BILL NO. 2872 ORDINANCE NO. _____
SPONSOR: _____

AN ORDINANCE AMENDING SECTION 400.235 OF CHAPTER 400 "OFF-STREET PARKING AND LOADING REGULATIONS" TO AUTHORIZE AN ADDITIONAL EXCEPTION TO OFF-STREET PARKING REQUIREMENTS.

WHEREAS, the City has held a public hearing before the Planning and Zoning Commission and such recommendations and reports have been forwarded to the Board of Aldermen, and the City has further held a public hearing before the Board of Aldermen and published notice as required for an amendment of zoning regulations pursuant to Chapter 89 RSMo.; and

WHEREAS, the Board of Aldermen desires to amend Section 400.235 to authorize the Zoning Officer to grant an additional exception to the off-street parking requirements within the Downtown District as defined below under certain circumstances; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PACIFIC, MISSOURI, AS FOLLOWS:

Section One: Section 400.235 of Chapter 400 of the City Code, entitled "Off-Street Parking and Loading Regulations," and including the corresponding Official Zoning Map, is hereby amended by replacing Subsection A.2.b of Section 400.235, entitled "*Exceptions to minimum space regulations--commercial or industrial*" with a new Subsection A.2.b to read as follows:

SECTION 400.235: OFF-STREET PARKING AND LOADING REGULATIONS

2.b. *Exceptions to Off-Street Parking Requirements -- commercial or industrial; downtown district.*

(1) The Zoning Officer may reduce, in his/her discretion, the required number of parking spaces in any commercial or industrial area by twenty percent (20%). The Zoning Officer may grant such exception if the applicant satisfactorily demonstrates that past parking utilization is at least twenty percent (20%) less than the minimum parking regulation for the proposed use.

(2) The Zoning Officer may grant up to a one hundred percent (100%) exception to the required number of parking spaces to a subject property located in the Downtown District where the Zoning Officer reasonably determines that:

a. Off-street parking is not practical or available both on the subject property and upon any adjacent property subject to the same ownership or control as the subject property;

b. The proposed use is a lawful use of the subject property existing in the past five (5) years or permitted as of right with no other variances requested; and

c. The extent of the exception will not create a safety or traffic hazard including based on the type of use, location, and available street parking.

For purposes of this subsection, the term "Downtown District" shall mean those properties that are within or abut the designated area having a perimeter bounded by a straight line defined by the streets of Osage, Neosho, Congress, and Fourth Street.

Section Two: Except as specifically amended herein, Chapter 400, specifically Section 400.235, and accompanying official zoning map of the City of Pacific shall remain in full force and effect.

Section Three: This Ordinance shall be in full force and effect on and after its passage and approval.

This Bill was passed and approved this ___ day of _____, 2013, by the Board of Aldermen of the City of Pacific, Missouri after having been read by title or in full two times prior to passage.

_____	_____
Presiding Officer	Herbert C. Adams, Mayor

ATTEST:

_____	_____
City Clerk	City Clerk