

SECTION 3.331: PACIFIC CITY/WOODS RURAL RESIDENTIAL ZONE (PCW-RR)

(1) PURPOSE: The purpose of the PCW-RR zone is to provide for the creation and use of small-acreage residential homesites. Land that is suitable for Rural Residential use has limited value for farm or forest use; it is physically capable of having homesites on parcels of five acres or less; and it can be utilized for residential purposes without constraining the use of surrounding resource-zoned properties for resource-production purposes.

(2) USES PERMITTED OUTRIGHT: In the RR 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) Mobile or Manufactured Home.
- (c) Recreational vehicle used during the construction or placement of a use for which a building or placement permit has been issued.
- (d) Home occupations according to the provisions of Section 4.180 of this Ordinance.
- (e) Farm uses, including aquaculture.
- (f) Forest uses.
- (g) Roadside stands for produce grown on the premises.
- (h) Signs, subject to Section 4.020.
- (i) Electrical distribution lines.

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

- (a) Planned Developments 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. This shall apply only to RR/PD zoned property located within a community growth boundary.
- (b) Two-family dwelling.
- (c) Mobile or manufactured home, in those areas identified in Section 5.090 as being subject to special mobile/manufactured home standards, which do not comply with those standards.
- (d) Cottage industries.

- (e) Recreational vehicle where not allowed outright by Section 5.050.
- (f) A temporary real estate sales office.
- (g) Places of worship and schools.
- (h) Accessory structures or accessory uses without an on-site primary structure.
- (i) Nonprofit community meeting buildings.
- (j) Cemeteries.
- (k) Fire or ambulance stations.
- (l) Swimming, tennis, racquetball and similar facilities.
- (m) Golf course and associated facilities.
- (n) Animal hospital, kennel, or other animal boarding service.
- (o) Towers for communications, wind energy conversion systems, or structures having similar impacts.
- (p) Public utility facilities, including substations and transmission lines.
- (q) Temporary mobile kitchen units.
- (r) Mobile or Manufactured Home park.
- (s) Foster family homes accommodating six or more children or adults.
- (t) Bed and breakfast enterprise within an owner-occupied primary residence.
- (u) Temporary placement of a mobile home or recreational vehicle to be used because of health hardship, subject to Section 6.050
- (v) 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.
- (w) Home occupations according to the provisions of Section 4.180 of this Ordinance.

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

- (a) The minimum lot size is 20,000 square feet.
- (b) The minimum lot width and depth shall both be 100 feet.

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

(d) The minimum side yard shall be 5 feet; on the street side of a corner lot, it shall be no less than 15 feet.

(e) The minimum rear yard shall be 20 feet; on a corner lot, it shall be no less than 5 feet.

(f) The maximum building height shall be 35 feet, except that the maximum building height shall be 24 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).

(g) Livestock can be located closer than 100 feet to a nonfarm residential building on an adjacent lot only if one of the following conditions are met:

1. The location of the livestock is a nonconforming use according to the provisions of Article VII of this Ordinance.
2. The property has been taxed at the farm use rate during three of the past five years.
3. The location of the livestock has been reviewed and approved as a conditional use according to the provisions of Article VI of this Ordinance.

(h) No residential structure shall be located within 100 feet of an F-1, F, or SFW-20 zone boundary, unless it can be demonstrated that natural or manmade features will act as an equally effective barrier to conflicts between resource and residential uses; or that a residential structure could not otherwise be placed on the property without requiring a variance to the 100 foot requirement. In either case, all yard requirements in this zone shall still apply.

(i) 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.