



City of Lyons

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ORDINANCE NO. 274-2024

AN ORDINANCE ANNEXING 35.24 ACRES WHICH ARE CONTIGUOUS TO THE CURRENT CITY LIMITS OF THE CITY OF LYONS, WITHOUT AN ELECTION OF THE PEOPLE AND ZONING 35.24 ACRES TO A SINGLE FAMILY RESIDENTIAL (SFR) ZONE

WHEREAS, the City of Lyons received a land use application (File 2022-01) and annexation petition 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 an annexation 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 and Exhibit "A" shows the parcels included in the land use proceeding.

Table 1
Lyons UGB Amendment, Annexation and Zone Change
Lyons Land Use File 2022-01

#	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 18 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 City of Lyons City Council adopted Ordinance 244-2023 approving the land use applications described above;

WHEREAS, on September 12, 2023 the Linn County Board of Commissioners approved Board Order and Resolution 2023-317 and Ordinance 2023-318 to remove the 28.12+/- acres from the Linn County Comprehensive Plan Area, include the 28.12+/- acres in the City of Lyons Urban Growth Boundary and remove the 28.12+/- acres from Linn County Zoning Districts; and

WHEREAS, the purpose of this ordinance is to annex 35.24 acres to the City of Lyons and to amend the Lyons Zoning Map to zone 35.24 acres to Single Family Residential (SFR), consistent with the decisions of the Lyons City Council and the Linn County Board of Commissioners; and

WHEREAS, the Oregon Department of Revenue has reviewed the annexation maps and legal descriptions for the annexation area and provided the City with a Notice of Preliminary Approval for the annexation.

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

SECTION 1: ANNEXATION AREA. The following property, shown on the maps and legal descriptions, attached hereto in Exhibits “B”, “C”, “D”, “E”, “F” and “G”, are hereby proclaimed to be annexed into the City of Lyons. The affected parcels are listed in Table 2

Table 2
Parcels to be Annexed to the City of Lyons

#	Tax Acct #	Map & Tax Lot	Property Owner	Acres to be annexed into the City of Lyons	Legal Description Exhibit #	Annexation Map Exhibit #
1	386215	09S 02E 19A 00239	Brenner	5.24	Exhibit B	Exhibit C
2	1871	09S 02E 18 01100	Neil Place I, LLC (Hafner)	10.36	Exhibit D	Exhibit E
3	390068	09S 02E 19A 00247	Neil Place II, LLC (Hafner)	15.78	Exhibit F	Exhibit G
Total Acres in Proposal				35.24		

SECTION 2. ZONING MAP AMENDMENT.

The Lyons Zoning Map is hereby amended to rezone the parcels described and depicted in Exhibits “B”, “C”, “D”, “E”, “F” and “G” from a Linn County Farm Forest (FF) zone to a City of Lyons Single Family (SFR) Residential zone. The affected parcels are listed in Table 3

Table 3
Parcels Zoned "Single Family Residential" by the City of Lyons

#	Tax Acct #	Map & Tax Lot	Property Owner	Parcel Size	Prior Linn County Zoning	New City of Lyons Zoning
1	1871	09S 02E 18 01100	Neil Place I, LLC (Hafner)	15.78 Acres	Farm Forest	Residential Single-Family (SFR)
2	390068	09S 02E 19A 00247	Neil Place II, LLC (Hafner)	14.22 Acres	Farm Forest	Residential Single-Family (SFR)
3	386215	09S 02E 19A 00239	Brenner	5.24 Acres	Farm Forest	Residential Single-Family (SFR)
Total Acres Zoned Single-Family Residential				35.24		

SECTION 3: RECORD.

1. The City Manager shall submit a certified true copy of this ordinance to the Oregon Secretary of State and the Oregon Department of Revenue.
2. The City Manager shall send a certified true copy of this ordinance to the Linn County Planning Department, Linn County Assessor, the Linn County Clerk and the Linn County Geographic Information Systems Department within ten (10) days of the effective date of the annexation.
3. The City Manager shall notify all affected utilities of the annexation and provide them with a copy of this ordinance, so the utilities can modify their franchise service area.

SECTION 4. SEVERABILITY.

The provisions of this ordinance are severable. If a section, sentence, clause, or phrase of this ordinance is adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of the remaining portions of this ordinance.

This Ordinance was passed by the Lyons City Council this _____ day of _____, 2024.

APPROVED: COPY

 Lloyd Valentine - Mayor
 City of Lyons, Oregon

Date: _____

ATTEST:

By: COPY

 Micki Valentine - Manager
 City of Lyons, Oregon

Date: _____