

ORDINANCE NO. 1796

AN ORDINANCE OF THE CITY OF PACIFIC, WASHINGTON AMENDING PACIFIC MUNICIPAL CODE TITLE 20 ADDING A NEW CHAPTER 20.51 MC – COMMERCIAL RESIDENTIAL MIXED USE 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 20.51 including new Subsections 20.51.010; 20.51.020; 20.51.030; 20.51.040; 20.51.050; 20.51.060; 20.51.070; 20.51.080; and 20.51.090

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**(repealed language is noted by strike through and new language is in bold)**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

**20.51.010 Description and purpose.**

**The commercial residential mixed use district is intended to allow and encourage a compatible mix of commercial, retail, service and residential uses in compact, attractive developments within areas currently designated by the Comprehensive Plan and by the zoning for commercial uses only. The purpose of allowing mixing of residential uses with commercial uses is to provide a market incentive for development of infill properties and to encourage development of a denser, compact, livable, and walk able community. In addition, mixed use development can help the City meet regional housing and population projections by allowing housing in areas that heretofore did not allow residential uses. The Commercial Residential Mixed Use District will have a height limit that is in the upper range of allowable height limits in the City of Pacific as incentive for compact, dense development. Likewise, the mixed use district regulations will allow reduced setbacks and parking requirements as an additional incentive for compact development. The areas zoned MC typically has direct access to designated arterials.**

**20.51.020 Permitted buildings and uses.**

**In the MC 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:**

- A. Administrative government services;**
- B. Day-care centers;**
- C. Community, cultural services;**
- D. Health services;**
- E. Postal services;**
- F. Transportation uses serving residential neighborhoods, i.e., bus shelters;**
- G. Utilities or public maintenance facilities i.e., facilities with a building of less than 1,000 square feet, without outdoor storage of equipment, materials, or vehicles;**
- H. Wireless communication facilities;**
- I. Pipelines;**
- J. Stormwater facilities;**
- K. Water-supply facilities, i.e., wellheads, pump stations and water purification facilities not exceeding 1,000 square feet of building area nor exceeding building height for the district; water storage facilities not exceeding a 1,000 square foot footprint nor exceeding the building height for the district;**

- L. Administrative and professional offices;**
- M. Educational services;**
- N. Agricultural sales;**
- O. Amusement and recreation, i.e., indoor or outdoor establishments not exceeding 30,000 square feet of total floor area including landscaped areas, together with accessory uses established on a lot or combination of lots up to three acres;**
- P. Building materials and garden supplies, Level 1, (up to 10,000 square feet of floor area per establishment);**
- Q. Business services;**
- R. Eating and drinking establishments;**
- S. Food stores, Level 1 and 2 (up to 40,000 square feet of floor area per establishment);**
- T. Lodging, i.e., hotels and motels;**
- U. Gasoline service stations, together with accessory automobile repair and convenience shopping, and car washes with a one-car capacity all without outside storage;**
- V. Personal services, i.e., coin-operated laundries, beauty shops, barber shops, clothing alterations, tanning salons, travel agencies, funeral services, and photographic studios;**
- W. Pet sales and services;**
- X. Sales of general merchandise;**
- Y. Motion picture, television and radio production studios;**
- Z. Printing, publishing and related industries with floor area devoted to printing/pressing operation not exceeding 5,000 square feet.**
- AA. Residential units above first floor commercial uses in a mixed use building.**

**20.51.030 Buildings and uses permitted conditionally.**

The city may grant a conditional use permit (CUP) for any of the following buildings and uses in accordance with the procedures set forth in Chapter 20.20 PMC:

- A. Educational facilities;**
- B. Linear trails, long narrow parks used for walking, jogging and bicycling;**
- C. Religious assembly;**
- D. Transportation uses serving communities and regions, i.e., passenger rail stations, parking facilities, school bus yards, bus barns, weigh stations, bus stations, transfer centers, heliports;**
- E. Utilities or public maintenance facilities, i.e., facilities with a building of more than 1,000 square feet, without outdoor storage;**
- F. Electrical facilities;**
- G. Commercial centers selling a variety of goods or providing a variety of services, ranging from general merchandise to specialty goods and foods, i.e., any lot or combination of lots with a store or variety of stores, offices, and services integrated into a complex utilizing uniform parking facilities;**
- H. Food and related product manufacturing that can be shown to be primarily a retail establishment such as a bakery or a brewpub;**
- I. Residential uses not within a mixed use building. In addition to meeting the criteria for approval of a CUP as set forth in Chapter 20.20, such residential uses must be shown to be subordinate to the commercial use on the property in terms of location on the property, size and/or height of the residential component versus the commercial component and location on the site. In most instances, a stand alone residential building would not be permitted as a conditional use on a parcel in the MC District**

**20.51.040 Building height regulations.**

**In the MC district no principal building shall exceed 40 feet in height.**

**20.51.050 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 MC 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.**

**20.51.060 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.

**20.51.070 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.

**20.51.080 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.

**20.51.090 Other required conditions.**

The following additional conditions shall apply in a MC 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 MC 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 10<sup>TH</sup>, DAY OF JANUARY 2011.

CITY OF PACIFIC



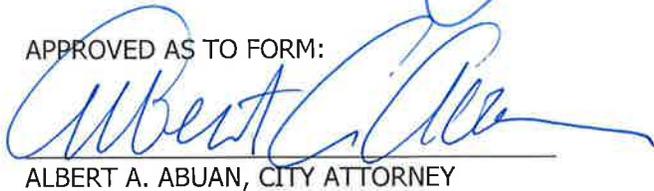
\_\_\_\_\_  
RICHARD HILDRETH, MAYOR

ATTEST/AUTHENTICATED:



\_\_\_\_\_  
JANE MONTGOMERY, CITY CLERK

APPROVED AS TO FORM:



\_\_\_\_\_  
ALBERT A. ABUAN, CITY ATTORNEY