

**SECTION 3.332: PACIFIC CITY/WOODS LOW DENSITY RESIDENTIAL ZONE (PCW-R1)**

(1) PURPOSE: The purpose of the PCW-R1 zone is to designate areas for low-density single-family residential development and other, compatible, uses. Suitability of land for low-density uses is determined by the availability of public sewer service, and such limitations to density such as geologic and flood hazards, shoreline erosion, and the aesthetic or resource values of nearby natural features.

(2) USES PERMITTED OUTRIGHT: In the PCW-R1 zone, the following uses and their accessory uses are permitted outright, subject to all applicable supplementary regulations contained in this ordinance.

(a) Single-family dwelling.

(b) Farm and forest uses, excluding cultivation of marijuana.

(c) Home occupations according to the provisions of Section 4.180 of this ordinance. Home occupation signs shall be unlighted and limited to 2 square feet.

(d) Public and private park and recreation areas.

(e) Public utility lines and sewer and water pumping stations.

(f) Mobile home or recreational vehicle used during the construction of an approved use.

(g) Signs subject to Section 4.020 except a sign shall not exceed 30 square feet identifying a non-residential use such as the sale of farm produce, a golf course, or a church.

(3) USES PERMITTED CONDITIONALLY: In the PCW-R1 zone, the following uses and their accessory uses are permitted subject to the provisions of Article 6 and the requirements of all applicable supplementary regulations contained in this ordinance.

(a) Two-family dwelling.

(b) Planned Development subject to Section 3.520, or Mixed Use Developments subject to Section 4.170.

(c) Places of worship or schools.

(d) Nonprofit community meeting buildings and associated facilities.

(e) Utility substations and power transmission lines.

(f) A temporary real estate sales office.

(g) Police, fire and ambulance stations.

(h) Towers for communications, wind energy conversion systems or structures having similar impacts.

- (i) Foster family homes accommodating six or more children or adults.
- (j) Bed and breakfast enterprises within an owner-occupied primary residence.
- (l) Temporary placement of a mobile home or recreational vehicle to be used because of Health Hardship subject to Section 6.050.
- (m) Residential care, training, or treatment facility as defined by ORS 443.400; any facility which provides care, training, or treatment for six or more physically, mentally, emotionally, or behaviorally disabled individuals. Facilities that provide for five or less are addressed as ADULT FOSTER HOMES or FOSTER FAMILY HOMES.
- (n) Home occupations according to the provisions of Section 4.180 of this ordinance. Home occupation signs shall be unlighted and limited to 2 square feet.
- (o) Signs exceeding size allowed in Section 3.332 (2)(g), subject to Section 4.020.

(4) STANDARDS: Land divisions and development in the PCW-R1 zone shall conform to the following standards, unless more restrictive supplemental regulations apply:

- (a) The minimum lot size for permitted uses shall be 7,500 square feet, except that the minimum lot size for a two-family dwelling shall be 10,000 square feet. Where public sewers are not available, the County Sanitarian may require lot sizes greater than the minimum if necessary for the installation of adequate on-site subsurface sewage disposal systems.
- (b) Small existing lots of less than 7,500 square feet will be allowed to be built upon consistent with all applicable regulations. Small lot coverage 8/11/99 Tillamook County Land Use Ordinance 3.332 (PCW-R1) 3 standards consistent with the resolution of the "small lots" issue reflected in the Tillamook County Land Use Ordinance Section 4.110, shall be met.
- (c) The minimum lot width shall be 60 feet.
- (d) The minimum lot depth shall be 75 feet.
- (e) The minimum front yard shall be 20 feet.
- (f) The minimum side yard shall be 5 feet; on the street side of a corner lot, it shall be 15 feet.
- (g) The minimum rear yard shall be 20 feet; on a corner lot, it shall be 5 feet.
- (h) The maximum building height shall be 35 feet, except that the maximum building height shall be 24 feet on ocean or bay frontage lots and in the subdivisions known as Pacific City Heights and Pacific City Heights First, Second, Third, Fourth and Fifth Additions. Bay frontage lots are defined as those bay/river frontage lots located downstream from the Beachy Bridge (Pacific Avenue).
- (i) Livestock shall be located no closer than 100 feet to a residential building on an adjacent lot.

(j) Creation of new lots or parcels, and construction on existing lots or parcels, shall only be allowed if water availability and sewer service or adequate on-site sanitation are provided, as follows:

(1) Confirmation of water service availability from the water district, or evidence of an alternative functioning domestic water supply, shall be provided to the Department prior to approval of residential construction or other development requiring potable water.

(2) If sewer service is available, as defined in OAR 340-071-160(5)(f), hookup to the sewer system shall be required prior to approval of a building permit for a structure containing plumbing fixtures or otherwise requiring sanitary waste disposal.

(3) If sewer service is not available, as defined in OAR 340-071- 160(5)(f), approval(s) for on-site sanitation disposal shall be required for:

(i) each lot or parcel prior to lot or parcel creation through partition or subdivision process; in some cases, on-site sanitation may require larger lot sizes than the minimum allowed by the zone;

(ii) building permit approval for a structure containing plumbing fixtures or otherwise requiring sanitary waste disposal.

(k) New uses authorized within the community growth boundary shall not adversely affect farm or forest management practices conducted in accordance with federal and state laws. Authorization to create a parcel or construct a dwelling adjacent to land zoned for farm or forest use shall require a notarized declaratory statement signed by all current property owners who appear on the property deed or contract. This statement shall serve as a covenant that runs with the land binding heirs, assigns, lessees and successors. This covenant shall affirm that residents of the parcel may be subject to farm or forest management practices conducted in accordance with federal and state laws which ordinarily and necessarily produce noise, dust, smoke and other impacts. Those signing the statement acknowledge that they “do hereby accept the potential impacts from farm and forest practices as normal and necessary and part of the risk of establishing a dwelling in this area, and acknowledge the need to avoid activities that conflict with nearby farm or forest uses.” The signed and notarized covenant must be approved by the County Planning Director or representative thereof and recorded with the Tillamook County Clerk.

