TLB	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

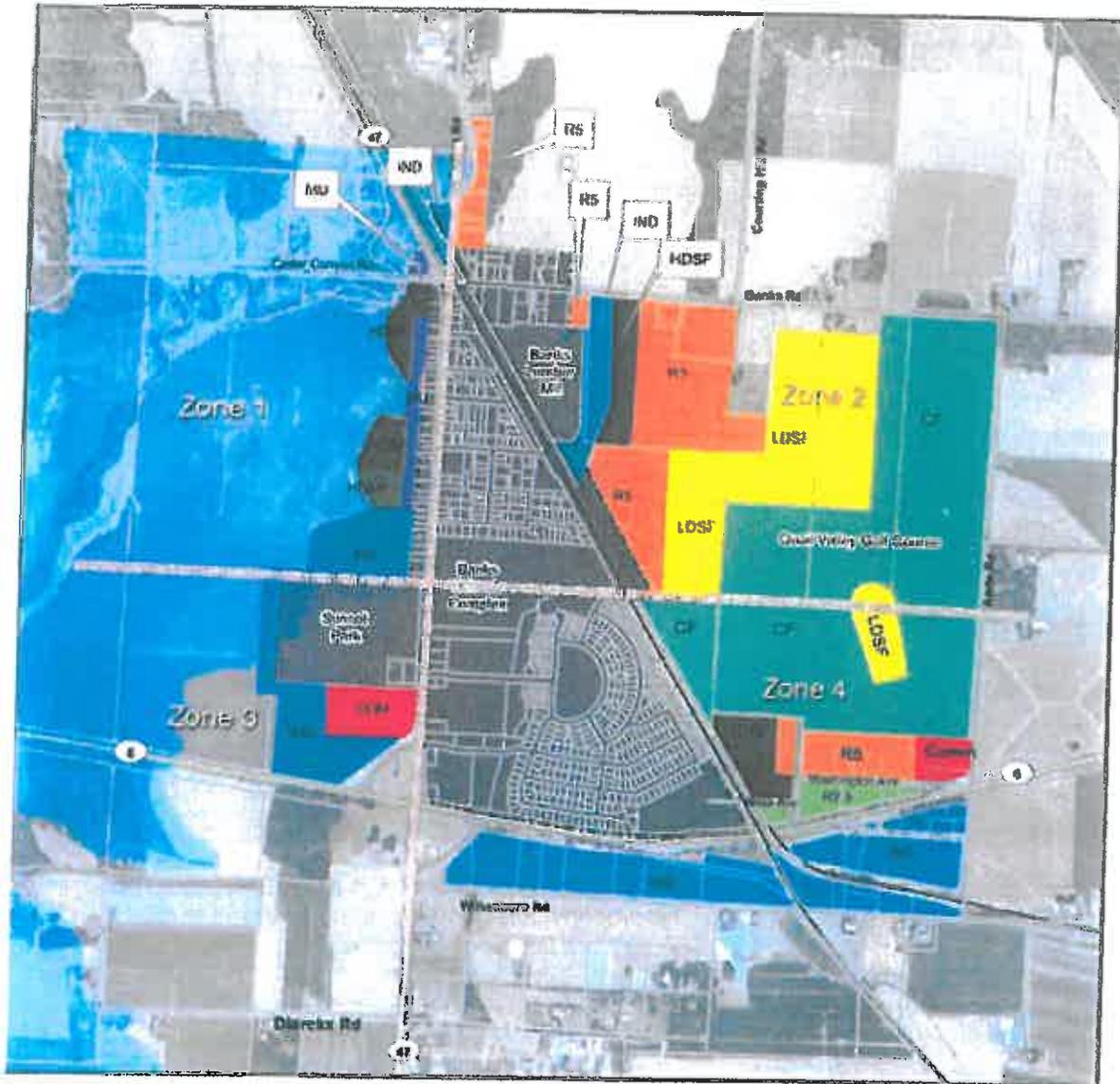


Quail Valley Annexation

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.



The conceptual development plan set forth above shows how a roadway system could be provided to facilitate redevelopment of the property. It is not the applicants' intent to gain approval of this design nor is it their intent to have the proposed annexation tethered to this design. Should the property be annexed into the City the applicant will work closely with the City on the design and layout of the annexed area to ensure the proposal meets, state and local requirements.

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-1 0 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-1 0 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.

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

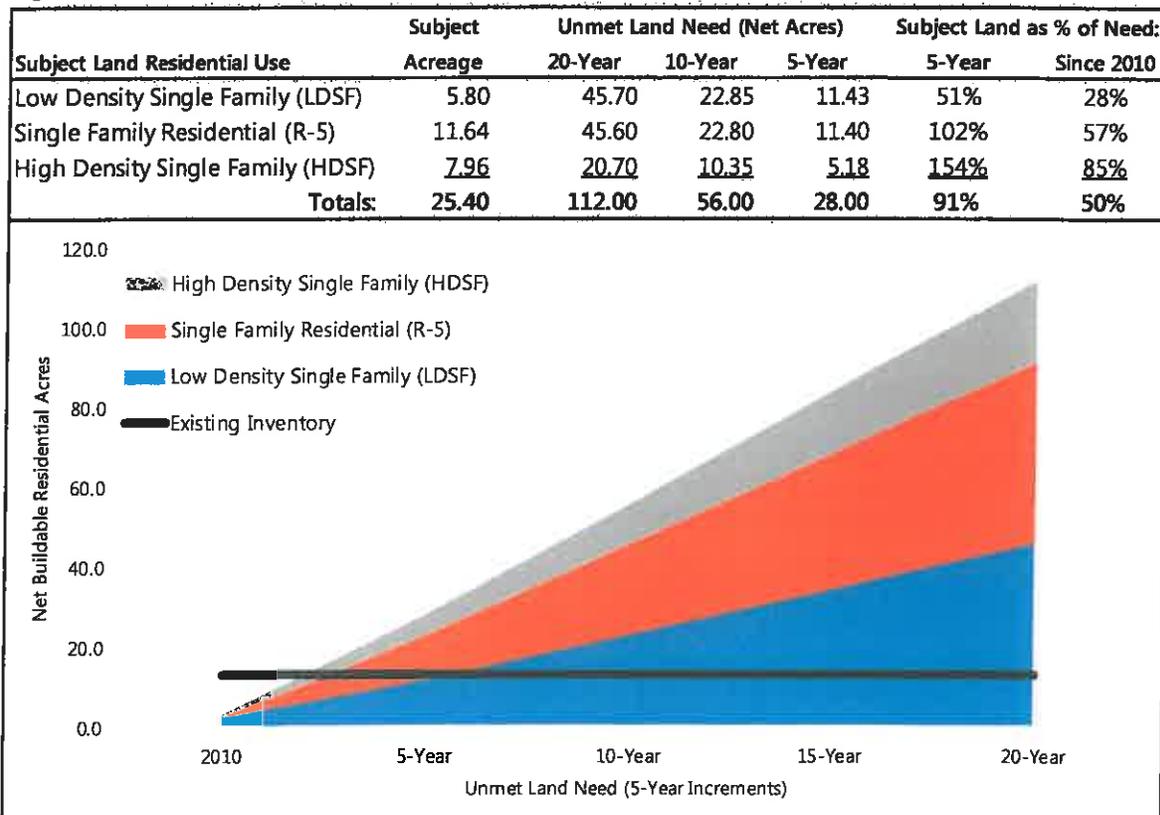
Short-Term Residential Land Demand

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.

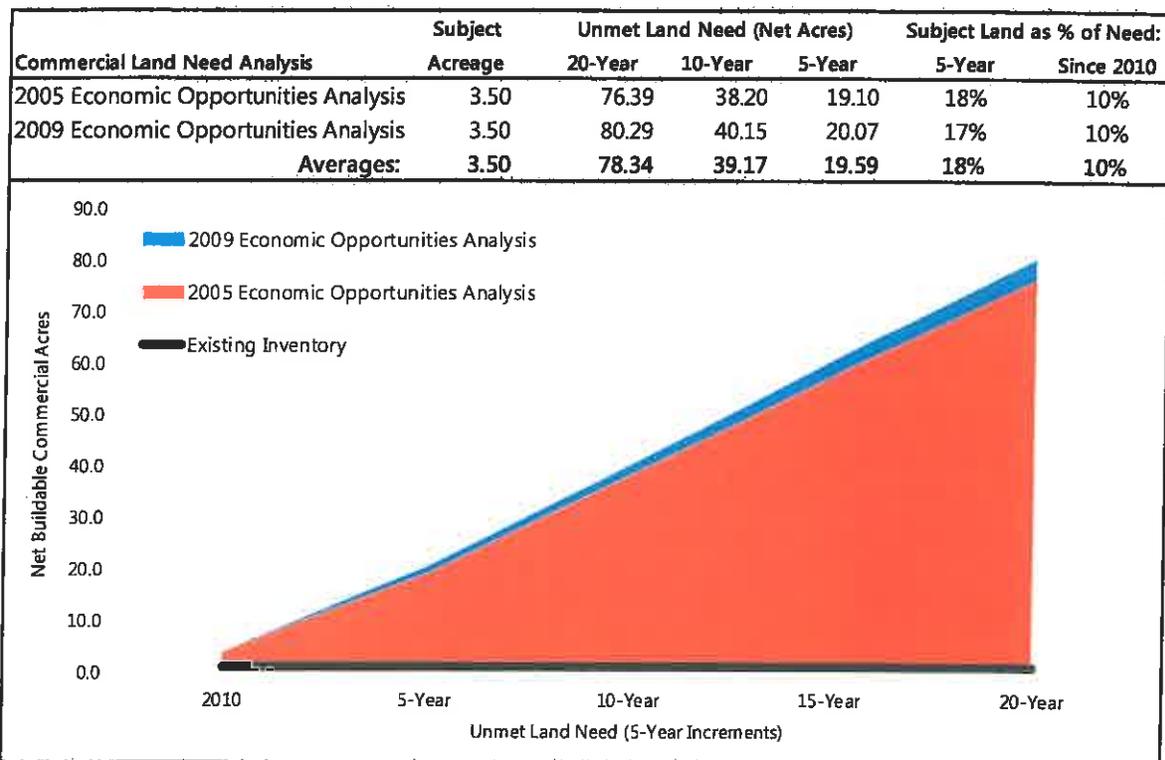
Both documents provide twenty-year estimates of commercial land demand for the City of Banks. The 2005 EOA was completed and adopted prior to 2010 UGB amendment analysis. However, the 2009 EOA was cited as in-progress as part of City of Banks Aspirations (Appendix F of the CH2MHILL Technical Document)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

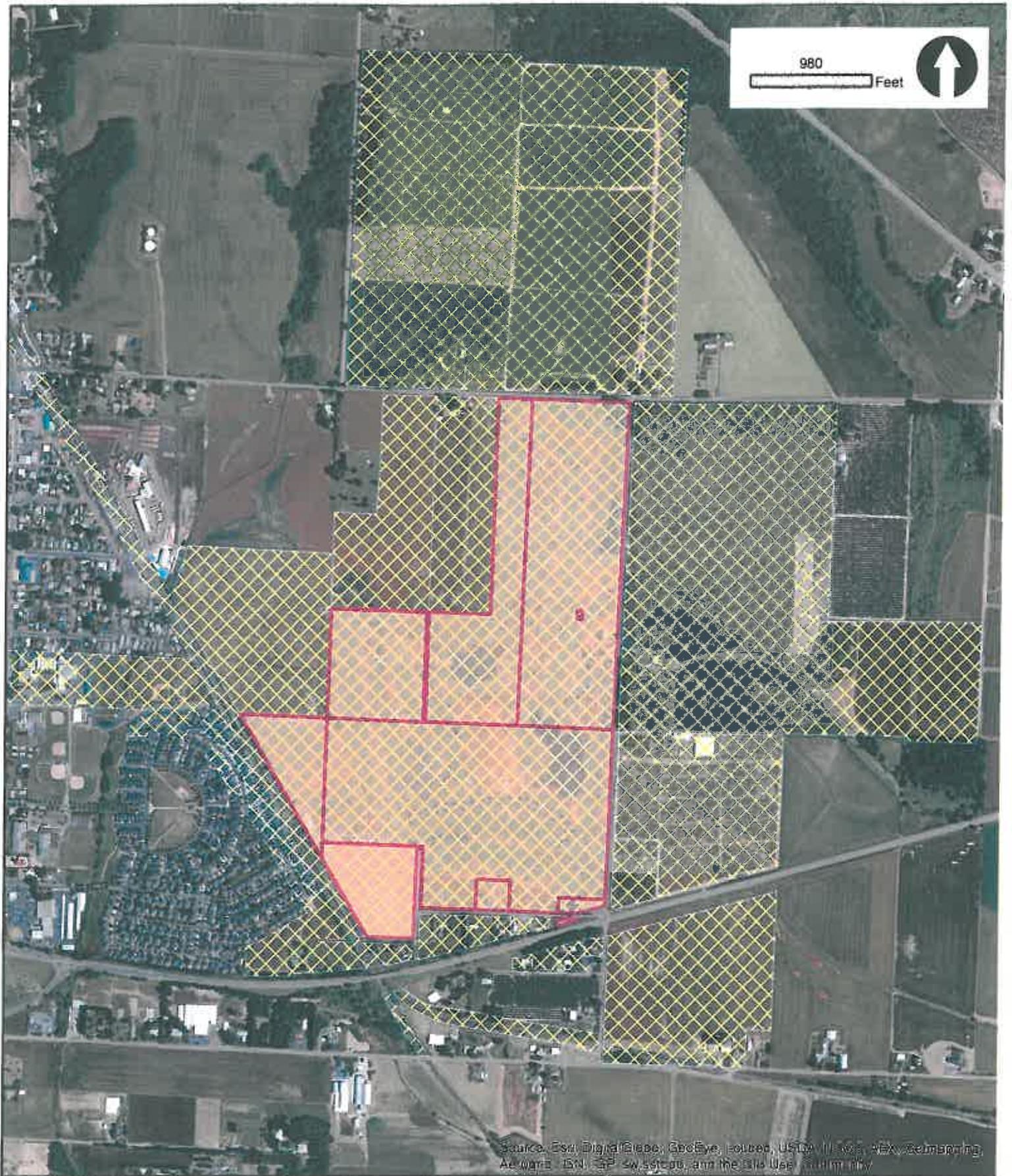
At present, there are no phasing plans for land proposed to be annexed into the City of Banks. In total, between residential and commercial land that would be available for development, the annexation would comprise a mere 28.90 acres of new land for development. The remainder, greatly comprising Quail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



Quail Valley GC-- Proposed Annexation

Tax Lots within 300' Buffer

Banks, Oregon

