

SECTION 3.338: PACIFIC CITY/WOODS COMMERCIAL TWO ZONE (PCW-C2)

(1) **PURPOSE:** The purpose of the PCW-C2 zone is to designate areas for high intensity commercial and some light industrial activities. The zone is intended to accommodate all commercial needs of nearby communities, surrounding rural areas, and visitors. Land that is suitable for the PCW-C1 zone is suitable for the PCW-C2 zone, except that a higher level of use, and therefore a higher level of off-site impacts, must be anticipated.

(2) **USES PERMITTED OUTRIGHT:** In the PCW-C2 zone, the following uses and their accessory uses are permitted outright, subject to all applicable supplementary regulations contained in this ordinance.

(a) General and specialty retail trade establishments.

(b) Personal and business services such as barbers, tailors, printers, funeral homes, shoe repair shops, upholsterers, and cleaners.

(c) Business, government, professional, and medical offices; financial institutions; and libraries.

(d) Animal hospitals, kennels and similar animal boarding facilities.

(e) Retail establishments requiring drive-in facilities such as gas stations, bank or restaurant drive-up windows, and car washes.

(f) Sales and service activities requiring large outdoor storage space, including the sale and repair of cars, trucks, farm equipment, heavy machinery, and marine craft; the storage of construction, plumbing, heating, paving, electrical, and painting materials; and parking for trucks as part of a construction or shipping operation.

(g) Shopping centers.

(h) Warehousing, including mini-storage.

(i) Eating and drinking establishments.

(j) Lodges, clubs, or meeting facilities for private organizations.

(k) Motels, hotels, and cabin camps not exceeding 100 units.

(l) A single-family dwelling, manufactured or mobile home for the owner of an active business located on the same lot or parcel.

(m) Mobile or manufactured home or recreational vehicle used during the construction or placement of a use for which a building or placement permit has been issued.

(n) Community meeting buildings and associated facilities.

(o) Schools.

- (p) Water supply and treatment facilities.
- (q) Off-site advertising signs.
- (r) Dwelling units accessory to an active commercial use, when located above the first story.
- (s) Bed and breakfast enterprises.
- (t) Swimming facilities.
- (u) Public park and recreation uses.

(3) USES PERMITTED CONDITIONALLY: In the PCW-C2 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) One or two-family dwelling not associated with an active business.
- (b) Light industries.
- (c) Multifamily dwellings, including townhouses, and condominiums.
- (d) Hospitals, sanitariums, rest homes, and nursing homes.
- (e) Fire and ambulance stations.
- (f) Utility substations and power transmission lines.
- (g) Towers for communications, wind energy conversion systems, or structures having similar impacts.
- (h) Commercial amusement or entertainment establishments.
- (i) Sewage treatment plants.
- (j) Recreational campground.
- (k) Foster family home accommodating six or more children or adults.
- (l) Temporary mobile kitchen units.
- (m) Mixed Use Developments subject to Section 4.170.
- (n) Mobile/Manufactured Home Park.
- (o) 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.

(p) Car wash.

(q) Commercial Uses allowed in this zone exceeding 8000 square feet according to provisions of Section 3.338 (4)(b).

(4) STANDARDS: Land divisions and development in the C-2 zone shall conform to the following standards, unless more restrictive supplemental regulations apply:

(a) Commercial use shall occur in a building or buildings not exceeding 8,000 square feet except for the following uses:

(A) Grocery Store,

(B) Hardware Store

(b) A conditional use to permit larger structures for the uses identified in (4)(a) shall meet the review criteria contained in Article VI of this ordinance and the following additional review criteria:

(1) The use is consistent with the Pacific City/Woods Community Plan adopted as part of the Tillamook County Comprehensive Plan and uses exceeding 8,000 square feet but no more than 10,000 square feet are limited to the following uses:

(2) The use is intended to serve the community and surrounding rural area or the travel needs of people passing through the area;

(3) The use is compatible with the rural character of the community;

(4) The size and type of development does not dominate the character of the commercial uses in the community;

(c) Motels and hotels are exempt from the 8000 square-foot limit, but are limited to 100 units.

(d) An Industrial Use allowed in this zone (including light industries, storage of industrial equipment, warehousing, rural industries, some cottage industries) shall not exceed 20,000 square feet in a single or multiple buildings.

(e) The minimum lot dimensions, yard setbacks, and building height restrictions for structures containing only residential use shall be the same as in the PCW-R3 zone. In the PCW-C1 zone, motels, hotels and cabin camps shall be considered a commercial use.

(f) Minimum yards for any structure on a lot or parcel adjacent to a residential zone shall be 5 feet on the side adjacent to the residential zone, and 10 feet in the front yard. No rear yard is required.

(g) For commercial or combined commercial-residential structures, structures shall be either constructed on the property line or setback at least 3 feet or as required in Section 3.020 (4) (b).

(h) All structures shall meet the requirements for clear-vision areas specified in Section 4.010.

(i) All uses shall meet off-street parking requirements as provided in Section 4.030.

(j) Outdoor storage abutting or facing a lot in a residential zone shall be screened with a sight-obscuring fence.

(k) The maximum building height shall be 35 feet, except on ocean or bay front lots, it shall be 24 feet. Bay frontage lots are defined as those bay/river frontage lots located downstream from the Beachy Bridge (Pacific Avenue).

(l) 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.

(m) 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.