

CITY OF PACIFIC
WASHINGTON

ORDINANCE NO. 1795

AN ORDINANCE OF THE CITY OF PACIFIC, WASHINGTON AMENDING PACIFIC
MUNICIPAL CODE TITLE 20 ADDING A NEW CHAPTER 20.50 NC – NEIGHBORHOOD
CENTER OVERLAY DISTRICT

WHEREAS, it would be in the interest of efficiency and effectiveness for the City of Pacific to make certain amendments to Pacific Municipal Code (PMC) adding Chapter 20.50 including new Subsections 20.50.010; 20.50.020; 20.50.030; 20.50.040; 20.50.050; 20.50.060; 20.50.070; 20.50.080; and 20.50.090

NOW, THEREFORE, THE CITY COUNCIL OF PACIFIC, WASHINGTON, DOES ORDAIN AS FOLLOWS

(repealed language is noted by strike through and new language is in bold)

Section 1. Pacific Municipal Code Title 20 Zoning is amended by adding the following:

20.50.010 Description and purpose.

The Neighborhood Center Overlay District is intended to implement the Pacific Comprehensive Plan by promoting mixed use development on properties fronting either 3rd Avenue S or Milwaukee Boulevard S within 800 feet of the intersection of those two streets. The adoption of the NC District regulations is intended to lead to a gradual transition of the area from its predominately single family residential to a "main street" with commercial and other non residential uses gradually added in. The uses that are non-single family uses permitted outright would be limited in size and height to remain compatible with the surrounding single family. Likewise the non-single family uses would tend to serve the everyday needs of the surrounding residents. Developments that would be in excess of the basic limitations of the NC District would be subject to the Conditional Use Permit process, with special criteria that must be met to assure that the proposed use is compatible with the surrounding area. As an overlay district, the NC District would not replace or eliminate the underlying zoning. Existing developments and uses would be regulated by the existing zoning; no new nonconforming uses would be created and no nonconformities would result from the adoption of the NC Neighborhood Overlay District. Property owners within the overlay district would have the option of developing under the regulations of the NC district if the proposed use is permitted either outright or as a conditional use by the NC Overlay District

20.50.020 Permitted buildings and uses.

In the NC district, the following buildings and uses are permitted as hereinafter specifically provided for by this chapter, subject to the general provisions and exceptions set forth in this chapter and regulations set forth in Chapters 20.01, 20.68, 20.70 and 20.72 PMC. All uses shall be in an entirely closed building unless otherwise specified below or by a conditional use permit:

All uses except newsstands, private or public parking areas, nurseries, and service station pump islands shall be in an entirely closed building, unless otherwise specified by a conditional use permit.

- A. Accessory uses and structures;**
- B. Administrative government facilities and services;**
- C. Agricultural sales (level 1);**
- D. Building materials and garden supplies (level 1);**

- E. Business services;**
- F. Community and cultural services up to 5,000 square feet floor area;**
- G. Day-care centers up to 5,000 square feet floor area;**
- H. Food stores (level 1);**
- I. Health services up to 5,000 square feet floor area;**
- J. Postal services;**
- K. Sales of general merchandise (level 1);**
- L. Transportation (level 1);**
- M. Eating and drinking establishments up to 5,000 square feet floor area, not including alcohol service or drive through**
- N. Live-work units**
- O. Residential units above commercial in a mixed use building**

20.50.030 Conditional uses.

In addition to the buildings and uses permitted conditionally in PMC 20.68.170, the city may grant a conditional use permit for any of the following buildings and uses in accordance with the procedures set forth in Chapter 20.20 PMC:

- A. Administrative and professional offices;**
- B. Communication or cellular facilities (levels 1, 2);**
- C. Electrical facilities;**
- D. Educational facilities;**
- E. Educational services;**
- F. Motion picture/television and radio production studios;**
- G. Personal services (level 1);**
- H. Pet sales and services;**
- I. Public safety services (level 1);**
- J. Recreation, nonprofit (level 4);**
- K. Religious assembly;**
- L. Rental and repair services (level 1);**
- M. Transportation (levels 2 and 3);**
- N. Utility or public maintenance facilities (levels 1 and 2);**
- O. Local sewage treatment facility to serve properties in the NC Overlay District;**
- P. Wholesale trade (level 1); and**
- Q. Any other buildings or uses determined to be similar to those listed in PMC 20.52.020. Such other uses shall not have any different or more detrimental effect upon the adjoining neighborhood areas than the specifically permitted buildings and uses.**

20.50.040 Building height regulations.

In the NC district no principal building shall exceed 35 feet in height.

20.50.050 Lot area, lot width and yard requirements.

The following minimum requirements shall be observed:

- A. Lot area: None;**
- B. Lot width: None;**
- C. Setback – State highways: 15 feet;**
- D. Setback – Major arterials: 15 feet;**
- E. Setback – Other roads: 15 feet;**
- F. Setback – Rear: None when rear lot line is common with property zoned NC or other Commercial or Industrial zoning district. When rear lot lines of the districts are common**

with property zoned residentially, rear yards of not less than 15 feet shall be required opposite the residential district;

G. Setback – Side yard: None when side lot line is common with property zoned MC or other Commercial or Industrial zoning district. When side lot lines of the districts are common with property zoned residentially, side yards of not less than 15 feet shall be required opposite the residential district.

20.50.060 Maximum lot coverage.

No maximum lot coverage is specified, except subject to Chapter 20.72 PMC, Parking and Loading, as to the amount of off-street parking required per use.

20.50.070 Parking.

Off-street parking for residential units shall be provided at a ratio of 1.5 stalls per dwelling unit. Minimum parking requirement for commercial uses shall be determined by the following ratios:

up to 4,000 square feet gfa	3 stalls per 1,000 square feet gfa
4,001-20,000 square feet gfa	2 stalls per 1,000 square feet gfa
more than 20,000 square feet gfa	1 stall per 1,000 square feet gfa

All parking shall conform to the general provisions and standards of area, surface, screening and maintenance as required by Chapter 20.72 PMC, Parking and Loading. Loading stalls shall be provided in the number and size required by Chapter 20.72. Off-street parking stalls within the MC District shall be a minimum of 9 feet wide and 18 feet long.

20.50.080 Signs.

Signs, advertising structures, and area illumination are permitted, subject to the Sign Code, Chapter 20.84 PMC. In addition, building mounted (wall) signs identifying a commercial establishment within a mixed use building with residential uses above the first story, shall not extend above the bottom of the lowest window ledge of the residential units.

20.50.090 Other required conditions.

The following additional conditions shall apply in a NC district.

A. All operations conducted on the premises shall not constitute a nuisance by reason of smoke, fumes, odor, steam, gases, vibrations, noise, hazards or other causes, beyond the property boundary lines, and shall comply with the provisions of PMC 20.68.160.

B. All sites having a common boundary line with a residential classified property shall have erected and maintained a view-obscuring wall, fence, or coniferous hedge not less than five feet, nor more than six feet, in height for screening purposes and controlling access. Where the wall of a building is on such common property line, no separate wall or fence need be installed along that portion of the boundary occupied by the building. Public utility installations need only fence and screen, with appropriate materials such as base plantings of coniferous shrubs or trees and climbing coniferous plant materials on the fences to minimize the commercial character of such installation, with the area surrounding the fenced and screened enclosure landscaped and planted to create a park like atmosphere.

C. All sites and activities in the NC district shall comply with Chapter 20.70 PMC Landscaping.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five days after the date of publication.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 10th DAY OF JANUARY, 2011.

CITY OF PACIFIC



RICHARD HILDRETH, MAYOR

ATTEST/AUTHENTICATED:



JANE MONTGOMERY, CITY CLERK

APPROVED AS TO FORM:



ALBERT A. ABUAN, CITY ATTORNEY