



# CITY OF LYONS

PHONE: (503)859-2167  
FAX: (503)859-5167  
[WWW.CITYOFLYONS.ORG](http://WWW.CITYOFLYONS.ORG)

449 5<sup>TH</sup> STREET  
LYONS, OREGON 97358  
[cityoflyons@wavecable.com](mailto:cityoflyons@wavecable.com)

## PROPERTY LINE ADJUSTMENT Instructions

**Review:** Lyons Municipal Code Chapter 17.45 Property Line Adjustment

**Complete:** Property Line Adjustment Application  
Include Site Plan  
Complete the letter requiring notarization – that will be done in our office

**Pay the FEE:** \$150.00

**City Planner:** Once the completed application is submitted and the fee paid, the application packet will be forwarded to the City Planner to prepare for the planning commission hearing.

**Planning Commission Hearing:** A hearing of the planning commission will be held within **35 days** of the date we receive your completed application packet and the fee is paid. The planning commission will make a decision and you will be notified of their decision.

**Surveyor:** You will need to retain a surveyor and will be required to file a lot line adjustment map or minor partition plat map with the Linn County Surveyor's office. If the property is within a platted subdivision or partition, then the surveyor will need to prepare a "replat" of the two lots that complies with the County Surveyor's requirements for a minor partition plat. These costs are separate from the City's fees and will be charged by them according to their fees.

**Final Map:** You will need to submit to the City of Lyons the final property line adjustment survey map that is to be recorded with the county. City staff will review the map for consistency with the application, as approved by the planning commission, before it is recorded with the county. The final plat map, once approved, will need to be signed by representatives of City of Lyons.

**Linn County:** Submit the final approved surveyor's map to Linn County.

**Additional Costs:** If the cost to the City of Lyons, for review and processing the request, exceeds \$150, the City of Lyons will bill you for the remaining cost. This final bill must be paid prior to the City's final approval of the adjustment survey map.



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Received By: \_\_\_\_\_

Date: \_\_\_\_\_

Paid \_\_\_\_\_

## PROPERTY LINE ADJUSTMENT APPLICATION

Name of applicant: \_\_\_\_\_

Applicant's address and phone number: \_\_\_\_\_  
\_\_\_\_\_

Address of subject property: \_\_\_\_\_

TWP: \_\_\_\_\_ RANGE: \_\_\_\_\_ SEC: \_\_\_\_\_ TAX LOT: \_\_\_\_\_

Zoning on property: \_\_\_\_\_

Size and dimensions of property to be adjusted: \_\_\_\_\_  
\_\_\_\_\_

Current uses of property: \_\_\_\_\_  
\_\_\_\_\_

Proposed uses on property: \_\_\_\_\_  
\_\_\_\_\_

Describe the vehicular access to the property: \_\_\_\_\_  
\_\_\_\_\_

Is there currently water hook-up to the property? \_\_\_\_\_

Describe the physical features of the property (i.e. slope, drainage, etc.): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Describe the physical features of the surrounding properties: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Provide site plan which includes the following information:

1. A plan showing all property line dimensions. This shall include the date, north point and scale of drawing and sufficient description to define the location, boundaries and dimensions of the property.
  
2. Name and address of the owner(s) of record and of the person who prepared the site plan.
  
5. Location of existing buildings to remain in place, drainage ways and other features of the land which are important to its development.
  
6. Location of improvements with the dimensions from the property lines.

I have read and understand all of the Subdivision Lyons Municipal Code 17.45. I understand that it will be no more than 30 days from the submission of the completed application before it will be reviewed before the Planning Commission.

SIGNATURE OF APPLICANT \_\_\_\_\_ DATE: \_\_\_\_\_

PLANNING CHAIR APPROVAL \_\_\_\_\_ DATE: \_\_\_\_\_



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Date: \_\_\_\_\_

This letter will serve to confirm that \_\_\_\_\_

the legal owner(s) of that certain real property commonly known as \_\_\_\_\_

Lyons, Oregon, and legally described as: TWP: \_\_\_\_\_ RANGE: \_\_\_\_\_ SEC: \_\_\_\_\_ TAX LOT: \_\_\_\_\_,

and \_\_\_\_\_, the owner(s)

of that certain real property commonly known as \_\_\_\_\_

Lyons, Oregon, and legally described as: TWP: \_\_\_\_\_ RANGE: \_\_\_\_\_ SEC: \_\_\_\_\_ TAX LOT: \_\_\_\_\_;

have agreed that it is necessary to adjust the lot line(s) of the above referenced properties. The owner(s) hereby request the approval of the Lyons Planning Commission for such adjustment(s) at the next Planning Commission Meeting to be scheduled within the next 30 days.

***Attached is the proposed plot plan showing both the present and the adjusted property lines.***

The undersigned property owners shall; (a) file a Bargain and Sale Deed with Linn County Deeds and Records and (b) file a copy thereof with the Lyons City Hall reflecting the appropriate property transfer within 10 days from the date of approval by the Lyons Planning Commission.

Property Owner: \_\_\_\_\_ Address: \_\_\_\_\_

Property Owner: \_\_\_\_\_ Address: \_\_\_\_\_

Property Owner: \_\_\_\_\_ Address: \_\_\_\_\_

Property Owner: \_\_\_\_\_ Address: \_\_\_\_\_

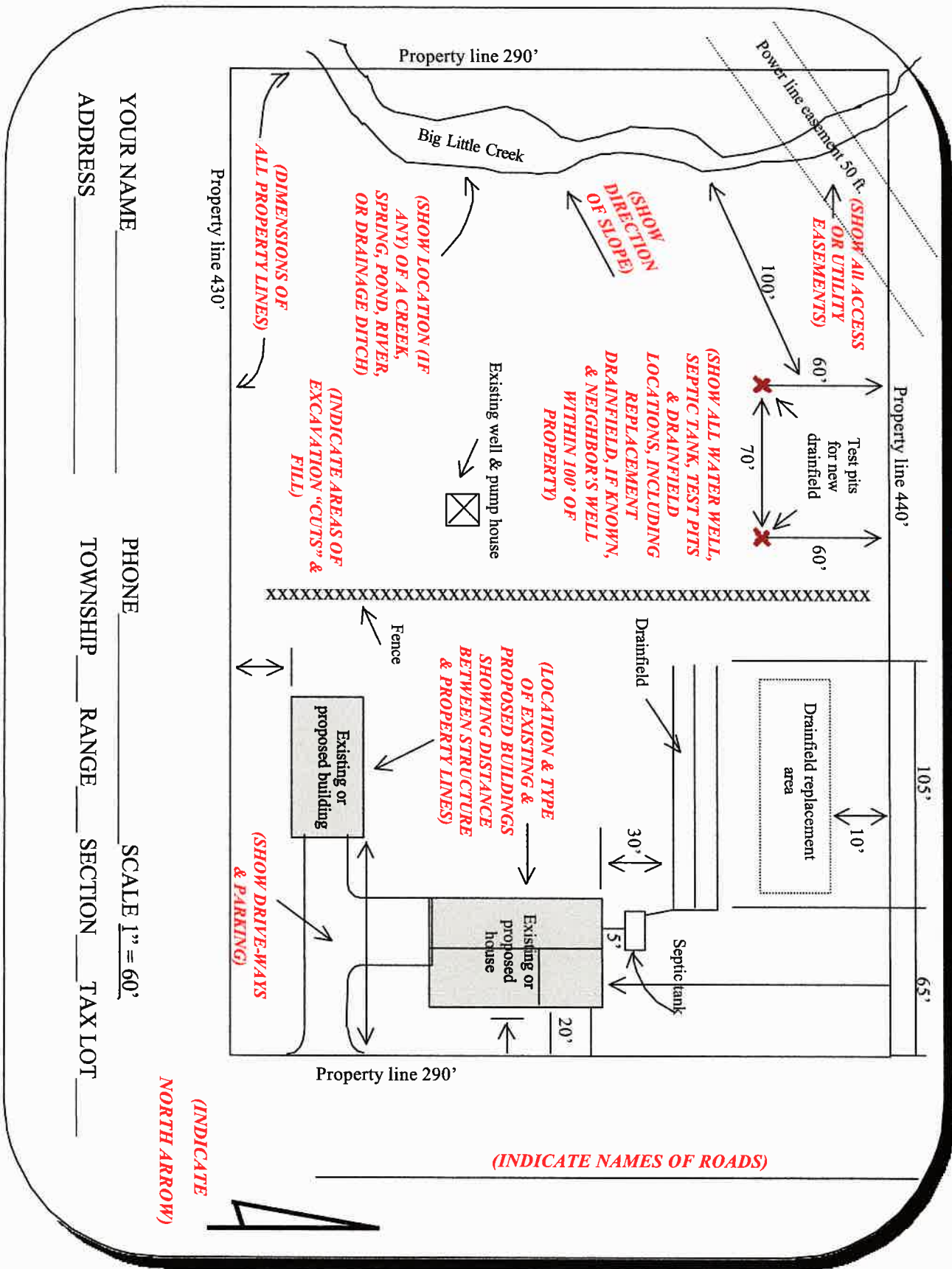
STATE OF OREGON, County of \_\_\_\_\_ ) ss

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, the above named

And \_\_\_\_\_  
Personally appeared before me and acknowledged the foregoing instrument to be his/her voluntary act and deed.

\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON  
My Commission expires \_\_\_\_\_

**NOTE: All plot plans must be drawn to scale**



YOUR NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_

PHONE \_\_\_\_\_  
 TOWNSHIP \_\_\_\_\_ RANGE \_\_\_\_\_ SECTION \_\_\_\_\_ TAX LOT \_\_\_\_\_

SCALE 1" = 60'

(INDICATE NORTH ARROW)

(INDICATE NAMES OF ROADS)

**SAMPLE PLOT PLAN**

Attach sample plot plan (see sample plot plan on Planning and Building webpage)

**Chapter 17.45****Property Line Adjustment**

## Sections:

- 17.45.010 Statement of purpose.
- 17.45.020 Application procedure.
- 17.45.030 Review procedures.
- 17.45.040 Standards for evaluating property line adjustments.
- 17.45.050 Final approval process.

**17.45.010 Statement of purpose.**

The purpose of this chapter shall be to provide the city the authority to review and approve property line adjustments within the city of Lyons in order to ensure compliance with all applicable city ordinances, and to assure that the resulting tax lot records are accurate. [Ord. P10-17 § 8.510, 2003.]

**17.45.020 Application procedure.**

An application for a property line adjustment shall be filed with the city. A filing fee shall accompany the submittal of the application. The filing fee shall be in accordance with a fee schedule adopted by resolution of the city council. A site plan is required which shows all of the property line dimensions, location of all structures and their distances from property lines, locations of easements and of septic tanks and drainfields, and the area and dimensions to be added to or reduced from each parcel. [Ord. P10-17 § 8.520, 2003.]

**17.45.030 Review procedures.**

A. Within 35 days of the receipt of a completed property line adjustment application, the planning commission shall determine whether or not the application is in conformance with all the standards specified in LMC 17.45.040.

B. A property line adjustment does not require that notice be provided to any party except the applicant and the owners of the affected properties. A property line adjustment shall be approved when the planning commission determines that the standards in LMC 17.45.040 have been met. [Ord. P10-17 § 8.530, 2003.]

**17.45.040 Standards for evaluating property line adjustments.**

In reviewing a request for a property line adjustment, the following standards shall be met prior to planning commission approval:

A. The lots being modified in size meet the minimum lot size requirements of LMC Title 18.

B. The lots being modified in size meet the lot width and frontage standards of the zoning district in which they are located. If, prior to the application, the lot did not meet width or frontage standards, the property line adjustment shall not result in greater nonconformity with the applicable standards.

C. The amended lot lines do not encroach on the location of septic tanks and drainfields or water supply lines or easements. There is sufficient area and adequate location on both lots to meet subsurface sewage disposal requirements as administered by Linn County environmental health.

D. The property line adjustment does not create or result in any additional lots.

E. The property line adjustment does not create building encroachments into any specified setback area. In situations where there is an existing encroachment, the adjustment shall not result in a greater setback encroachment.

F. The property line adjustment does not eliminate vehicular access for any of the parcels.

G. Verification of ownership for each property must be presented to the city.

H. The property owner of each lot affected by the lot line adjustment must sign a statement of agreement with the proposed change. [Ord. P10-17 § 8.540, 2003.]

**17.45.050 Final approval process.**

A. The applicant shall submit to the city the final property line adjustment that is to be recorded with the county. The city staff shall review the property line adjustment for consistency with the application as approved by the planning commission before it is recorded with the county.

B. It is the responsibility of the applicant to record the approved property line adjustment with the county. The applicant shall provide a verified approval from the city to the county at the time he records the property line adjustment.

C. A copy of the recorded property line adjustment shall be submitted to the city within 30 days of its recording. [Ord. P10-17 § 8.550, 2003.]

## Chapter 17.50

### Design Standards

#### Sections:

- 17.50.010 Principles of acceptability.
- 17.50.020 Streets.
- 17.50.030 Easements.
- 17.50.040 Lots.
- 17.50.050 Building lines.
- 17.50.060 Land for public uses and public open spaces.
- 17.50.070 Future lot division.

#### **17.50.010 Principles of acceptability.**

Subdivisions and partitions shall conform to LMC Titles 18 and 19, applicable provisions of other city ordinances, state law, the standards established by this title and the street development standards. Locations and standards related to transportation and community facilities shall be based on the provisions of LMC Title 19. [Ord. P10-17 § 9.010, 2003.]

#### **17.50.020 Streets.**

A. General. The location, width and grade of streets shall be considered in their relation to existing and planned streets, topographical and drainage conditions, public convenience and safety, the proposed use of land to be served by the streets and full land utilization which will not result in lots which do not have access to a public street or to an easement of access that has been approved by the city. Standards related to street width, street alignment, intersection angles, cul-de-sac streets, and street grades and curves are included within the street development standards. Where location is not shown on the comprehensive plan, the location of streets shall either:

1. Provide for the continuation or appropriate projection of existing streets in surrounding areas; or
2. Conform to a plan for the neighborhood adopted by the planning commission to meet a particular situation where physical conditions make continuance or conformance to existing streets impractical.

B. Minimum Street Widths. Street right-of-way and roadway (curb-to-curb) widths shall be adequate to fulfill city specifications as provided for in