



CITY OF LYONS

PHONE: (503)859-2167
FAX: (503)859-5167
www.cityoflyons.org

449 5TH STREET
LYONS, OREGON 97358
cityoflyons@wavecable.com

ORDINANCE NO. P10-65-2019

AN ORDINANCE AMENDING TITLE 18 “ZONING” OF THE LYONS MUNICIPAL CODE

WHEREAS, the Planning Commission recommends the City allow accessory dwelling units adjacent to an existing single-family residence within the single-family residential (SFR) and the multiple-family residential (MFR) zones; and

WHEREAS, the Planning Commission held a public hearing on March 25, 2019 to consider the amendments and recommends the City Council adopt the proposed amendments; and

WHEREAS, the City Council held a public hearing on April 23, 2019; and

WHEREAS, on April 23, 2019 the City Council concurred with the Planning Commission recommendations;

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

SECTION 1. Section 18.05.030 of the Lyons Municipal Code is hereby amended to add the following definition:

Accessory Dwelling – an interior, attached, or detached residential structure that is used in connection with, or that is accessory to, a single-family dwelling.

SECTION 2. Section 18.20.10.B.8 of the Lyons Municipal Code is hereby amended to add an accessory dwelling as a permitted use in the Residential, single-family zone and to read as follows:

Section 18.20.10.B.8 Residential, single-family zone, SFR

B. Uses Permitted Outright

8. Accessory Dwellings, subject to requirements in Section 18.30.045.

SECTION 3. Section 18.20.20.B.8 of the Lyons Municipal Code is hereby amended to add an accessory dwelling as a permitted use in the Residential, multiple-family zone and to read as follows:

Section 18.20.20.B.8 Residential, multiple-family zone, MFR

B. Uses Permitted Outright

8. *Accessory Dwellings, subject to requirements in Section 18.30.045.*

SECTION 3. Section 18.30.045 of the Lyons Municipal Code to establish standards for an accessory dwelling is hereby added to read as follows:

Section 18.30.045 Accessory Dwelling Standards. An accessory dwelling shall conform to all of the following standards:

- A. One Accessory Dwelling Unit Per Site.** A maximum of one accessory dwelling is allowed per legal single-family dwelling. The accessory dwelling unit may be either
1. a detached building, or
 2. located in a portion of an attached accessory structure (e.g. above a garage or in a workshop), or
 3. a unit attached to or interior to the primary dwelling and located on the same floor as the main living area of the primary dwelling (e.g. an addition to or the conversion of a portion of the primary dwelling).
- B. Floor Area of the Accessory Dwelling.**
1. A detached accessory dwelling shall not exceed 900 square feet of floor area.
 2. An attached or interior accessory dwelling shall not exceed 900 square feet of floor area. An attached or interior accessory dwelling shall be located on the same floor level as the main living area of the primary dwelling.
- C. Other Development Standards.**
1. Basic Zoning Requirements. An accessory dwelling shall meet all other development standards (e.g. height, setbacks, lot coverage, architectural design standards, etc.) for building in the zoning district.
 2. Other Development Requirements. The accessory dwelling shall comply with all of the following standards:
 - a. One additional off-street parking space is required for the accessory dwelling.
 - b. The on-site sewage disposal system must have adequate capacity to serve both the primary dwelling and the accessory dwelling unit and the proposed accessory dwelling unit is located so it does not impact the septic drain field. The applicant shall provide a written certification from the Linn County Environmental Health Department that the proposal complies with on-site disposal system requirements.
 - c. Conversion of an existing legal non-conforming structure to an accessory dwelling is allowed, provided that the conversion does not increase the non-conformity;

- d. A Recreational Vehicle (RV) may not be used as an accessory dwelling.
- e. The temporary placement of a manufactured home as an accessory dwelling to allow for care of a resident due to a medical hardship or for elder care is permitted subject to the provisions of LMC 18.30.130.

SECTION 4. SEVERABILITY

This ordinance is hereby declared to be severable. Should any section, clause, sentence or phrase of this ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purpose(s) of the ordinance before the declaration of partial invalidity.

This Ordinance read by title only on 23rd day of April 2019.

This Ordinance passed by the Lyons City Council this 23rd day of April 2019.

APPROVED: _____
Lloyd Valentine - Mayor
City of Lyons, Oregon
Date: _____

ATTEST:

By: _____
Micki Valentine - Recorder
City of Lyons, Oregon

Date: _____