

SUPPLEMENT DIRECTIONS

LYONS MUNICIPAL CODE

Supplement No. 8 – May 2020

Updated by: _____

Dated: _____

New, reprinted pages included with this supplement are listed by title and page number in the right-hand column below. The left-hand column lists obsolete material that should be removed from the code. Follow the instruction columns in sequence: remove and replace pages as necessary.

When completed, insert these directions in a convenient place near the front of the code book. For future reference, the person making these changes may also date and initial this page.

This supplement includes revisions to the code through Ordinance P10-67-2020, passed January 28, 2020.

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Please call Code Publishing Company (206-527-6831) should questions arise while removing and replacing supplement pages.

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ing permit or manufactured home placement permit for the permanent residence, or at a subsequent date. A filing fee shall accompany an application for the temporary use. The filing fee shall be in accordance with a fee schedule adopted by ordinance of the city council. Action to approve or deny the application shall be made by the city recorder and notification of such decision shall be submitted to the city council.

B. The initial permit for temporary occupancy for the recreation vehicle shall remain in effect for no longer than six months. If the permanent dwelling or manufactured home has not been completed within the six-month time period, the city council may consider a request for an extension of the time period for an additional period, not to exceed six months. Not more than two time extensions may be granted.

C. At the end of the time period for the temporary occupancy of the recreation vehicle, the temporary occupancy shall cease and evidence of discontinued use of the recreation vehicle shall be provided to the city. All utility hookups shall be terminated. The recreation vehicle shall either be removed from the site, or it may be stored on the property as an accessory use in accordance with the provisions of LMC 18.30.010.

D. A recreation vehicle which is used as a temporary residence in accordance with this section shall have a minimum usable floor area of 124 square feet and be self-contained. Current license and registration must be maintained on the recreation vehicle.

E. If the recreation vehicle is to be replaced on the property by another recreation vehicle, the replacement recreation vehicle shall be reviewed and approved by the city council prior to placement. [Ord. G2-2015 § 1, 2015; Ord. P10-21 § 6.015, 1997. Amended during 2006 recodification.]

18.30.030 Authorization of similar uses.

The city planning commission may rule that a use not specifically listed in the allowed uses of a zone may be included as a permitted use if the use is of the same general type and is similar to the allowed uses within that zone. However, this section does not authorize the inclusion in a zone (a use specifically listed, or of the same general type of use not specifically listed) of a use which is

specified in another zone. (For example: A request to build a bank in an area zoned for a school when there is already a zone which allows banks.) [Ord. G1-2006 § 29, 2006; Ord. P10-21 § 6.020, 1997.]

18.30.040 Single-family dwelling standards.

A. A new single-family dwelling shall have a minimum floor area of 1,000 square feet.

B. The single-family dwelling shall not be occupied until all provisions of this title have been met and until the zoning official certifies that it complies with all city and state requirements.

C. Each new single-family dwelling shall have either a garage or carport located on the same lot with the single-family dwelling. If a carport is to be placed on the lot it must contain a minimum of 384 cubic feet of enclosed storage space (12 feet by four feet by eight feet). The garage or carport shall be completed within 90 days of occupancy of the single-family dwelling, except that one time period, not to exceed 90 days, may be granted by the Lyons city council, upon submittal of a request by the owner of the single-family dwelling. The requirements of this subsection do not apply to a single-family dwelling being constructed to replace another single-family dwelling or manufactured home on the lot. [Ord. P10-21 § 6.025, 1997.]

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 (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. Accessory dwellings that result from the conversion of a level or floor (e.g., basement, attic, or sec-

ond story) of the primary dwelling may occupy the entire level or floor, even if the floor area of the accessory dwelling would be more than 900 square feet.

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. No additional off-street parking spaces are required for an accessory dwelling unit.

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 nonconforming structure to an accessory dwelling is allowed; provided, that the conversion does not increase the nonconformity.

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. [Ord. P10-67-2020 § 1, 2020; Ord. P10-65-2019 § 5, 2019.]

18.30.050 Projections from buildings.

Cornices, eaves, canopies, sunshades, gutters, chimneys, flues, belt courses, leaders, sills, pilasters, lintels, ornamental features and other similar architectural features may project not more than two feet into a required yard or into required open space as established by coverage standards. [Ord. P10-21 § 6.030, 1997.]

18.30.060 Exceptions to building height limitations.

Vertical projections such as chimneys, spires, domes, elevator shaft housings, towers, aerials,

flagpoles and similar objects not used for human occupancy shall not exceed the building height limitations of this title by more than 10 feet. [Ord. P10-21 § 6.040, 1997.]

18.30.070 General exception to lot size requirements.

A. If, at the time of passage of the ordinance codified in this title, a lot or the aggregate of contiguous lots or land parcels held in a single ownership has an area or dimensions which does not meet the lot size requirements of the zone in which the property is located, the lot or aggregate holdings may be occupied by a use permitted in the zone subject to the other requirements of the zone and providing the following circumstances are met:

1. If the lot size or width is smaller than the minimum required for the zone, residential use shall be limited to a single-family residence.

2. All lots shall be adequate in size and width to accommodate a subsurface sewage disposal system which meets the requirements of the Linn County environmental health program.

B. The minimum lot size shall be increased above the minimums established by this title, when it is determined by the Linn County environmental health program that additional area is needed to accommodate a subsurface sewage disposal system. [Ord. P10-55 § 2, 1999; Ord. P10-21 § 6.050, 1997.]

18.30.080 Exceptions to yard requirements.

The following exception to the front yard requirement is authorized for a lot in any zone: If there are dwellings on both adjoining lots with front yards of less than the required depth for the zone, the front yard for the lot need not exceed the average front yard of the adjoining dwellings. If there is a dwelling on one adjoining lot with a front yard of less than the required depth for the zone, the front yard for the lot need not exceed a depth one-half way between the depth of the adjoining lot and the required front yard depth. [Ord. P10-21 § 6.060, 1997.]

18.30.090 Access.

Each lot shall abut upon a publicly owned street, other than an alley, for a width of at least 25 feet. In residentially designated areas, a variance to this standard may be granted where there is no feasible

means of providing access on a publicly owned street. If a residential vehicular access easement is approved and implemented to provide access to the property, the city of Lyons street development standards shall be utilized in the design and installation of said access easement. [Ord. G4-2007, 2007; Ord. P10-21 § 6.070, 1997.]

18.30.100 Vision clearance area.

In all zones except the C zone, a vision clearance area shall be maintained on the corners of all property at the intersections of two streets or a street and a railroad.

A. A clear vision area shall consist of a triangular area, two sides of which are lot lines measured from the corner intersection of the street lot lines for a distance specified in this regulation, and the third side of which is a line across the corner of the lot joining the non-intersecting ends of the other two sides. Where the lot lines have rounded corners, the lot lines shall be extended in a straight line to a point of intersection and so measured.

B. A clear vision area shall contain no plantings, fences, walls, structures or temporary or permanent obstruction exceeding three feet in height, measured from the top of the curb or, where no curb exists, from the established street center line grade. Trees exceeding this height may be located in this area, provided all branches or foliage are removed to a height of eight feet above grade. [Ord. P10-21 § 6.080, 1997.]

18.30.110 Setbacks for automobile service stations.

Where automobile service stations are permitted, freestanding gasoline pumps and pump islands may occupy a required front or street side yard provided they are a minimum of 15 feet from the property line. [Ord. P10-21 § 6.090, 1997.]

18.30.120 Manufactured home on individual lots.

Manufactured homes are permitted outright on individual lots in the SFR, single-family residential zone, and in the MFR, multiple-family residential zone. Manufactured homes are permitted conditionally in the C, commercial zone and when used by a caretaker or a guard in the LI, limited industrial and GI, general industrial zones. Manufac-

ured homes on individual lots in any zone are subject to the following requirements:

A. The manufactured home and any manufactured home accessory buildings and structures shall be constructed and maintained in conformance with state and federal safety and construction standards as administered by the state of Oregon, applicable at the time of placement of the manufactured home. The manufactured home shall bear the Oregon “Insignia of Compliance” as provided for by state law.

B. Except for a structure which conforms to the state definition of a manufactured home accessory structure, no other extension shall be attached to a manufactured home, except a garage or carport constructed to the standards of the Oregon State Structural Specialty Code. No attached extension shall exceed a height of 14 feet, or the roof line of the manufactured home, whichever is greater.

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542	Amends Fox Valley Cemetery rules and regulations
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544	Certifies eligibility to receive state-shared revenues
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548	Declares state of emergency concerning COVID-19

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P10-42	6/5/1990	Amends comprehensive plan (Superseded)
P10-43	4/13/1992	Amends Ord. P10-5, zoning (Repealed by G1-2006)
P10-44	9/13/1993	Amends Ord. P10-21, zoning (Repealed by P10-21 (1997))
P10-45	2/14/1994	Land use fees; repeals Ord. P10-18 (Repealed by P10-47)
P10-46	8/28/1995	Land use fees (Repealed by P10-47)
P10-47	5/13/1996	Land use fees; repeals Ords. P10-45 and P10-46 (Repealed by P10-50)
P10-48	6/25/1996	Annexation (Appendix A)
P10-49	7/22/1996	Annexation (Appendix A)
P10-50	10/8/1996	Land use fees; repeals Ord. P10-47 (Repealed by P10-61)
P10-51	3/11/1997	Rezone (Appendix A)
P10-52	4/7/1998	Alley vacation (Appendix A)
P10-53	12/15/1998	Rezone (Appendix A)
P10-54	3/21/2000	Cutting and excavation of streets (12.10)
P10-55	7/20/1999	Amends Ord. P10-21, zoning (18.30, 18.40)
P10-56	3/21/2000	Driveway approaches (12.05)
P10-57	7/17/2001	Rezone (Appendix A)
P10-58	11/6/2001	Annexation (Appendix A)
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P10-61	4/22/2002	Land use fees; repeals Ords. P10-47 and P10-50 (15.05)
P10-62	8/6/2002	Comprehensive plan amendment procedure (19.05)
P10-63	6/3/2003	Adopts comprehensive plan (19.10)
P10-64	4/27/2004	Right-of-way dedication (Appendix A)
P1-2010	7/27/2010	Amends Ord. P10-40 and Ch. 15.10, flood damage prevention (15.10)
P10-65-2019	5/28/2019	Adds § 18.30.045; amends §§ 18.05.030, 18.20.010 and 18.20.020, accessory dwellings (18.05, 18.20, 18.30)
P10-66-2019	11/26/2019	Adjusts urban growth boundary and amends comprehensive plan (Special)
P10-67-2020	1/28/2020	Amends § 18.30.045, accessory dwelling standards (18.30)

F11 Series

F11-1	5/5/1959	Grants franchise to Pacific Power and Light Company (Repealed by F11-3)
F11-2	8/5/1959	Contract for street lighting (Repealed by F11-12)
F11-3	11/14/1978	Grants franchise to Pacific Power and Light Company; repeals Ord. F11-1 (Repealed by F11-12)
F11-4	12/4/1984	Extends and renews franchise to Santiam Sanitary Service (Repealed by F11-15)
F11-5	5/3/1983	Grants franchise to Northwest Natural Gas Company (Repealed by G1-2007)
F11-6	9/1/1987	Grants franchise to People's Telephone Company (Repealed by G1-2007)
F11-7		Grants franchise to Santiam Cable Vision (Repealed by F11-8)
F11-8	6/5/1984	Establishes rates for cable antenna service (Repealed by G1-2007)
F11-9	9/1/1986	Grants franchise to Santiam Cable Vision; repeals Ord. F11-7 (Repealed)
F11-10	11/16/1990	Grants franchise to People's Telephone Company (Repealed by G1-2007)
F11-11	4/24/1991	Grants franchise to Northland Cable Properties Eight Limited Partnership (Repealed by G1-2007)
F11-12	10/20/1998	Grants franchise to Pacifcorp; repeals Ord. F11-3 (Special)
F11-13	2/19/2002	Grants franchise to Uvision (Special)
F11-14	4/22/2003	Grants franchise to Northwest Natural Gas Company (Special)
F11-15	10/21/2003	Grants franchise to Santiam Sanitary Service; repeals Ord. F11-4 (Special)
F11-13b	6/27/2017	Extends franchise to WaveDivision VII; amends Ord. F11-13 (Special)
F11-2018	9/25/2018	Grants franchise to PacifiCorp (Special)

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R-1	2/3/1966	Regulates running of dogs at large (Repealed by O5-2)
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Ordinance Table

R-3 12/10/1959 Regulates burning of refuse (Repealed by G1-2007)

PP7 Series

PP7-1 1/6/1960 Creates a police department (Repealed by G1-2007)