



City of Lyons

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LYONS PLANNING COMMISSION

STAFF REPORT

HEARING DATE: October 28, 2026 at 6:30 p.m.

STAFF REPORT DATE: September 22, 2026

FILE NUMBER: 2023-01

PROPOSAL : Lyons Subdivision Code – Legislative Amendments

CITY ATTORNEY Local Government Law Group, PC
975 Oak Street, Suite 700, Eugene, OR 97401

EXHIBITS: ORDINANCE No. ____-2026: Amending Title 17 – Lyons Municipal Code
Title 17 – Land Divisions and Property Line Adjustments
September 2026 DRAFT

I. PROPOSAL

In 2023, Rebekah Dohrman, AICP, Local Government Law Group, PC, in the City Attorney's office prepared a series of amendments to Title 17 "Lyons Subdivision Code". These were not finalized in 2023 pending completion of revisions to the city's public facilities standards.

The proposed legislative amendments will address the following issues:

- A. Comply with the current version of ORS 92.
- B. Address legal requirements for notices, public hearings and agency involvement.
- C. Simplify administrative decisions for property line adjustments and partitions.
- D. Update land division procedures for subdivisions and partitions.
- E. Adopt public facilities improvement standards that will apply to land divisions and site developments.

The following is a summary of the proposed code amendments to Title 17 – Land Divisions and Property Line Adjustments and Chapter 17.55 “Public Facilities”.

A. Chapter 17.05 Introductory Provisions

17.05.020 General Requirements. Updated to briefly describe the two-step process for review and approval of land divisions (partitions & subdivisions).

Step 1: Tentative plan review

Step 2: Final plat review and approval

17.05.030 Definitions. Updated to be consistent with ORS 92.

B. Chapter 17.10 Ordinance Compliance with ORS 92

Rewritten to comply with ORS 92. City approval of a land division or property line adjustment is required before a lot is sold or ownership is transferred.

C. Chapter 17.15 Pre-Application Conference (NEW)

D. Chapter 17.20 Tentative Plan Approval Process

Updated to require the City to issue a “Certificate of Completeness” prior to accepting an application and beginning the land use review and decision process.

Updates requirements and procedures for:

- Agency notice and comments
- Public hearing notices
- Staff Reports (must be available 7 days prior to a public hearing)
- Adds Notice of Decision requirements
- Allows phased land division approvals

E. Chapter 17.25 Tentative Plan Submission Requirements (Partitions & Subdivisions)

Combines several sections into one. The application requirements and approval criteria for a land division are clearly described. Updates language to comply with ORS 92.

Section 17.25.020.C describes information required to be included on the tentative plan.

Section 17.25.020.D allows the City Manager/City Engineer to require supplemental information if it is needed.

F. Chapter 17.30 Final Plat Submission & Approval Criteria

Clearly describes the approval process for a “final plat”. Approval may be granted by the City Manager if the plat complies with the approved “tentative plan”. The City Planner and/or City Engineer reviews the final plat, verifies conditions of approval have been met. If yes, the City Manager and the Planning Commission chair may sign the final plat.

G. Chapter 17.35 Modifications to Approved Tentative Plans (NEW)

New section established procedures for review and approval of “minor modifications” and “major modifications” to an approved partition or subdivision plat.

- Minor modifications may be approved by the City Manager.
- Major modifications must be reviewed and approved by the Planning Commission.

H. Chapter 17.40 Extensions (NEW)

New section established procedures for review and approval of “minor modifications” and “major modifications” to an approved partition or subdivision plat.

- Minor modifications may be approved by the City Manager.
- Major modifications must be reviewed and approved by the Planning Commission.
- Extensions may be granted for up to one year.

I. Chapter 17.45 Property Line Adjustments

Updates PLA approval procedure. The City Manager is granted authority to review and approve a property line adjustment. No public hearings are required. The decision is an administrative decision. The Planning Commission will not review property line adjustments.

J. Chapter 17.50 Design Standards

Several standards were moved to Chapter 17.55 “Public Facilities”. 17.50.010 was modified to refer to Section 17.55 “Public Facilities” improvement standards.

K. Chapter 17.55 Public Facilities Standards (Major Revisions)

In 2015, the Oregon Department of Land Conservation and Development (DLCD) and Oregon Department of Transportation (ODOT) worked with the League of Oregon Cities to update a Model Development Code for Small Cities. Chapter 3.6 – “Public Facilities Standards” was written to enable small cities in Oregon to provide clear standards for when public improvements are required for any new development.

L. Chapter 17.55 Public Facilities Standards (Major Revisions)

In 2015, the Oregon Department of Land Conservation and Development (DLCD) and Oregon Department of Transportation (ODOT) worked with the League of Oregon Cities to update a Model Development Code for Small Cities. Chapter 3.6 – “Public Facilities Standards” was written to enable small cities in Oregon to provide clear standards for when public improvements are required for any new development.

This update of the public facility standards will apply to land divisions and site developments on individual lots. It has several benefits:

1. Address state law changes over the past 20 years.
2. Address Dolan & Nollen U. S. Supreme Court decisions that limit a city’s ability to impose public facility requirements on a new development. City facility improvement requirements must be related to the project and must be roughly proportional to the impact the development will have on those facilities.
3. Modify street improvement requirements to address small lot developments on existing

turnpike streets. There are many streets in town where the City will not require curbs, sidewalks or street widening as part of a project

4. Reference street and drainage standards already adopted by the City (updated in 2021)..
5. Provide clear standards the City can share with developers and property owners.
6. Provide a standard review form and process to enable the City Manager and City Engineer to require public improvements concurrently with the issuance of a building permit.

K. Chapter 17.60 Variances (Minor editorial changes)

L. Chapter 17.60 General Provisions (Minor editorial changes)

II. Schedule and Public Hearing Procedures:

Amendments to Title 17 “Lyons Subdivision Code” are legislative amendments. The adoption of code amendments require adoption through the following process:

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| 1. Finalize DRAFT Amendments | September 22, 2026 |
| 2. Submit 35-Day Notice to DLCD Prior to Initial Public Hearing | September 23, 2026 |
| 3. Planning Commission Public Hearing | October 28, 2026 |
| 4. City Council Public Hearing | November 24, 2026 |
| 5. Adoption of Ordinance | November or December, 2026 |
| 6. Notice of Adoption to DLCD | |
| 7. Acknowledgment by DLCD | 30 days after Notice of Adoption |

Hearing Procedure

As a legislative amendment to the City’s zoning code, the Planning Commission will hold a public hearing on the proposal and make a recommendation to the City Council.

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| Open Public Hearing | Planning Commission Chair |
| Staff Report | Planning Consultant |
| Testimony by Persons in Favor of the Proposal | |
| Testimony by Persons Opposed to the Proposal | |
| Questions from the Planning Commissioners | |
| Close the Public Hearing | |
| Deliberation and Recommendation to the City Council | |

III. Planning Commission Options

Continue Public Hearing	Motion to continue the public hearing to a date & time to have the staff provide additional information to the Planning Commission
Approval	Motion to Recommend the City Council adopt the proposed revisions to the Title 17 – Land Divisions and Property Line Adjustments
Approval (As Modified)	Motion to Recommend the City Council adopt the proposed legislative amendments to Title 17 – Land Divisions and Property Line Adjustments, as modified by the Planning Commission.
Denial	Motion to Recommend the City Council should not adopt the proposed amendments to Title 17.