LYONS PLANNING COMMISSION
STAFF REPORT

HEARING DATE: July 15, 2020 at 6:30 p.m.

STAFF REPORT DATE: June 25, 2020
revised July 10, 2020

FILE NUMBER: 2020-01

APPLICANT/OWNER: Jeffrey D. Peters and Shelly Peters
PO Box 324, Lyons, OR 97358

PROPERTY: 1700 block - Main Street, Lyons, OR

<table>
<thead>
<tr>
<th>Assessor’s Map</th>
<th>Tax Lot</th>
<th>Account</th>
<th>Acres</th>
<th>Zoning</th>
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<td>09S 02E 19A</td>
<td>00103</td>
<td>780268</td>
<td>10.11</td>
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EXHIBITS: EXHIBIT A Application & Supplemental Materials
EXHIBIT B Proposed Partition Map
EXHIBIT C Notice of Public Hearing

REQUEST: Minor Partition – Divide a 10.11-acre tract into three parcels

CRITERIA: Lyons Municipal Code

**Zoning:**
- Section 18.20.010 Single Family Residential (SFR) Zone

**Land Divisions**
- Section 17.40 Partitioning
- Section 17.50 Design Standards
- Section 17.55 Improvements
I. APPLICANT’S PROPOSAL

The City has received a land use application from Jeff and Shelly Peters, requesting approval of a Minor Partition to enable the applicant to divide a 10.11-acre parcel into three lots.
The applicant proposes to divide the 10.11-acre tract into three parcels as shown on Map 1 and Exhibit “B”. Two home sites and an 8.31-acre parcel will be created. Parcels 1 and 2 will have access to a joint driveway extending south to Main Street. The new lots may be developed as single-family home sites. The 8.31-acre parcel is located outside the City of Lyons city limits. Parcels 1 and 2 are located in the City of Lyons Single Family Residential (SFR) zone.

Table 1
Proposed Minor Partition into Three Lots

<table>
<thead>
<tr>
<th>Proposed Parcels</th>
<th>Size (Acres)</th>
<th>Proposed Use</th>
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<tbody>
<tr>
<td>Parcel 1</td>
<td>0.80 +/-</td>
<td>Vacant – Proposed SFR home site</td>
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<tr>
<td>Parcel 2</td>
<td>1.00 +/-</td>
<td>Vacant – Proposed SFR home site</td>
</tr>
<tr>
<td>Parcel 3</td>
<td>8.31 +/-</td>
<td>Vacant</td>
</tr>
<tr>
<td>Total Acreage</td>
<td>10.11</td>
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</tbody>
</table>

Map 2
Proposed Minor Partition – Two Lots inside City of Lyons
II. BACKGROUND INFORMATION

A. Pre-Application Information and Application Submittals:

In May 2020, the City of Lyons finalized a land use decision to annex a portion of the Peters property into the City. The applicants now own 2.3 +/- acres inside the City of Lyons. As part of the annexation proposal, the applicant explained his purpose is to create one or two buildable parcels inside the City limits. With the City’s approval of the annexation, the applicant has filed a septic system determination application with the Linn County Environmental Health Department.

The applicant filed the minor partition application with the City on June 12, 2020. The application was deemed complete on June 16, 2020. Therefore, the final local decision must be made by October 13, 2020 to comply with the “120 Day Rule”.

B. Application, Land Use Procedure and Review Requirements:

Chapter 17 of the Lyons Municipal Code outlines the application, notice and review requirements for land division applications. The Lyons Planning Commission will hold a public hearing and at the conclusion of the hearing will deliberate and make a decision to approve or deny the proposal. The Planning Commission decision may be appealed to the City Council.

C. Public Hearing and Notices of Public Hearing:

A public hearing will be held before the Planning Commission on July 15, 2020 beginning at 6:30 p.m. at the City Hall, 449 5th Street in Lyons, Oregon. The Planning Commission will make its decision based on criteria found in the Lyons Municipal Code (LMC), Chapter 17 – Subdivisions. The City Code can be viewed under “Codes and Permits” at the City of Lyons website: City of Lyons.

Notice of any public hearings must be provided to affected governmental agencies and adjacent property owners. Written notice shall be mailed to owners of property abutting the subject property at least 20 days prior to the initial evidentiary hearing. Notice of the public hearing was mailed 20 days prior to the hearing.

D. Surrounding Uses:

The property is located in the 1700 block of Main Street. The 10.11-acre tract is served by a long driveway south to Main Street.

WEST: 1417 Main Street: A 29-acre residential & farm tract with a single-family home, barn and outbuildings. Large pasture area.

SOUTH: 1715 Main Street: A 1.99-acre residence with a single-family home, barn and small outbuildings. Shares driveway access with Peters property.
1807 and 1809 Main Street: Two single-family homes with shared driveway access to the Peters property.

EAST: 1725 Main Street: A 3.03-acre parcel with a single-family home, garage and outbuildings. The home is directly east of the 1.50 +/- acres that is proposed to be added to the Lyons UGB, annexed and developed with a single-family home. The parcel shares driveway access with the Peters property.

NORTH: North, NW & NE. Four Farm-Forest properties (37.82-acres, 11.02-acres, 4.54-acres and 19.22 acres) north to the N. Santiam River. The 4.54-acre site has a home. The other parcels are undeveloped, with pasture, trees and a large pond.

E. Existing Conditions:

PARCEL 1 AND PARCEL 2 (Inside City Limits) – 1.80 ACRES

The 1.80 acres is at the south end of the site. The area is a cleared pasture. A copse of trees (firs and deciduous trees) abuts the north end of the pasture area. The Lyons City Limits and UGB line are at north end of this 1.80-acre area. An existing gravel driveway from Main Street is located along the east boundary.

Applicant Jeff Peters provided the following statements in his application:

• “By annexing the property to the City, the Parcel will be big enough for two home sites.
• I “would like to put a house on the property. Sell a buildable lot to one of my kids to give them a start in life, there is enough room for 2 lots.”

PARCEL 3: 8.31 Acres (Outside City Limits at the North end of the site)

Parcel 3 is located at the north end of the applicant’s property. It is located north of the City of Lyons UGB toward the N. Santiam River. The parcel has a small pond, seasonal stream (flows east to west) and pasture land with scattered trees, blackberries and shrubs. The property is not currently used for agricultural crop production.

F. Utilities:

Water: The Lyons-Mehama Water District has a water main in Main Street. Water district officials indicate water service can be made available to the property.

Septic: A septic permit is required for Parcels 1 and 2. The minimum lot size for a septic permit in Lyons is 0.5-acres, subject to a soils report and inspection by the Linn County Environmental Health Department.

In early June 2020, the applicant submitted a septic determination application to Linn County Environmental Health Department (LCEH). On June 17, 2020, LCEH issued preliminary approval for on-site sewage disposal systems for Parcel 1 (LC Report #36247) and Parcel 2 (LC Report #36246).

Storm Drainage: There are no storm drainage facilities on the property. A seasonal creek runs east-west through the site, just north of Parcels 1 & 2, as shown on Map 1.

Private Utilities: Private utilities and an access driveway are proposed via an existing gravel driveway to Main Street.
G. Streets and Driveway Access:

Streets: Main Street is a minor arterial street, owned and maintained by Linn County.

Access: The proposed partition map indicates there is an existing 15’ wide residential access easement that extends from Parcel 1 south 520’ to Main Street. The applicant provided evidence of existing access easements & public roads that serve Parcels 1, 2 and 3 of the proposed partition:

1. Easement (Vol. 318, Page 411) dated August 1, 1966. Grants a 15’ access easement for a driveway from Main St. to the 10.11-acre parcel. Grantees, or heirs/assigns, are responsible for on-going maintenance. The 15’ wide access will serve Parcel 1 and Parcel 2 of the proposed partition.

2. Partition Plat 1993-07, County Survey CS 20602. The plat shows 25’ frontage to a 50’-wide public road at the NW corner of the site. It provides legal access to Parcel 3.

H. Agency Comments and Public Testimony:

1. Agency Comments. Agency comments were solicited from the Lyons Fire District, the Lyons-Mehama Water District, Linn County Planning Department, Linn County Environmental Health Department, the Linn County Surveyor and private utilities. The City requested agencies to provide comments by July 13, 2020 at 4:00 pm.

   a) Lyons Fire District: On June 24, 2020, the Fire District responded via email and stated “no fire turnarounds are required for this proposal.”

   b) Linn County Roads Department: Stephanie Taylor, Plan Reviewer with the Linn County Roads Department, responded via email on June 26, 2020 and stated “An access permit will be required from the Linn County Road Department prior to issuance of development permits. Contact the Linn County Road Department with any questions.”

   c) Linn County Environmental Health: The applicant provided copies of preliminary reports for on-site sewage disposal systems (LCEH Reports #35246 and #35247). The City did not receive any written comments from Brittany May, REHS, LC Environmental Health Program.

   d) Lyons Mehama Water District: City Recorder Micki Valentine spoke with water district staff to verify the property is located inside the water district service area; it is inside the district service area. On July 9, 2020, the water district responded; they had no comments.

Any agency comments received prior to or during the public hearing will be made part of the record.

2. Public Testimony. The City sent notices of the public hearing to surrounding property owners. As of July 1, 2020, the City had not received any written testimony. Any written public testimony received prior to or during the public hearing will be made a part of the record. Oral testimony will be included in the meeting minutes.
III. FINDINGS

The application was reviewed to determine whether the proposal complies with the applicable standards and criteria in the Lyons Municipal Code.

A. Chapter 18.20.010 – Single Family Residential (SFR) District

18.20.010 Permitted Uses: A single family dwelling is a permitted use in the SFR residential zone. The minimum lot size is one-half acre for a single-family dwelling or other outright permitted uses. Lots larger than one-half acre may be required after the septic tank soil tests are completed on the site.

The buildable areas for each of the proposed lots were estimated after removing land for the driveway easement and driveway area on the east 20’ of Parcels 1 & 2.

- Parcel 1: 0.80 acres Vacant Buildable area is 0.70-acres.
- Parcel 2: 1.00 acres Vacant Buildable area is 0.95-acres.
- Parcel 3: 8.31 acres Vacant The site is outside the City of Lyons. Uses must comply with Linn County Planning Department requirements.

Findings & Conclusions: The applicant proposes to replat the existing 10.11 acres into three parcels. The two parcels inside the City of Lyons city limits meet the minimum lot size requirement and will have a buildable area that equals or exceeds the 0.50-acre minimum lot size requirement. The proposal complies with Section 18.20.010.

B. Chapter 17.40 – Partitioning

The purpose of this chapter is to ensure developments comply with city land division requirements and legal requirements for the surveying and recording of partitions.

17.40.020 General Requirements: The City requires an applicant to file an application on city forms, pay an application fee, comply with city public improvement requirements (Section 17.50) and comply with city partitioning requirements.

Findings and Conclusions: The applicant has filed the application, paid required fees and is following City requirements for a land partition. The proposal complies with Section 17.40.020.

17.40.030 Partitioning Procedure: This section identifies the information which must be included in the preliminary (tentative) partition plat. This section also requires notification of affected agencies and property owners prior to a public hearing.
Findings and Conclusions: The proposed preliminary plan complies with the mapping requirements in Section 17.40.030. The City has complied with the agency and public hearing notice requirements. The proposal complies with procedural requirements in Section 17.40.030.

17.40.030.E Partition Approval Criteria: At the conclusion of the public hearing, the planning commission is required to make a decision within 35 days and determine if the proposal complies with the following approval criteria.

E. The planning commission shall either approve the tentative plat as submitted, approve it with modifications or conditions, or deny it. The decision shall be based on findings related to the following criteria:

1. The partition is consistent with the provisions of this title and LMC Title 18.
2. Vehicular access to the property is adequate.
3. All necessary public utilities can be provided to the proposed parcels.
4. No landlocked parcels shall be created. Full and orderly development of the surrounding area can be assured.
5. Drainage within the proposed development will not result in problems for the development of the surrounding area.
6. The physical characteristics of the property, such as potential soil erosion or landslides, drainage, flood plains, and potential natural hazards, have been considered and will not be detrimental to the surrounding area.

17.40.030.E.1 Consistent with LMC Title 17 – Subdivisions & LMC Title 18 - Zoning:

This section requires a partition to comply with applicable sections of the Lyons Code.

Findings and Conclusions: Section III – Findings in this staff report reviews the specific criteria and standards in LMC Chapters 17 & 18 that apply to the proposed partition.

17.40.030.E.2 Vehicle Access to the Property:

Section 17.50.040.B requires each lot in a partition to have a minimum 25’ access to a street or driveway access via a residential access easement.

Findings and Conclusions: The applicant’s proposal shows Parcel 1 and Parcel 2 have access to Main Street via an existing 15’ access easement on the east edge of the site. The driveway access easement is

- **Parcel 1**: Parcel 1 will be served by the existing 15’-wide access easement and gravel driveway within the easement, LC Deed Records, Volume 318, Page 411.
- **Parcel 2**: Parcel 2 will be served by a new 25’ wide access easement across Parcel 1 and then via the existing 15’-wide access easement to Main Street.

Parcel 3 has access via an existing public road at the northwest corner of Parcel 3. The driveway access easement is shown on Partition Plat 1993-07.
• **Parcel 3:** No changes are proposed.

Because the driveways are longer than 150’ the applicant must comply with the Lyons Fire District access requirements including a minimum 12’-wide hard surface driveway, a 20’-wide clear area for fire apparatus and a fire access turnaround at the end of the driveway, if required. On June 25, 2020, the Fire District responded that no fire turnaround is required.

The proposed lots can comply with the access requirements in Section 17.40.030.E2 if the existing access easement/driveway is used to provide access to Parcels 1 & 2 and the public road at the NW corner of the site is used to provide access to Parcel 3. The City and Linn County Building will coordinate with the Lyons Fire District at the time building permits are issued to verify the applicant provides the required fire access turnaround for each parcel.

The Planning Consultant recommends the following conditions be placed on the plan approval:

1. **Driveway Easements on Partition Plat:** The final partition plat shall show and reference the existing easements by either County Survey, Partition Plat # or by Deed and Reel #s.
   b. Parcel 3 – The existing public road at the NW corner of the site, as shown on Partition Plat 1993-07.

2. **Driveway Access Maintenance Agreement:** The applicant will prepare and record a driveway access and maintenance agreement for Parcels 1 and 2.

Subject to completion of the recommended conditions of approval, the proposal can comply with Section 17.40.030.E2.
### 17.40.030.E.3 Adequate Public Utilities Are Available:

The City requires each lot to be served by public and private utilities including: water, on-site sewage disposal, power, telecommunications and natural gas.

**Findings and Conclusions:** The City reviewed the partition proposal to determine if public facilities are currently available or can be made available to each parcel.

Prior to or concurrently with the issuance of a building permit for each parcel, the applicant shall either obtain permits for and install:

- **On-site Sewage Disposal:** A permit from Linn County for the installation of an on-site sewage disposal system.

- **Water:** A permit from the Lyons-Mehama Water District for water meters, water service line and related improvements. Water meters will be located in the public right-of-way on Main Street or in a PUE as directed by the water district.

- **Private Utilities:** Permits from NWNG, Pacific Power and telecommunication utilities for the extension of gas, power and phone/cable services.

Subject to installation of identified public and private utility services, the proposal can comply with Section 17.40.030.E.3.
17.40.030.E.4 No Landlocked Parcels & Future Orderly Development of Area:

The City requires no land-locked parcels and the assurance that adjacent undeveloped sites can be developed in an orderly manner.

Findings and Conclusions:
1. **No landlocked parcels.** All lots have access to a public street via existing driveway access easements and existing gravel driveways.
2. **Future Development – Parcels 1 & 2:** Parcel 1 and Parcel 2 are not large enough to be partitioned again.
3. **Future Development - Parcel 3:** Under the Linn County zoning regulations, Parcel 3 is not large enough to be partitioned again.

The proposal complies with Section 17.40.030.E.4.

17.40.030.E.5 No Negative Drainage Impacts:

Drainage from the development may not create any negative impacts on surrounding development.

Findings and Conclusions: Storm drainage flows to the north from Parcels 1 and 2 to an unnamed drainage ditch at the north edge of Parcel 2. Since the tract is undeveloped, there is potential for storm water impacts from any fill, new building construction and/or site improvements.

In order to protect water quality, the Planning Consultant recommends a condition of approval to require the builder to submit a drainage plan including low-impact storm drainage facilities to retain/detain storm water on each building site. The City must review and approve the drainage plan for the building site prior to issuance of a building permits for a new home on each parcel.

Subject to compliance with the recommended condition, the proposal complies with Section 17.40.030.E.5.

17.40.030.E.6 Natural Hazards

In reviewing any proposed partition, the City must consider for soil erosion, drainage impacts, potential flood damage, or impacts from other natural hazards. Drainage is addressed in 17.40.030.E.5 above.

Findings and Conclusions:
1. The site is not located in the 100-year flood plain
2. The site is generally flat. Parcels 1 and 2 slope gently to the north. Potential negative impacts from storm water runoff into the unnamed seasonal ditch need to be minimized.

In order to protect the water quality of the river, the staff recommends the planning commission include the following conditions of approval:
• Submit and obtain city approval for a drainage plan (see above comments under Section 17.40.030.E5).

Subject to compliance with the recommended condition, the proposal complies with Section 17.40.030.E.6.

C. Chapter 17.50 – Design Standards

The purpose of this chapter is to ensure all lots meet minimum size and shape standards and that the needed public facilities serving a development are designed in compliance with city, county and/or state design standards. This section reviews the criteria in Chapter 17.50 that apply to this partition proposal.

EASEMENTS AND ACCESS

Section 17.50.030 identifies requirements for utility, drainage and/or access easements.

17.50.030.D Residential Access Easements. The driveway to serve Parcel 1 and Parcel 2 already serves more than one parcel. The existing 15’-wide driveway easement and public utility easement (PUE) meet the fire code standards for 12’ wide driveway but do not meet the minimum 20’ width for clear area.

LOT SIZE AND SHAPE

Section 17.50.040 identifies the lot dimension requirements. The following subsections of Section 17.50.040 apply to this partition.

17.50.040.A Lot Size. A minimum lot size of one-half acre or larger if needed to comply with Linn County lot size requirements for a subsurface sewage disposal system. The proposed lots comply with the minimum lot size requirements.

17.50.040.B Access. Each lot shall have a minimum 25’ frontage on a street or a residential vehicle access easement. The proposed lots comply with the access requirement.

BUILDING LINES AND SPECIAL SETBACKS

Any building shall be set back at least twenty-five from the access driveway in order to comply with front yard setback requirements in Section 18.20.010.E of the Lyons Zoning Code.

LAND FOR PUBLIC PURPOSES

Section 17.50.060 sets standards for dedication of land for public purposes. No land is proposed for public purposes as part of the partition.
Conclusions: Subject to compliance with the recommended condition to meet minimum front yard building setbacks from the driveway easement, the proposal complies with the design standards in Chapter 17.50.

D. Chapter 17.60 – Improvements

The purpose of this chapter is to ensure the needed public facilities serving a development are designed and constructed in compliance with city, county and/or state requirements and that private utilities are installed concurrently with the development.

Public facilities include streets, storm drainage, sidewalks, bicycle facilities, water, sewer and private utilities. No partition or subdivision may be approved unless the public facilities related to the development comply with the City’s public works design standards and are either in place or guaranteed as part of the project. This section reviews the criteria in Chapter 17.50 that apply to this partition proposal.

Sections 17.55.010 to 17.55.030 and the City of Lyons Public Works Design Standards and Construction Specifications apply to this project.

17.55.010 Engineering Plans Review & Approval. Engineering plans for required public improvements must be submitted to, reviewed by and approved by the City Engineer prior to construction of the public improvements. Work within the public right-of-way requires approval of a construction permit from the City before work commences. All work shall be inspected and approved by the City Engineer or his designated representative.

No work is planned within city streets and no city-owned public improvements are required for this partition.

17.55.030 Improvements Required in a Partition.

1) Streets. No street improvements are required for this project.

2) Driveway Access. A driveway access must be a minimum of 25’ wide and be constructed in accordance with city and fire code requirements. The existing driveway does not comply with fire code requirements. A new easement is required across Parcels 1 & 2.

3) Sidewalks and Bikeways. No sidewalks or bikeways are required for this project.

4) Water System. The Lyons-Mehama Water District has reviewed the proposal. New water meters and service lines are required for each parcel. The applicant shall apply for service from the water district at the time a building permit is issued.
5) On-site Sewage Disposal. An on-site sewage disposal (septic) system is required for each parcel. The applicant has provided evidence of Linn County’s approval for an on-site sewage disposal system for Parcels 1 and 2.

6) Storm Drainage. In order to protect adjacent sites from drainage impacts and water quality, the applicant’s engineer will need to submit a plan for an on-site storm drainage facility for the building sites on Parcel 1 and Parcel 2 including low-impact storm drainage facilities to retain/detain storm water on site. The City must review and approve the drainage plan prior to City approval of the final plat and the issuance of a building permit on either parcel.

7) Private Utility Service. The developer shall make necessary arrangements for private utilities (Pacific Power, NWNG, WAVE Broadband and telecommunications) for the extension of service to Parcels 1 & 2.

8) Linn County Roads Access Permit. If any work occurs within the Main Street public right-of-way, the applicant or utility shall obtain required permits from the Linn County Roads Department.

Conclusions: Subject to compliance with the recommended conditions for public and private improvements, the proposal complies with the improvement requirements in Chapter 17.55.

IV. CITY PLANNER CONCLUSION AND RECOMMENDATION

Based on the findings contained in this report, the City Planner concludes that the application a Minor Partition can comply with the applicable criteria, if conditions of approval are imposed.

The City Planner recommends the Planning Commission impose several conditions of approval.

1. Approved Map & Time Limit of Partition Approval. The partition is approved as shown on the attached map, dated & stamped approved by the City of Lyons. Approval is granted subject to the completion of the minor partition survey plat within one year and compliance with all conditions of approval. The minor partition approval will expire July 31, 2021 at 4:00 p.m. if the applicant has not filed the final plat with the Linn County Surveyor.

2. Final Partition Plat - Survey. A final partition plat survey map must be filed and recorded with the Linn County Surveyor. The survey must be prepared by a registered professional surveyor and comply with state law and Linn County survey requirements. The partition plat map must show:

   A. Parcels: Parcels 1, 2 & 3 as shown on the approved partition map.

   B. Easements:
1. Reference the existing driveway access easement to Main Street, with a reference to the Reel and Deed #, Volume 318, Page 411 as recorded in the Linn County Deed Records.

2. Provide a 25’ wide PUE and access driveway easement on the east edge of Parcels 1 and 2.

2. Reference the existing public road to Parcel 3, as shown on the Linn County Partition Plat 1993-07, CS 20602.

C. **Driveway Maintenance Agreement:**

1. Record in the Linn County Deed Records an Access Maintenance Agreement for the driveway that sets forth the ownership and financial maintenance obligations of the owners of Parcel 1 and Parcel 2 and provide the City of Lyons a copy of the recorded maintenance agreement.

3. **Improvements Required Prior to the Recording of the Final Partition Plat.** None.

4. **Improvements Required Prior to or Concurrently with a Building Permit.** Prior to City approval of a building permit, the property owner/builder shall comply with the following requirements:

   A. **Water Service:** Install water service lines from the water main to two new meter boxes for Parcels 1 and 2 and comply with requirements of the Lyons-Mehama Water District.

   B. **On-site Sewer Disposal System:** The applicant/builder shall install an on-site sewage disposal system or obtain a plumbing permit for the installation of the system concurrently with the issuance of a building permit for a new home on Parcels 1 & 2.

   C. **On-site Storm Drainage System:** The applicant’s/builder’s engineer will submit a plan for drainage on the site based on low-impact development standards for storm drainage facilities to retain/detain storm water on site. The City must review and approve the drainage plan prior to the City approval of any building permit for each parcel and the drainage system shall be installed before a certificate of occupancy is approved.

   D. **Private Utilities:** Install natural gas, power and telecommunications service line extensions to each parcel.

   E. **Fire Turnarounds:** Driveway turnarounds shall be provided for each parcel in compliance with the Lyons Fire District requirements for access driveways.

   F. **Linn County Roads Department – Access Permit on Main Street:** The applicant or builder are required to obtain a right-of-way construction permit from the Linn County Roads Department for any construction work within the County’s right-of-way, including the driveway approach, storm drainage or private utility work. The Linn County Road Department may require the applicant to submit engineering plans for approval and a financial guarantee/performance bond assuring the improvements are constructed, inspected and approved by Linn County.
V. PLANNING COMMISSION OPTIONS

A. Approval of the Minor Partition for Jeff and Shelly Peters, File No. 2020-01 and adoption of the proposed findings and the recommended conditions of approval.

B. Approval of the Minor Partition for Jeff and Shelly Peters, File No. 2020-01 and adoption of amended findings and conditions of approval to reflect the Planning Commission deliberations.

C. Denial of the Minor Partition proposal, File No. 2020-01, and to direct the City Planner to modify the findings to reflect the Planning Commission’s deliberations that the proposal does not meet the applicable approval criteria.

D. Continue the hearing, to a date and time certain, if additional information is needed to determine whether applicable standards and criteria are addressed.

VI. MOTIONS

Approval: To approve the Minor Partition for Jeff and Shelly Peters, to adopt the findings of fact, conclusions and recommended conditions of approval for File No. 2020-01.

Approval (modified): To approve the Minor Partition for Jeff and Shelly Peters, to direct the staff to modify the findings of fact and conclusions to reflect the Planning Commission’s deliberations and adopt the conditions of approval for File No. 2020-01.

Continue: To continue deliberations to the next meeting of the Planning Commission on (insert DATE and TIME) so the parties may submit additional information.

Denial: To deny the application for a Minor Partition because the applicant has not demonstrated the proposal complies with all of the Lyons Municipal Code criteria and to direct the staff to modify the findings and prepare a final order to reflect the Planning Commission’s deliberations and conclusions.

VII. FINAL ORDER AND NOTICE OF DECISION

A FINAL ORDER and a written NOTICE OF DECISION will be issued to the applicant and all participants of record within five (5) business days of the Planning Commission’s decision.
VIII. APPEAL PERIOD

Any person aggrieved by the Planning Commission decision may appeal the decision to the City Council by filing a written appeal with the City of Lyons within fourteen (14) calendar days of the date the Notice of Decision is mailed by the City.