

**CHAPTER 16.16
PUBLIC - P ZONE**

Section	Title	Page
16.16.000	Purpose	1
16.16.010	Uses	1
16.16.020	Conditional Uses	2
16.16.030	Prohibited Uses	2
16.16.100	Development Standards	2
16.16.110	Height	3
16.16.120	Lot Area	3
16.16.130	Front Yards and Yards Adjacent to Streets	3
16.16.140	Interior Side and Rear Yards	3
16.16.150	Storage	3
16.16.200	Landscaping	3
16.16.300	Informational Reference to Additional Standards	3

* Terms defined in Chapter 16.49 MCC.

16.16.000 PURPOSE. The purpose of the P (public) zone is to provide areas appropriate for specific public and semi-public uses and to ensure their compatibility with adjacent uses. It is intended that this zone be applied to individual parcels shown to be an appropriate location for a certain public or semi-public use.

If the use existing at the time the P zone is applied is discontinued, or if a use proposed at the time the zone is applied is not established, it is the intent that the land be rezoned to conform to surrounding zoning or be devoted to permitted uses. It is not intended that a property zoned Public for one type of use be allowed to change to another use without demonstrating through the conditional use process that the proposed use satisfies the conditional use criteria.

16.16.010 USES. The following uses, when developed under the applicable development standards in this title, are permitted in the P zone:

- A. Farm use*.
- B. Forest use.
- C. Uses permitted in Chapter 16.25 MCC.
- D. Utilities* except public power generation.
- E. Signs subject to Chapter 16.31 MCC.
- F. The following uses subject to the special standards in Chapter 16.26 MCC.
 - 1. Home occupations- limited * (see MCC 16.26.200).
 - 2. Elementary and secondary schools. SIC 8211 (see MCC 16.26.620).
 - 3. Religious organizations* (see MCC 16.26.600).
 - 4. Child care facilities (see MCC 16.26.220).
 - 5. Senior citizens center, counseling center, and neighborhood center (see MCC 16.26.600).
- G. Replacement or expansion of legally established uses included in MCC 16.16.020 provided:
 - 1. The use was not established under a conditional use permit expressly requiring approval of expansion or replacement; and

2. The replacement or expansion does not involve lands added to the subject lot as it existed on May 30, 1990.

16.16.020 CONDITIONAL USES. The following uses may be permitted in a P zone subject to obtaining a conditional use permit:

- A. Dwellings* (including mobile homes*) in conjunction with farm or forest use, or for a caretaker or watchman; or for the staff required for an approved conditional use.
- B. Local and suburban passenger transportation. SIC 411.
- C. School buses. SIC 415.
- D. Terminal and service facilities for motor vehicle passenger transportation. SIC 417.
- E. U.S. Postal Service. SIC 43.
- F. Marinas. SIC 4493.
- G. Transportation by air. SIC 45 and related commercial and industrial use.
- H. Communication. SIC 48 including related transmission towers.
- I. Electric, gas and sanitary services. SIC 49.
- J. Cemeteries, crematoriums and mausoleums. SIC 6553 and 726 (see MCC 16.26.440).
- K. Commercial sports. SIC 794.
- L. Public golf courses. SIC 7992 (see MCC 16.26.320).
- M. Amusement parks. SIC 7996.
- N. Amusement and recreation services not elsewhere classified. SIC 7999.
- O. Health services. SIC 80.
- P. Educational services. SIC 82 and associated industrial uses providing vocational training.
- Q. Social services. SIC 83.
- R. Museums, art galleries, botanical and zoological gardens. SIC 84.
- S. Membership organizations. SIC 86.
- T. Physical fitness facilities. SIC 7991.
- U. Membership sports and recreation clubs. SIC 7997.
- V. Engineering, architectural, and surveying services. SIC 871.
- W. Accounting, auditing, and bookkeeping services. SIC 872.
- X. Commercial economic, sociological, and educational research. SIC 8732.
- Y. Management and public relations services. SIC 874.
- Z. Executive, legislative and general government. SIC 91.
- AA. Justice, public order and safety. SIC 92 including correctional facilities.
- BB. Public finance, taxation and monetary policy. SIC 93.
- CC. Administration of government program. SIC 94, 95, 96.
- DD. National security. SIC 971.
- EE. Parks, playgrounds, parkways, public or private open space.
- FF. Solid waste disposal site subject to Chapter 16.32 MCC.
- GG. Surface mining subject to Chapter 16.32 MCC.
- HH. Hazardous waste disposal facility as defined by State Department of Environmental Quality laws and subject to local land use compatibility criteria in DEQ rules.
- II. Transmission facilities.*

16.16.030 PROHIBITED USES. Within a P zone no building, structure, vehicle or land shall be used, erected, structurally altered, or enlarged for any use not permitted under MCC 16.16.010 and 16.16.020.

16.16.100 DEVELOPMENT STANDARDS. The standards and regulations in this chapter and the additional standards and regulations referenced in Chapters 16.24 and 16.26 through 16.34 MCC apply to all lots, structures and uses unless indicated otherwise. No structure or use shall be approved until all requirements in this chapter have been satisfied.

The provisions of this chapter are complementary and supplementary to other provisions of this title. In the event of a conflict between a provision of this chapter and a more restrictive provision of this title applicable to a particular lot, structure or use, the more restrictive provision shall apply.

16.16.110 HEIGHT. Within a P zone:

- A. Residential buildings shall not exceed 35 feet in height.
- B. A lot having a width less than 50 feet or an area less than 10,000 square feet shall have no building or structure in excess of 35 feet high.
- C. All other buildings and structures shall not exceed 70 feet.
- D. Structures exempt from height requirements are listed in Chapter 16.27 MCC and structures with special height requirements in Chapter 16.28 MCC.

16.16.120 LOT AREA. Within a P zone the minimum lot area for uses served by public sewer and water services is 10,000 square feet; 20,000 square feet if served by either sewer or water; and one acre if the use relies on on-site wastewater disposal. Otherwise there is no minimum lot size.

16.16.130 FRONT YARDS AND YARDS ABUTTING STREETS. Within a P zone:

- A. Along the full extent of each front lot line and lot line abutting a street there shall be a required yard 20 feet in depth.
- B. Yards for accessory structures shall be as provided in Chapter 16.28 MCC.

16.16.140 INTERIOR SIDE AND REAR YARDS. Within a P zone no interior side and rear yards are required except when a side or rear lot line abuts on a residential zone in which case the following setbacks apply to the abutting lot line:

- A. Five feet for any portion of a building not more than 35 feet in height.
- B. For buildings or structures exceeding 35 feet in height the minimum yard width shall be five feet plus one foot for every foot the structure exceeds 35 feet.
- C. Setbacks for accessory buildings and structures shall be as provided in Chapter 16.28 MCC.

16.16.150 STORAGE. Within a P zone open outdoor storage of materials or equipment shall be screened from view from the street and adjacent properties by a sight-obscuring fence, wall or hedge.

16.16.200 LANDSCAPING. Within a P zone all required yards shall be landscaped as provided in Chapter 16.29 MCC.

16.16.300 INFORMATIONAL REFERENCE TO ADDITIONAL STANDARDS. Additional use and development standards may be found in the following chapters:

Floodplain Overlay Zone	Chapter 16.19 MCC
Greenway Overlay Zone	Chapter 16.20 MCC
Airport Overlay Zone	Chapter 16.21 MCC
Geologically Hazardous Overlay Zone	Chapter 16.24 MCC
Planned Developments	Chapter 16.26 MCC
Mobile Home Parks	Chapter 16.26 MCC
General Development Standards and Regulations	Chapter 16.27 MCC
Development Standards for Secondary, Accessory and Temporary Structures	Chapter 16.28 MCC
Landscaping	Chapter 16.29 MCC
Off-Street Parking and Loading	Chapter 16.30 MCC
Subdivision and Partition Requirements	Chapter 16.33 MCC