

SECTION 3.337: PACIFIC CITY/WOODS COMMERCIAL ONE ZONE (PCW-C1)

(1) **PURPOSE:** The purpose of the PCW-C1 zone is to permit a moderate level of commercial activities to serve the commercial needs of neighborhoods, rural areas, and tourist areas. Commercial uses in the PCW-C1 zone typically provide goods and services that would be required by most households in the area, and they have relatively few impacts on neighboring areas. Land is suitable for the PCW-C1 zone because it:

- (a) Is needed;
- (b) Is physically capable of being developed;
- (c) Can obtain access to a public road without causing traffic hazards or congestion;
- (d) Will not cause significant conflicts with nearby residential uses; and
- (e) Has sufficient land area to accommodate off-street parking.

(2) **USES PERMITTED OUTRIGHT:** In the PCW-C1 zone, the following uses and their accessory uses are permitted outright, subject to all applicable supplementary regulations contained in this ordinance.

- (a) General retail trade establishments such as grocery stores, drug stores, or hardware stores, provided that such establishments do not require over 25 parking spaces.
- (b) Repair and maintenance services for the type of goods to be found in the above permitted retail trade establishments, provided that such services are performed either off-site or entirely within an enclosed building.
- (c) Personal and business services such as barbers, tailors, printing shops, funeral homes, and laundry and dry cleaning services.
- (d) Business, government, professional, and medical offices, financial institutions, and libraries.
- (e) Eating and drinking establishments.
- (f) A single-family residential structure for the owner of an active business located on the same lot or parcel.
- (g) Mobile homes or recreational vehicles used during the construction of a use for which a building or placement permit has been issued.
- (h) Swimming, tennis, racquetball, or other similar facilities
- (i) Signs, subject to Section 4.020.
- (j) Dwelling unit or units accessory to an active commercial use, located above the first story.
- kl) Bed and breakfast enterprises, within an owner-occupied primary residence.

(m) Public park and recreation uses.

(n) Miniature Golf Course.

(3) USES PERMITTED CONDITIONALLY: In the PCW-C1 zone, the following uses and their accessory uses are permitted subject to the provisions of Article VI and the requirements of all applicable supplementary regulations contained in this ordinance:

(a) General retail trade establishments such as grocery stores, drug stores, and hardware stores that require over 25 parking spaces.

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

(c) Sales and service activities requiring a 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.

(d) Warehousing, including mini-storage.

(e) Shopping centers.

(f) Animal hospitals, kennels or other animal boarding facilities.

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

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

(i) Commercial amusement or entertainment establishments.

(j) Temporary mobile kitchen units.

(k) Light industries.

(l) Multifamily dwellings exceeding 4 units, including townhouses, row houses and condominiums and apartments.

(m) Mobile homes or recreational vehicles.

(n) Places of worship or schools.

(o) Community meeting buildings and associated facilities.

(p) Hospitals, sanitariums, rest homes, and nursing homes.

(q) Fire and ambulance stations.

(r) Utility substations and power transmission lines.

- (s) Towers for communications, wind energy conversion systems, or structures having similar impacts.
- (t) Water supply and treatment facilities, and sewage treatment plants and pump facilities.
- (u) Mobile home parks or recreational vehicle parks.
- (v) Foster family homes accommodating six or more children or adults.
- (w) Planned development subject to section 3.520.
- (x) Recreational campgrounds.
- (y) Off-site advertising sign.
- (z) 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.
- (aa) Commercial Uses allowed in this zone exceeding 8000 square feet according to provisions of Section 3.337(4)(b).

(4) STANDARDS: Land divisions and development in the PCW-C1 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.