

SECTION 3.333: PACIFIC CITY/WOODS MEDIUM DENSITY RESIDENTIAL ZONE (PCW-R2)

(1) PURPOSE: The purpose of the PCW-R2 zone is to designate areas for medium density ~~single family and duplex~~ residential development, and other, compatible, uses. Land that is suitable for the R-2 zone has public sewer service available, and has relatively few limitations to development.

(2) USES PERMITTED OUTRIGHT: In the PCW-R2 zone, the following uses and their accessory uses are permitted outright, subject to all applicable supplementary regulations contained in this Ordinance.

(a) ~~One or two Single~~ family dwelling.

(b) Accessory dwelling unit according to the provisions of Section 5.110 of this ordinance.

(c) Duplex, in any attached or detached configuration.

(d) Triplex, attached, according to the provisions of Section 5.120 of this ordinance.

(e) Quadplex, attached, according to the provisions of Section 5.120 of this ordinance.

(f) Townhouse, up to four attached, according to the provisions of Section 5.120 of this ordinance.

(g) Cottage cluster, up to eight per cluster, according to the provisions of Section 5.120 of this ordinance.

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

(i) Public and private park and recreation uses.

(j) Home occupations subject to provisions of Section 4.180. Home occupation signs shall be unlighted and limited to 2 square feet.

(k) Public utility lines, water and sewage pump stations.

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

(m) 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 place of worship.

(3) USES PERMITTED CONDITIONALLY: In the PCW-R2 zone, the following uses and their accessory uses are permitted subject to the provisions of Article IV and the requirements of all applicable supplementary regulations contained in this Ordinance.

(a) ~~Three or four family dwelling.~~

(b) Planned Development subject to Section 3.520, or Mixed Use Developments subject to Section 4.170. The number of attached single-family dwelling units in a cluster shall be established in the

Planned Development approval process and may exceed four units per cluster if it is demonstrated that benefits in protection of natural conditions, better views, or access will be achieved by such clustering.

(c) Places of worship, schools, or colleges.

(d) Nonprofit community meeting buildings and associated facilities.

(e) Utility substation and power transmission lines.

(f) A temporary real estate sales office.

(g) Accessory structures and accessory uses without an on-site primary use, not to exceed 750 square feet in size or 24 feet in height.

(h) Police, fire and ambulance stations.

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

(j) Water supply and treatment facilities.

(k) Cottage industries. A sign shall not exceed 16 square feet identifying a cottage industry.

(l) Foster family homes accommodating six or more children or adults.

(m) Bed and Breakfast enterprises within an owner-occupied primary residence.

(n) Temporary placement of a mobile home or recreational vehicle to be used because of a health hardship, subject to Section 6.050.

(o) Golf courses.

(p) 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.

(q) Home occupations subject to provisions of Section 4.180. Home occupation signs will be unlighted and limited to 2 square feet.

(r) Signs exceeding size allowed in Section 3.333 (2) (g), subject to Section 4.020.

(4) STANDARDS: Land divisions and development in the PCW-R2 zone shall conform to the following standards, unless more restrictive supplemental regulations apply:

(a) For a single-family dwelling, **duplex or triplex**, the minimum size for lots with an average slope of 20 percent or less shall be 5000 square feet. For lots averaging over 20 percent, the minimum

lot size shall be 6000 square feet for a single-family dwelling, **duplex or triplex**. ~~A two-family dwelling shall require 2500 square feet additional area, and each of the third and fourth dwelling units shall require an additional 3750 square feet.~~ Where public sewers are unavailable, the County Sanitarian may require lot sizes greater than the minimum, if necessary for the installation of adequate on-site sewage disposal systems.

(b) For a quadplex or cottage cluster, the minimum size for lots with any average slope shall be 7000 square feet.

(c) For a townhouse, the minimum size for lots with any average slope shall be 1,500 square feet, provided, the average minimum lot size shall be 1,742 square feet for all attached units in a townhouse project.

(d) The minimum lot width shall be 50 feet; on a corner lot, the minimum width shall be 60 feet.

(e) The minimum lot depth shall be 75 feet.

(f) The minimum front yard shall be 20 feet.

(g) The minimum side yard shall be 5 feet; on the street side of a corner lot, it shall be **15 10** feet.

(h) The minimum rear yard shall be 20 feet; on a corner lot it shall be 5 feet.

(i) The maximum building height shall be 35 feet, except that the maximum building height shall be **24 25** feet on ocean or bay frontage lots. Bay frontage lots are defined as those bay/river frontage lots located downstream from the Beachy Bridge (Pacific Avenue).

(j) Livestock shall not be located 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.

(j) 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.