



CITY OF LYONS

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ORDINANCE NO. 244-2023

AN ORDINANCE ADJUSTING THE LYONS URBAN GROWTH BOUNDARY AND AMENDING THE LYONS COMPREHENSIVE PLAN MAP

WHEREAS, the City of Lyons has received a land use application from Dan Hafner requesting the City of Lyons approve the following proposals:

- (1) UGB Expansion: Amend the Lyons Urban Growth Boundary (UGB) to add 22.88 acres to the Lyons UGB and concurrently change the comprehensive plan designation to Residential.
- (2) Annexation and Zone Change: If the UGB Amendment is approved by the City of Lyons and Linn County, annex the 22.88 acres to the City of Lyons and concurrently rezone the property to Single Family Residential (SFR).

WHEREAS, the City of Lyons recommended a 5.24-acre site at 45047 E. Dogwood Street be included in the land use proposal and the property owner Chong Brenner concurs with the proposal and signed a petition requesting annexation of the 5.24-acre parcel.; and

WHEREAS, Table 1 summarizes the proposal considered in the City of Lyons land use proceeding.

Table 1
Lyons UGB & Comprehensive Plan Amendment Proposal

#	Tax Acct #	Map & Tax Lot	Property Owner	Parcel Size	Existing Linn County Comp Plan	Existing Linn County Zoning	Proposed City of Lyons Comp Plan & Zoning	Acres to be added to the Lyons UGB
1	1871	09S 02E 18A 01100	Neil Place I, LLC (Hafner)	15.78 Acres	Farm Forest	FF	Residential Single-Family (SFR)	10.36
2	390068	09S 02E 19A 00247	Neil Place II, LLC (Hafner)	14.22 Acres	Farm Forest	FF	Residential Single-Family (SFR)	12.52
3	386215	09S 02E 19A 00239	Brenner	5.24 Acres	Farm Forest	FF	Residential Single-Family (SFR)	5.24
Total Acres in Proposal				35.24	Total Acres to be Added to UGB			28.12

WHEREAS, the Lyons Planning Commission held public hearings on September 6, 2022 and November 15, 2022 to consider the application. After the public hearings were closed, the Planning Commission deliberated on the proposal at a special meeting on November 29, 2022 and unanimously recommended the city council approve the application as proposed; and

WHEREAS, the City Council held a public hearing on January 24, 2023 and at the close of the hearing the City Council concurred with the Planning Commission recommendations and adopted findings of fact and conclusions, which are included in the City’s land use file 2022-01; and

WHEREAS, on January 25, 2023 the City of Lyons issued a Notice of Decision approving the application and informing the applicant of the Linn County applications and city decisions that are required before the UGB amendment, Comprehensive Plan Map Amendment, Annexation and Zone Change are effective; and

WHEREAS, the City will forward a copy of the City’s Notice of Decision to the Linn County Planning Department, including a recommendation that the Linn County Board of Commissioners approve the proposal;

WHEREAS, the City Council will defer a decision to annex property or amend the City’s zoning ordinance until after Linn County approves the Lyons UGB Adjustment;

NOW, THEREFORE, the City Council of the City of Lyons hereby ordains as follows:

SECTION 1. LYONS URBAN GROWTH BOUNDARY EXPANSON

The Lyons Comprehensive Plan Map will be amended to reflect the additions of land to the Lyons Urban Growth Boundary as listed in Table 2 and shown on the attached Exhibit “A”, attached hereto and made a part of this ordinance as if set forth in full.

Table 2
Area Added to the Lyons UGB

Parcel	Owner(s)	Linn County Assessor’s Map	Tax Lot	Acres Added to the Lyons UGB	Map Reference
1	Neil Place I, LLC	09 2E 18A	01100 (part)	10.36	Exhibit “A”
2	Neil Place II, LLC	09 2E 19A	00247 (part)	12.52	Exhibit “A”
3	Chong Brenner	09 2E 19A	00239	5.24	Exhibit “A”
Total Acreage added to Lyons UGB				28.12	

SECTION 2. LYONS COMPREHENSIVE PLAN MAP AMENDMENTS

The 28.12 acres added to the Lyons Urban Growth Boundary as listed in Table 3 below and shown on Exhibit “A” is hereby designated as Residential on the Lyons Comprehensive Plan Map.

Table 3
**Lyons Comprehensive Plan Designations
for the Area Added to the Lyons UGB**

Parcel	Owner(s)	Linn County Assessor's Map	Tax Lot	Acres Added to the Lyons UGB	Lyons Comprehensive Plan Map Designation
1	Neil Place I, LLC	09 2E 18A	01100 (part)	10.36	Residential
2	Neil Place II, LLC	09 2E 19A	00247 (part)	12.52	Residential
3	Chong Brenner	09 2E 19A	00239	5.24	Residential

SECTION 3: EFFECTIVE DATE

This ordinance will take effect upon Linn County's adoption of an ordinance concurring with the City's amendment of the Lyons Urban Growth Boundary. In the event Linn County does not adopt an ordinance amending the Lyons Urban Growth Boundary by March 1, 2024, this ordinance will be null and void.

SECTION 4: RECORD.

1. The City Manager shall provide a copy of this ordinance to the Linn County Planning Department.
2. Upon Linn County's adoption of an ordinance concurring with the City's amendment of the Lyons Urban Growth Boundary and the Lyons Comprehensive Plan Map, the City will notify the Department of Land Conservation and Development of the adoption of the Lyons UGB and Lyons Comprehensive Plan amendments by both the City and Linn County.
3. Upon receipt of a Notice of Adoption and Acknowledgment from the Department of Land Conservation and Development, the City will provide copies of the acknowledged City and County ordinances to the Linn County GIS Department and request the Linn County GIS Department prepare an updated Lyons Comprehensive Map for the City of Lyons.

SECTION 5: ANNEXATION AND ZONE CHANGE.

Upon the City's receipt of a Notice of Adoption and Acknowledgment from the Department of Land Conservation and Development for the Lyons Urban Growth Boundary and Comprehensive Plan Amendment, the City will prepare an annexation ordinance and zone change ordinance for the affected parcel and submit it to the City Council for consideration.

This Ordinance passed by the Lyons City Council this 28th day of March, 2023.

APPROVED:

COPY

Lloyd Valentine - Mayor
City of Lyons, Oregon

Date: _____

ATTEST:

By:

COPY

Micki Valentine - Manager
City of Lyons, Oregon

Date: _____

Exhibit "A"

Neil Place I, Neil Place II, LLC and Chong Brenner

City of Lyons Urban Growth Boundary Amendment & Comprehensive Plan Amendment

