

**Chapter 17.85**

**ACCESS ~~AND~~ PARKING AND LOADING**

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**17.85.010 Title.**  
This chapter shall be called “Access ~~and~~ Parking ~~and~~ Loading.” (Ord. 1857 § 2 (Exh. B), 2018).

**17.85.020 Application.**  
The standards of this section shall apply to all new uses, structures, and developments, and to the expansion or modification of existing uses, structures and developments. (Ord. 1857 § 2 (Exh. B), 2018).

**17.85.030 Purpose.**  
The purpose of this chapter is to establish standards for access and parking as follows:

- A. Provide for adequate, safe, and convenient access for drivers, pedestrians, cyclists, and transit users;
- B. Ensure off-street parking and loading areas— accessibility by people of all ages and physical abilities;
- C. Promote development patterns that are accessible and convenient while minimizing traffic, parking, storm-water, and other impacts;
- D. Ensure that each new development contributes to, and functions as part of, an interconnected and coherent overall transportation system;
- E. Promote flexible development patterns that can accommodate future changes and transportation needs.

~~for the different zones as described in this title by specifying requirements for off-street parking and loading, and describing design standards and other required improvements. (Ord. 1857 § 2 (Exh. B), 2018).~~

**17.85.040 Authority.**  
This chapter is adopted pursuant to the provisions of chapters 35A.63, 36.70A, 36.70B RCW and other applicable laws. (Ord. 1857 § 2 (Exh. B), 2018).

**17.85.050 General ~~and exceptions.~~**  
A. Off-street Access and parking and loading lots shall be provided in accordance with the following provisions of this chapter for every building hereafter erected, altered, enlarged, or relocated.

**Commented [BJ223]:** BJ\_7-19-2022\_ Added additional information regarding this chapter. Over the year the chapter evolved to include access requirements other than parking specifications. This better reflects the current purpose of this chapter.

~~1. Any All new or modified developments, buildings, uses, or structures shall provide the required parking to be consistent with the standards specified herein provisions of this chapter.~~

~~2. Any All new or modified parking areas, driveways, drive aisles, pedestrian access paths, private streets, and similar improvements lot hereafter physically altered shall comply be consistent with all of the provisions of this chapter, except that such lot which provides five percent of its area in landscaping shall be deemed to comply with chapter 17.80 BMC.~~

**B. Parking Quantity-Exceptions, in General.**

~~1. Parking Exceptions for Landmark Structures. For uses in a landmark structure the number of required parking spaces The director may be reduced or waived based on the following criteria the minimum accessory off-street parking requirements for a use permitted in a landmark structure, considering the following elements:~~

- a. A survey may be required of on- and off-street parking availability.
- b. A determination that there is no feasible way to meet parking requirements on the lot.
- c. Consideration of the types and scale of uses proposed or practical in the landmark structure and the controls imposed by the landmark designation.

~~2. Expansion of Existing Nonresidential Uses in Commercial and Business Zones Existing Development. Except in the RD and RA zones, a Additional parking spaces for nonresidential uses shall not be required for the expansion of existing structures uses, or when changing uses, unless the expansion or change would have the effect of increasing the number of required parking spaces by more than ten percent or five spaces, whichever is greater.~~

~~if the minimum parking requirement would not be increased by more than 10 percent. If the minimum parking requirement would be increased by more than 10 percent, the parking spaces required for the entire expansion shall be provided. This provision may be used only once for any individual structure.~~

~~3. Whenever any existing, nonresidential use in a building is changed to another use in the same building, the requirements of this section shall apply in full to the new use if and only if the change in parking requirements between the old and new uses is greater than five spaces. Credit for on-street parking spaces that are located along the building's street frontage shall be given.~~

~~4. Whenever there is a change from a residential use to a nonresidential use in an existing building, the requirements of this section shall apply in full to the new use; except that the planning commission may determine that a portion of the residential structure cannot be effectively utilized by the proposed commercial use and such area then may be excluded from the gross floor area used to compute the parking requirement.~~

~~5. On-Street Parking. Existing On-street parking spaces abutting a development site may be used to meet the requirements of this chapter; at a rate of one space for every 20 linear feet of abutting street frontage, except as follows:~~

- a. Spaces that are not available, or will not be available, due to roadway design, right-of-way constraints, or future plans shall not be included; and
- b. Applicants may be required to provide a parking survey prepared by a qualified professional demonstrating that adequate on-street parking is reasonably available. \_\_

**C. Parking Quantity-Exceptions, in the Downtown Special Planning Growth Area.**

~~1. No parking shall be required for new uses in existing structures, or when existing structures are remodeled.~~

~~2. For new structures or when an existing structure is expanded, n No parking shall be required for the first 2,500 square feet of nonresidential floor space or for the first four dwellings, or the nonresidential portion of a five-work unit.~~

**Commented [BJ224]:** BJ\_7-19-2022\_ No substantive change – revised to use plain language and to use defined terms.

**Commented [BJ225]:** BJ\_9-15-2022\_ Revised to reference all aspects of access and parking

**Commented [BJ226]:** BJ\_9-15-2022\_ Revised for clarity

**Commented [BJ227]:** BJ\_9-15\_2022\_ Revised so this covers both residential and non-residential uses (previously it only included non-residential uses. Specifically excluded the RD and RA zones since small changes to occupancy could have significant impacts on neighborhood. This is not the case in commercial, industrial, and mixed use zones where small changes to parking demand are difficult to regulate and do not result in major impacts.

**Commented [BJ228]:** BJ\_9-15-2022\_ Revised to lump both non-residential and residential together. Slightly expands residential discount downtown to be consistent with our definition of "small attached residential" (four units or less). This is intended to encourage adaptive reuse downtown where onsite parking is difficult to construct and onsite parking is common. As previously written 2,500 sq. ft. of commercial would be exempt but not 2,500 sq. ft. of residential. Impacts are impacts and granting one exemption without the other makes no sense.

3. No parking shall be required for ~~any floor area used for public facilities, human services or commercial child daycare center~~ seare.

~~4. No parking shall be required for the addition of one residential unit to an existing building. If two units are added, one space will be required; three units will require two spaces, etc.~~

~~5. When an existing nonresidential structure is partially or completely converted to residential use, no parking shall be required for the first dwelling unit; provided, the lot area is not increased and any existing parking is screened and landscaped to the greatest extent practical.~~

D. Tandem Parking ~~and Multifamily~~. Off-street parking for ~~multifamily dwellings structures~~ may be provided as tandem parking.

E. Parking and loading areas shall have ~~reasonable legal~~ access to a public street or alley. When alley access is available parking areas shall be accessed from the alley.

~~F. Removal of required parking and/or loading spaces from practical use by obstruction, erection of buildings, or other actions as to reduce the parking and/or loading capacity or usefulness thereof below the minimum requirements established in this chapter is prohibited.~~

~~FG. "Parking area" includes the parking spaces, together with drive aisles, and internal access streetsways and the access to public street.~~ (Ord. 1857 § 2 (Exh. B), 2018).

G. Calculations. When calculating the number of required parking spaces fractions shall be rounded down to the nearest whole number.

**17.85.060 Required off-street parking – Quantity Parking Quantities.**

A. The number of ~~required off-street~~ parking spaces shall be determined for each principal use of the land, building, or structure using the table below and by applying any applicable deductions or exemptions. For ancillary uses to the principal use, required parking shall be calculated the same as for the principal use, or as otherwise provided for in this chapter. For uses not specifically identified in this chapter, parking shall be provided as specified for the use which, in the opinion of the ~~Director~~, is most similar to the use under consideration. When, in the opinion of the Director, no comparable use is listed, the number of required parking spaces shall be determined by applying the provisions of BMC 17.85.060.C (Alterations and Unlisted Uses).

B. The total number of parking spaces provided for any use or development shall not exceed 120 percent of the minimum requirements identified in this section, except:

1. This limitation shall only apply to uses and developments that require 20 or more parking spaces; and
2. This limitation shall not apply to uses and developments where an alternative maximum number is prescribed by Burlington Municipal Code; and
3. Additional spaces may be provided in excess of 120 percent of the minimum requirement; provided, that any such spaces are located under a building with usable floor space; and
4. This limitation may be waived for publicly owned parking lots; and
5. This limitation may be waived if a traffic and parking study is submitted showing the need for additional parking. Such studies shall be prepared by a licensed engineer, shall be consistent with, and integrated into, any other traffic study prepared for the project, and shall be reviewed by the city engineer.

C. Alterations and Unlisted Uses. The following criteria shall be used to determine parking requirements for unlisted uses that not substantially similar to a listed use and to evaluate requests to deviate from a minimum parking quantity. In such cases the director may require a parking study addressing the criteria below. When required, parking studies shall be prepared by a licensed engineer and shall be consistent with, and integrated into, any other

**Commented [BJ229]:** BJ\_7-19-2022\_Revised to clarify that this applies when a building is enlarged to accommodate a residential use and that the provision applies to the portion of the building that has been added. Necessary to avoid conflicts with subsection 1 and 2 above which apply to existing buildings.

**Commented [BJ230]:** BJ\_7-19-2022\_Redundant and conflicts with subsections 1 and 2 above that address modifications and use changes.

**Commented [BJ231]:** BJ\_7-19-2022\_No substantive change – revised to use term “dwellings” in place of “multifamily”. This provision applies to all type of residential structures containing dwellings, both attached and detached.

**Commented [BJ232]:** BJ\_7-19-2022\_No substantive change – revised to clarify that the parking quantities apply to parking generally, not just off-street parking.

**Commented [BJ233]:** BJ\_9-15\_2022\_Revised to create a process for handling unlisted uses and reviewing adjustment requests. Consistent with adopted comp plan policies

traffic study prepared for the project and shall be reviewed by the City Engineer for constancy with established transportation engineering practices.

1. Trip generation and turnover;

2. Proximity to frequent transit service or a transit center;

3. The availability of alternative transportation services such as school buses or shuttle vans;

4. The provision of onsite housing for students or employees;

5. Commute trip reduction measures implemented by the agency, business, or facility operator;

6. The extent to which the development will provide enhanced pedestrian amenities and bicycle facilities;

7. The intensity of development and mix of uses within 1,320 feet of the development site;

8. The condition and availability of sidewalks and other pedestrian amenities within 1,320 feet of the development site.

D. Standard Reductions. The following parking spaces may be included in parking calculations at a rate of 1.25:

1. Spaces located under a building;

2. Spaces located within 1,320 feet of transit center or bus stop;

3. Spaces for affordable housing developments.

**Commented [BJ234]:** BJ\_7-19-2022\_The previous parking requirement table attempted to identify parking requirements with great specificity for every conceivable use. While workable for common uses, this strategy does not work well for large institutional uses or government uses that may have unique characteristics or site dependent requirements. Also, no previous method existed for deviating from established parking requirements. The listed criteria are consistent with research on factors determining parking demand.

USE	PARKING REQUIREMENT GENERAL
<b>ANIMALS</b>	
Dog day care with no outside runs or kennels	1 space for each 500 square feet
Kennels, boarding, outside runs	1 space for each 2,000 square feet
Veterinary clinic, animal services, animal hospital with no outside runs or kennels	1 space for each 350 square feet
<b>ASSEMBLY</b>	
Commercial recreation indoors (bowling, swimming, skating, bingo, dancing)	1 space for each 100 square feet of activity area
Commercial recreation outdoors (miniature golf, batting, ball courts)	1 space for each 350 square feet, or 1 per cage, hole, court
Community center, city	1 space for each 550 square feet
Facilities for lectures, meetings, dances, receptions	1 space for each 8 fixed seats or 1 space for each 100 square feet of spectator assembly area not containing fixed seats
Library	1 space for each 80 square feet of floor area of all auditoriums and public meeting rooms; plus 1 space for each 500 square feet of other gross floor area open to the public
Motion picture theatre, adult motion picture theatre	1 space for each 8 fixed seats or 1 space for each 100 square feet of spectator assembly area not containing fixed seats
Museum	1 space for each 100 square feet of floor area of all auditoriums and public assembly rooms; plus 1 space for each 500 square feet of other gross floor area open to the public
Performing arts theater	1 space for each 8 fixed seats or 1 space for each 100 square feet of spectator assembly area not containing fixed seats
Private club, health, fitness, civic, social and other organization	1 space for each 100 square feet of floor area of all auditoriums and public assembly rooms; plus 1 space for each 500 square feet of other gross floor area open to the public
Religious facility	1 space for each 80 square feet of all auditoriums
Sports facility or stadium	1 space for each 8 fixed seats or 1 space for each 100 square feet of spectator assembly area not containing fixed seats
Topless club	1 space per 200 square feet
<b>HEALTH AND FAMILY SERVICES</b>	
Counseling service	1 space for each 350 square feet
Day care, adult	1 space for each 10 clients or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 clients
Commercial child day care centers and mini-commercial child day care centers	1 space for each 10 children or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 children
Family day care home	1 loading and unloading space
Health care facility	1 space for each 350 square feet
Hospital	2 per bed
Medical facilities, clinic, laboratory, urgent care, triage	1 space for each 350 square feet
Medical services, doctor, chiropractor, optometrist office, health care	1 space for each 350 square feet
Nursing home, convalescent center, assisted living	1 space for each 2 staff members on site at peak staffing time; plus 1 space for each 6 beds or units
Physical therapy, massage services	1 space for each 350 square feet
<b>INDUSTRY, MANUFACTURING, PROCESSING, WHOLESALING</b>	
Auction house except animals	1 space for each 2,000 square feet
Bulk storage of petroleum products unless incidental to primary use	1 space for each 2,000 square feet
Cold storage plant	1 space for each 2,000 square feet
Commercial laundry	1 space for each 2,000 square feet
Concrete mixing or batch plant	1 space for each 2,000 square feet
Construction services, contractor's office and storage	1 space for each 2,000 square feet
Equipment rental and leasing	1 space for each 2,000 square feet
Enameling, galvanizing and electroplating	1 space for each 2,000 square feet
Government facilities other than office	1 space for each 2,000 square feet

**Commented [BJ235]:** BJ\_7-19-2022\_Table replaced with revised table. Uses consolidated to match uses identified in the zoning code. No attempt was made to revise parking requirements. That work should be done in the future after conducting an appropriate study of parking utilization rates. – 9-15-2022 – note, some requirements have changed as a result of eliminating fractional requirements or combining previously separate uses, but more significant changes have been delayed until we have good information.  
NOTE: see attached parking requirements table

Heavy equipment and trucks, repair, sales and leasing	1 space for each 2,000 square feet
Laboratories such as water quality, soil testing, research and development	1 space for each 1,500 square feet
Manufactured/mobile home sales lot	1 space for each 2,000 square feet
Manufacturing and related activities such as processing, assembling, research and development	1 space for each 1,500 square feet
Materials yards—lumber, stone, concrete products	1 space for each 2,000 square feet
Mini-storage and/or household goods warehouse	1 space for each 30 storage units
Motor freight terminals	1 space for each 2,000 square feet
Printing and publishing	1 space for each 2,000 square feet
Retail and wholesale of products manufactured, processed, or assembled on site	1 space for each 1,500 square feet
Salvage yard	1 space for each 2,000 square feet
Storage warehousing	1 space for each 2,000 square feet
Warehouse and distribution facilities	1 space for each 2,000 square feet
Wholesale showroom	1 space for each 1,500 square feet
Wood processing	1 space for each 2,000 square feet
<b>LODGING</b>	
Bed and breakfast inn	1 space for each dwelling plus 1 space for each 2 guest rooms or suites
Hotels or motels	1 space for each sleeping room or suite
<b>RESIDENTIAL</b>	
Accessory dwelling unit	1 space
Adult family home	1 space for each dwelling unit
Multifamily dwellings	General: 1 1/2 per 1 and 2 bedroom; 2 per 3 or more bedroom and guest parking at a rate of 1 space for every 3 units Downtown special planning area: 1 per unit
Apartment for adults age 55 and up	1 space for each dwelling unit and guest parking at 1 space for 3 units
Artist's studio dwelling	1 space for each dwelling unit
Boarding and group housing	1 space for each dwelling unit
Caretaker's quarters	None
Residential small lot development	1 space for each dwelling unit
Duplex (two-family dwelling)	1 per 1 and 2 bedroom; 2 per 3 or more bedroom 1 per unit downtown
Live-work unit up to 2,500 square feet	1 space for each unit
Live-work unit greater than 2,500 square feet	1 space for each unit; plus the number of spaces required for the commercial or manufacturing activity conducted in the unit, based on the most similar nonresidential use Downtown special planning area: See BMC 17.85.050(C)
Mobile home park or trailer park	2 per unit plus guest parking at 1 space for 3 units
Single-family dwelling including manufactured home	1 per 2 bedroom, 2 per 3 or more bedroom 1 downtown special planning area
Townhouse	1 per 1 and 2 bedroom; 2 per 3 or more bedroom 1 downtown special planning area
<b>RETAIL AND SERVICE</b>	
Banking and related financial institutions	1 space for each 350 square feet
Business support services	1 space for each 2,000 square feet
Car wash	1 space for each 2,000 square feet
Communication utilities	1 space for each 2,000 square feet
Custom and craft work	1 space for each 1,000 square feet
Dog day care	1 space for each 500 square feet
Drive-in business—high volume such as food, coffee, bank	1 space for each 200 square feet
Eating and drinking establishments—all types	1 space for each 200 square feet

Funeral home and mortuary services	1 space for each 350 square feet
Gas station	1 space for each 2,000 square feet
Ground floor businesses in downtown special planning area	None, maximum of 10 spaces
Major durables sales, service, and rental such as furniture, appliance	1 space for each 2,000 square feet
Multipurpose convenience store such as grocery, hardware, drugs, variety	1 space for each 350 square feet
Municipal buildings, city hall, police and fire stations	1 space for each 350 square feet
Office, administrative	1 space for each 1,000 square feet
Office, customer service	1 space for each 350 square feet
Personal and household retail sales and service, general	1 space for each 350 square feet
Personal services such as barber, beauty shop, tan, tattoo	1 space for each 500 square feet
Sales, service and rental of office equipment	1 space for each 350 square feet
Shopping center or mall	1 space for each 350 square feet
Small appliance repair	1 space for each 500 square feet
Specialty food store—bakery, deli, cheese, wine, some seating	1 space for each 500 square feet
Studios—art, music, photography	1 space for each 1,000 square feet
Trades and subcontractors—plumbing, electrical, HVAC	1 space for each 1,000 square feet
Woodworking	1 space for each 1,000 square feet
<b>SCHOOLS/EDUCATION/TRAINING</b>	
School, private elementary and secondary	1 space for each 80 square feet of floor area of all auditoriums and public assembly rooms, or if no auditorium or assembly rooms, 1 space for each staff member
School, public elementary and secondary	1 space for each 80 square feet of floor area of all auditoriums or public assembly rooms, or 1 space for every 8 fixed seats in auditoriums or public assembly rooms containing fixed seats, for new public schools on a new or existing public school site
Vocational or fine arts school	1 space for each 2 faculty and full-time employees; plus 1 space for each 5 students (based on the maximum number of students in attendance at any one time)
<b>TRANSPORTATION AND UTILITIES</b>	
Dispatch facility—taxi, ambulance, limousine	1 space for each 1,000 square feet
Telecommunication tower	1 space
Terminal—bus, rail, transit	1 space for each 200 square feet
Transit vehicle base	1 space for each 2,000 square feet
Utility substation or service facility	1 space for each 2,000 square feet
<b>VEHICLE RELATED</b>	
Automotive or boat parts or accessories sales	1 space for each 350 square feet
Automobile wrecking yard	1 space for each 2,000 square feet
Sales, service and rental of motorized vehicles including automobiles, motorcycles, trucks other than semis, boats	1 space for each 2,000 square feet
Semi-tractor and trailer sales	1 space for each 2,000 square feet
Towing service	1 space for each 1,000 square feet
Vehicle repair, major and minor	1 space for each 2,000 square feet; minimum of 3 spaces
<p><b>**</b> In addition, for all multifamily uses whose average gross floor area per dwelling unit, excluding decks and all portions of a structure shared by multiple dwelling units, exceeds 500 square feet shall be required up to a maximum additional 0.15 spaces per dwelling unit; and When at least 50 percent of the dwelling units in a multifamily use have three bedrooms, an additional 0.25 spaces per bedroom for each unit with three bedrooms shall be required; and Any multifamily use that contains a dwelling unit with four or more bedrooms shall be required to provide an additional 0.25 spaces per bedroom for each unit with four or more bedrooms.</p>	

(Ord. 1857 § 2 (Exh. B), 2018).

**17.85.070 Shared parking.**

**A. Shared Parking – General Provisions.**

The Burlington Municipal Code is current through Ordinance 1870, passed January 24, 2019.

1. Shared parking shall be allowed between two or more uses to satisfy all or a portion of the minimum off-street parking requirement of those uses as provided in subsections (B) and (C) of this section.
2. Shared parking shall be allowed between different categories of uses or between uses with different hours of operation, but not both.
3. A use for which an application is being made for shared parking shall be located within ~~800~~1,320 feet of the parking.
4. No reduction to the parking requirement shall be made if the proposed uses have already received a reduction through the provisions for cooperative parking.
5. The reduction to parking permitted through shared use of parking shall be determined as a percentage of the minimum parking requirement as modified by the reductions permitted in **BMC 17.85.050**.
6. An agreement providing for the shared use of parking, executed by the parties involved, shall be filed with the director. Shared parking privileges shall continue in effect only as long as the agreement, binding on all parties, remains in force. If the agreement is no longer in force, then parking shall be provided as otherwise required by this chapter.

B. Shared Parking for Different Categories of Use.

1. A business establishment may share parking according to only one of the following subsections: **(B)(2), (3), or (4) of this section**.
2. If an office use and a retail sales and service use share parking, the parking requirement for the retail sales and service use may be reduced by 20 percent; provided, that the reduction shall not exceed the minimum parking requirement for the office use.
3. If a residential use shares parking with a retail sales and service use other than lodging uses, eating and drinking establishments or entertainment uses, the parking requirement for the residential use may be reduced by 30 percent; provided, that the reduction does not exceed the minimum parking requirement for the retail sales and service use.
4. If an office and a residential use share off-street parking, the parking requirement for the residential use may be reduced by 50 percent; provided, that the reduction shall not exceed the minimum parking requirement for the office use.

C. Shared Parking for Uses with Different Hours of Operation.

1. For the purposes of this section, the following uses shall be considered daytime uses:
  - a. Customer service and administrative offices;
  - b. Retail sales and services, except eating and drinking establishments, lodging uses, and entertainment uses;
  - c. Wholesale, storage and distribution uses;
  - d. Manufacturing uses; and
  - e. Other similar primarily daytime uses, when authorized by the community development director or designee.
2. For the purposes of this section, the following uses shall be considered nighttime or Sunday uses:
  - a. Auditoriums accessory to public or private schools;

- b. Religious facilities;
- c. Entertainment uses, such as theaters, bowling alleys, and dance halls;
- d. Eating and drinking establishments;
- e. Lodging uses; and
- f. Other similar primarily nighttime or Sunday uses, when authorized by the community development director or designee.

3. Up to 90 percent of the parking required for a daytime use may be supplied by the off-street parking provided by a nighttime or Sunday use and vice-versa, when authorized by the director, except that this may be increased to 100 percent when the nighttime or Sunday use is a religious facility.

4. The applicant shall show that there is no substantial conflict in the principal operating hours of the uses for which the sharing of parking is proposed. (Ord. 1857 § 2 (Exh. B), 2018).

**17.85.080 Cooperative parking.**

A. Cooperative parking shall be permitted between two or more business establishments which are commercial uses according to the provisions of this section.

B. Up to a 20 percent reduction in the total number of required parking spaces for four or more separate business establishments, 15 percent reduction for three business establishments, and a 10 percent reduction for two commercial uses may be authorized by the director under the following conditions:

- 1. No reductions to the parking requirement shall be made if the proposed business establishments have already received a reduction through the provisions for shared parking.
- 2. The business establishments for which the application is being made for cooperative parking shall be located within ~~800~~1,320 feet of the parking.
- 3. The reductions to parking permitted through cooperative parking shall be determined as a percentage of the minimum parking requirement as modified by the reductions permitted through BMC **17.85.050(B) and (C)** and this section.
- 4. An agreement providing for the cooperative use of parking shall be filed with the director when the facility or area is established as cooperative parking. Cooperative parking privileges shall continue in effect only as long as the agreement to use the cooperative parking remains in force. If the agreement is no longer in force, then parking shall be provided as otherwise required by this chapter. New business establishments seeking to meet parking requirements by becoming part of an existing cooperative arrangement shall provide the director with an amendment to the agreement stating their inclusion in the cooperative parking facility or area. (Ord. 1857 § 2 (Exh. B), 2018).

**17.85.090 (Reserved)**

**17.85.100 (Reserved)**

**17.85.090 Drive-in businesses.**

All banks, savings and loan associations, food dispensing establishments, and other businesses which maintain drive-in facilities which are intended to serve customers who remain in their motor vehicles during business transactions, or are designed in such a manner that customers must leave their automobiles temporarily in a driving lane located adjacent to the facility, shall provide stacking space for the stacking of motor vehicles as follows:

A. Stacking Space. The drive-in facility shall be so located that sufficient stacking space is provided for the handling of motor vehicles using such facility during peak business hours of such facility.

B. Driveway Location. The location of entrances and exits shall be determined by the public works director.

C. Shopping Centers. When located in a shopping center, drive-in facilities shall provide sufficient stacking space to handle peak business demands and shall not in any way obstruct the normal circulation pattern of the shopping center. (Ord. 1857 § 2 (Exh. B), 2018)

**17.85.105 Off-street parking area development and maintenance Construction standards.**

A. All parking areas, including interior driveway driveways, drive aisles, private streets, and outdoor storage and sales lots and access to a public street, shall be paved with permeable pavement, asphalt concrete, or cement concrete pavement. All asphalt pavement sections shall have a minimum pavement section consisting of two inches of Class "B" asphalt concrete, two inches of five-eighths-inch minus crushed rock, and six inches of Class "A" bank run gravel or approved equal. All permeable paving, concrete pavement sections, or any alternative asphalt pavement sections shall be designed to support the post development traffic loads anticipated due to the intended use.

B. Parking and circulation areas, access roads, and drive aisles shall be designed and constructed with LID features such as permeable pavement, rain gardens, or bio-retention areas unless demonstrated to be infeasible through an engineering analysis.

C. In determining the feasibility of LID features, an engineering analysis shall be submitted and reviewed by the city engineer. This analysis should consider site characteristics such as soil and ground water conditions, and anticipated traffic volumes. The analysis should be consistent with the Department of Ecology's "Stormwater Manual for Western Washington" and the design and site evaluation guidance in the Puget Sound Partnership's "Low Impact Development Technical Guidance Manual for Puget Sound." The engineering analysis requirement identified above may be waived by the city engineer for simple small-scale projects when the feasibility of permeable pavement can be easily determined without the need for additional information or analysis; provided, that an engineering analysis shall be submitted for all projects involving 20 or more parking spaces.

D. All parking and circulation areas, access roads, and drive aisles shall be designed and constructed in accordance with any applicable requirements in **BMC Title 14**.

E. Parking areas shall be used for automobile parking only, with no sales, unless permitted elsewhere by this title, dead storage, repair work, or dismantling of any kind.

F. Outdoor sales areas and storage yards shall be paved and landscaped in accordance with this title.

G. If lighting is provided, it shall be arranged to reflect away from the residential area, also from any public street or highway. Lighting, See **BMC 17.90.105**.

H. Drainage facilities for storm water shall be provided for and be approved by the public works department. Stormwater shall be managed in accordance with Chapter **14.05 BMC** and LID measures shall be provided consistent with the requirements of this Chapter and Chapter **17.90 BMC**.

I. Ingress and egress shall be approved as to location and design by the public works department. Access to public streets shall be approved by the Public Works Department consistent with the requirements of Title **12 BMC**.

J. Driveways and parking stalls shall be clearly marked.

**Commented [BJ236]:** BJ\_7-19-2022\_Drive-through standards were previously added to other sections to the code and conflict with with this section.

**Commented [BJ237]:** BJ\_7-19\_2022\_Revised to use defined terms consistent with other language in this chapter. Also clarified that paving requirements apply to outdoor storage and sales yards

K. Landscaping. See chapter **17.80 BMC**. (Ord. 1857 § 2 (Exh. B), 2018).

~~L. Driveways and parking spaces for detached, duplex, and horizontally attached dwellings shall be paved with permeable pavement, asphalt, or concrete and may utilize a two track design to minimize impervious surface coverage.~~

~~**17.85.105 — Development of required off-street parking spaces for single-family dwelling units.**~~

~~For parking areas serving single-family dwellings, this section shall apply in lieu of BMC 17.85.100:~~

~~A. Required off-street parking spaces for one-family dwellings on separate lots smaller than 15,000 square feet in area shall be paved with permeable pavement, asphalt concrete, or cement concrete. Each required off-street parking space shall be connected to an improved public or private street by a driveway which shall be paved with permeable pavement, asphalt concrete, or cement concrete.~~

~~B. Required off-street parking spaces for one-family dwellings on separate lots of 15,000 or more square feet in area shall have an all-weather surface. Each required off-street parking space shall be connected to an improved public or private street by a driveway which shall have an all-weather surface. The construction of the all-weather surface shall be determined by the public works director.~~

~~C. A note shall be included on the face of subdivisions and short subdivisions identifying any applicable impervious surface limits.~~

~~D. Driveways for single-family dwellings may utilize a two-track design to minimize impervious surface coverage. (Ord. 1857 § 2 (Exh. B), 2018).~~

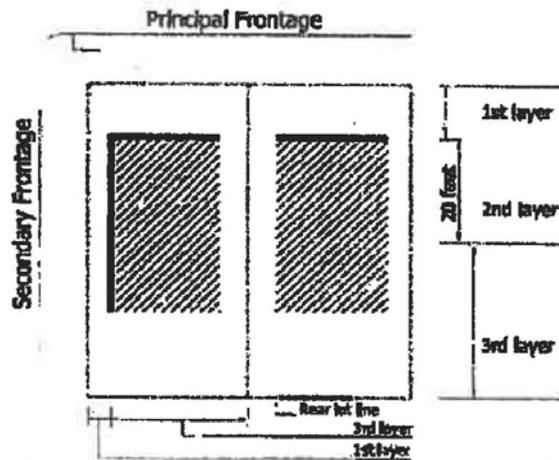
~~**17.85.110 — Off-street parking lots — Location and screening standards.**~~

~~A. Required off-street parking shall be located on the same parcel as the uses served unless off-site parking is authorized in compliance with this chapter. Parking shall be located on each site in compliance with the parking layer requirements illustrated below:~~

- ~~1. First Layer. The area between the frontage line and the facade line.~~
- ~~2. Second Layer. The area between the facade line and 20 feet from the facade. Note that the second layer is not required on the secondary frontage.~~
- ~~3. Third Layer. That portion of the lot that is neither the first layer nor the second layer. Generally this portion of the lot extends to an alley or an interior lot line.~~

**Commented [BJ238]:** BJ\_7-19-2022\_Previously this was only applicable to detached dwellings. Change makes it applicable to all types of dwellings that may have individual curb cuts and driveways.

**Commented [BJ239]:** BJ\_7-19-2022\_Not needed and conflicts with some of the standards identified above.



B. Surface Parking Location and Screening. The following requirements shall apply in addition to any other parking, landscaping, setback, or site design requirements:

1. Parking area and service yards must be screened from adjoining residences.
2. Where alley access is available, parking shall be located off the alley and no curb cuts shall be permitted for residential uses.
3. Parking located in the setback in front of the building shall be screened and landscaped with a streetscreen as defined in BMC 17.80.105.
4. Parking area illumination shall be directed away from residential uses.
5. Downtown special planning area including surface parking shall be located in the third layer and masked by a streetscreen or building, except that driveways and aprons may be located in the first or second layer.
6. Burlington Boulevard Corridor. Surface parking may be located in the first, second or third layer and masked by a streetscreen if the street frontage is not fully occupied by buildings.

~~C. Single-Family Dwellings. Required parking shall be located on the same lot as the building it serves.~~

~~D. Off-Site Parking. Required parking may be in areas other than on the premises if the required amount of parking area is set aside for a particular use in such a lot and such area is not located more than 800 feet from the premises and is in the same zone as the use. The lot or area to be utilized shall be legally encumbered by an easement or other appropriate means to ensure continuous use of the parking facilities. Offsite parking areas may be used to meet the requirements of this Chapter provided the offsite parking area is located within 1,320 feet of the development site and is either in common ownership or encumbered by an easement or other formal agreement. Offsite parking areas shall be connected to the development site with a~~

~~E. Whenever required parking facilities are located off-site, Continuous pedestrian path in the form of a concrete sidewalk. Marked crosswalks shall be provided at all intersections. pedestrian facilities shall be provided connecting the satellite parking facility to the development being served, which are safe, durable and adequate to accommodate pedestrian use. (Ord. 1857 § 2 (Exh. B), 2018).~~

**Commented [BJ240]:** BJ\_7-19-2022\_ Not consistent with cluster and small lot development standards that promote parking in small consolidated lots.

**Commented [BJ241]:** BJ\_7-19-2022\_ Revised to be consistent with commonly accepted maximum walking distance.

**Commented [BJ242]:** BJ\_9-15-2022\_ Revised phrasing for clarity – also changed distance to 1,320 feet (1/4 mile) for consistency with commonly accepted max walking distance.

**Commented [BJ243]:** BJ\_7-19-2022\_ Provided additional clarity on what is required

**17.85.115 ~~Off-street parking plan~~ Design standards.**

**A. ~~Dimensions and Site Layout.~~**

1. Parking stalls and drive aisles shall be consistent with the dimensions specified in Figure “A” below.

2. Except when adjacent to a building frontage or the perimeter of a site, parking rows and columns shall have a maximum length of 200 feet.

3. Drive aisles may be used to provide direct access to individual parking rows and should be connected to a public or private street.

B. Up to 30 percent of the parking spaces required by this chapter may be compact spaces, except in the downtown special planning area where all of the required parking spaces may be compact.

C. Off-street parking lots shall comply with the barrier-free parking space requirements of the International Building Code.

D. The minimum parking space and aisle dimensions for the most common parking angles are shown on chart below. For parking angles other than those shown on the chart, the minimum parking space and aisle dimensions shall be determined by the community development director and shall be proportional to the dimensions shown below.

**Figure A**  
**Minimum Parking Stall and Aisle Dimensions**

Parking Angle	Stall Width	Curb Length	Stall Depth	Aisle Width		Unit Depth	
				1-Way	2-Way	1-Way	2-Way
0°	8.0	20.0	8.0	10.0 <del>12.0</del>	20.0 <del>20.0</del>	** <del>29.0NA</del>	** <del>37.0NA</del>
30°	8.0* Min. 8.5	16.0* 17.0	15.0* 16.5	10.0 10.0	20.0 20.0	** 43.0	** 53.0
45°	8.0* Min. 8.5	11.5* 12.0	17.0* 19.0	12.0 12.0	20.0 20.0	** 50.0	** 58.0
60°	8.0* Min. 8.5	9.5* 10.0	18.0* 20.0	18.0 18.0	20.0 20.0	** 58.0	** 60.0
90°	8.0* Min. 8.5	8.0* 8.5	15.0* 17.0	23.0 23.0	23.0 23.0	** 63.0	** 63.0

\* For use with compact stalls only.

\*\* Variable with compact and standard combinations.

E. Any parking spaces abutting a landscaped area on the driver or passenger side of the vehicle shall provide an additional 18 inches above the minimum space width requirement to provide a place to step other than in the landscaped area. The additional width shall be separated from the adjacent parking space by a parking space division stripe. The parking space depth may be reduced when vehicles overhang a walkway under the following conditions:

1. ~~Wheel stops~~ Wheel stops or curbs are installed.
2. The remaining walkway provides a minimum of 60 inches of unimpeded passageway for pedestrians.
3. The amount of space depth reduction is limited to a maximum of one and one-half feet for standard parking spaces and one and one-half feet for compact spaces including the ~~wheel stop~~ wheel stop or curb.

F. Driveways may cross required setbacks or landscaped areas in order to provide access between the off-street parking facilities and the street, provided no more than 10 percent of the required landscaping or setback area is displaced by the driveway. Driveways may be used for parking when serving single detached dwellings but shall not be considered for purposes of calculating required parking.

G. ~~Lighting shall be provided for safety of traffic and pedestrian circulation on the site. Parking areas shall be illuminated in accordance with the City's Outdoor Lighting Standards (BMC 17.90.105), as required by the International Building Code. It shall be designed to minimize direct illumination of abutting properties and adjacent streets. The city council shall have the authority to waive the requirement to provide lighting. Pedestrian scale lighting shall be provided along all pedestrian paths and at all crosswalks. (Ord. 1857 § 2 (Exh. B), 2018).~~

**17.85.120 Pedestrian circulation and access.**

A. General. All uses shall provide pedestrian access to the site. Pedestrian access shall be provided at all pedestrian arrival points for the development including the property edges, adjacent lots, abutting street intersections and mid-block crosswalks, ~~existing~~ transit stops, and at least every 100 feet of consecutive street frontage. Pedestrian access shall be located as follows:

1. Adjacent Streets and Property Edges. Access at property edges and to adjacent lots shall be coordinated with existing development to provide logical circulation patterns between developments.

a. Pedestrian connections shall be provided along adjacent street frontages at intervals of 100 feet or less:

**Commented [BJ244]:** BJ – 9-15-2022 – this entire section has been revised with the goal of making it easier to enforce access requirements and creating a network of paths within large parking lots that connect all buildings, streets, and adjoining lots. Previous requirements attempted this but lack of clarity made it difficult to implement. The proposed changes are an improvement but more work should be done on this in the future.

b. Connections shall be provided to existing or planned transit stops:

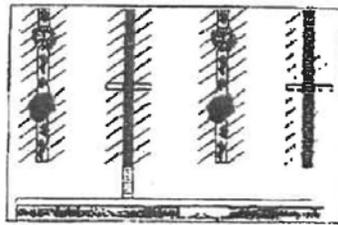
c. Pedestrian paths shall be connected to existing pedestrian paths on adjacent sites whenever feasible:

d. For development sites that abut properties that are **vacant or likely to redevelop**, pedestrian paths should be extended to the property or site boundaries to support future development.

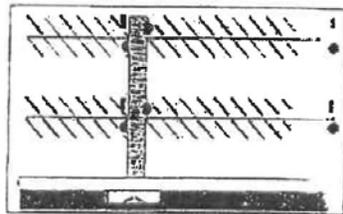
B2. Residential Developments. Pedestrian access shall be provided links between cul-de-sacs or buildings to allow pedestrian access from within the development and from adjacent developments to activity centers, parks, common tracts, open space areas, schools or other public facilities, transit stops and public streets. When dead-end streets or cul-de-sacs are used pedestrian access paths shall be provided to allow direct links between streets and cul-de-sacs. For multi-unit residential developments pedestrian access paths shall be provided to link buildings together.

C3. Pedestrian Parking Areas. Pedestrian circulation shall be provided within all parking areas and between parking areas and adjacent uses. The following standards are intended to create a grid of interconnecting paths, minimize the distance parking lot users must travel from a vehicle to a pedestrian path. The intent of these requirements is to create a grid of interconnected pedestrian paths located at convenient intervals. Pedestrian paths shall be provided within parking areas as follows: walkways shall be located as follows:

1a. Parallel to parking rows. If walkways run parallel to the parking row at least one walkway shall be provided for every two rows. Rows without walkways shall be landscaped or contain barriers or other means to encourage pedestrians to use the walkways. Pedestrian paths shall be provided parallel to parking rows at intervals of every four parking rows, provided the distance between pedestrian paths shall not exceed 200 feet.



2b. Perpendicular to parking rows. If walkways run perpendicular to the parking rows, access to the walkway shall be no further than five parking spaces. Landscaping, barriers or other means shall be provided between the parking rows to encourage pedestrians to use the walkways. Pedestrian paths shall be provided perpendicular to parking rows at intervals of 200 feet or less.



DB. Building Access. Pedestrian walkways paths shall form an on-site a circulation system that minimizes the conflicts between pedestrians and vehicle traffic and provides direct and convenient access to all buildings at all points of pedestrian access to on-site parking and building entrances. Pedestrian walkways shall be provided when the pedestrian access or any parking space is more than 75 feet from the building entrance or principal on-site destination and access shall be provided as follows as follows:

1. All developments ~~which~~ contain more than one building shall provide walkways-pedestrian paths between the principal entrances of ~~the each~~ buildings.
2. ~~Commercial and mixed-use buildings shall provide pedestrian paths along all building frontages that contain an entrance or abut a parking area. Building frontages containing only service entrances, such as loading docks, that are not accessible to the general public shall be exempt from this requirement. All nonresidential buildings set back more than 100 feet from the public right-of-way shall provide for direct access from the building to the buildings on adjacent lots.~~
3. For residential and industrial buildings, pedestrian paths shall connect the primary building entrances to adjacent streets and pedestrian access paths.
3. Emergency exits shall be connected to the pedestrian access system.

E.C. Pedestrian access and walkways shall meet the following minimum dDesign Sstandards:

1. ~~Access and walkways~~Pedestrian paths shall be ~~well lit and~~ physically separated from driveways and parking spaces by landscaping, berms, barriers, grade separation or other means to protect pedestrians from vehicular traffic. ~~Unless an alternative method providing an equivalent level of pedestrian safety and physical separation is approved, this requirement shall be met by providing curbing and raised sidewalk.~~
2. ~~Access and walkways~~Pedestrian paths shall be a minimum of 60 inches of unobstructed width and shall be constructed using permeable pavement unless demonstrated to be infeasible through an engineering analysis, in which case concrete or an an alternative hard surface approved by the city engineer shall be used. Pedestrian access paths shall have a minimum unobstructed width of five feet except as follows:
  - a. Pedestrian paths that directly abut parking spaces shall have a minimum unobstructed width of seven feet;
  - b. Pedestrian paths along the frontage of a building with a floor area greater than 10,000 square feet but less than 20,000 square feet shall have a minimum width of 10 feet;
  - c. Pedestrian paths along the frontage of a building with a floor area of 20,000 square feet or more shall have a minimum width of 20 feet.
3. ~~Access shall be usable by the mobility impaired and shall be designed and constructed to be easily located by the sight impaired pedestrian by either grade change, texture or other equivalent means~~Pedestrian access paths shall comply with all applicable ADA and accessibility requirements.
4. A crosswalk shall be required when a walkway-pedestrian path crosses a driveway, street, or a paved area accessible to vehicles. Except where driveways or streets access a major arterial the maximum crosswalk length, or distance between curbs, shall be 20 feet. Crosswalks should generally be configured to provide a direct crossing perpendicular to the direction of vehicle travel and shall be designated using paint unless an alternative method is specified by Burlington Municipal Code or approved by the City Engineer.
5. If any parking space is more than 150 feet from the building entrance or principal on-site destination, a stop sign, ~~stop~~ stop line or other pavement marking ~~and a speed bump~~ shall be required at the end of every row of parking.
6. If any parking space is more than 200 feet from the building entrance or principal on-site destination:
  - a. At least one sheltered rest area shall be provided; and
  - b. Raised crosswalks or speed bumps shall be located at all points where a walkway crosses the lane of vehicle travel.

**Commented [BJ245]:** BJ\_9-15-2022 – Added new graduated requirements to ensure large commercial buildings provide sidewalks in front of building entrances that are wide enough to support pedestrian volumes (as an example of where this is a problem, try walking along the front of Home Depot – narrow unusable paths force pedestrians into street or parking area)

**Commented [BJ246]:** BJ\_7-19-2022\_ Added to avoid dangerous situations where the crosswalks crosses a large expanse of poorly defined circulation space creating conflicts with pedestrians and vehicles.

7. Where the building entrance is more than 250 feet from the public right-of-way, a sheltered rest area may be required at the public street.

8. Sidewalks and walkways should be sloped to drain towards adjoining landscaping, planting areas, or infiltration features. (Ord. 1857 § 2 (Exh. B), 2018).

~~9. Pedestrian access paths should avoid indirect or circuitous routes and should generally be laid out parallel and perpendicular to the building entrances. When site grades dictate an indirect routing to accommodate an ADA ramp an additional, direct route shall be provided using stairs or steps if needed.~~

~~10. Required pedestrian paths along building frontages may be covered by awnings but shall not be located under a building or between the building and a vertical support element such as a pier, pillar, or post.~~

~~11. Lighting shall be provided consistent with the requirements of BMC 17.90.105.~~

**17.85.125 (Reserved) Existing off-street parking reduction.**

~~Off-street parking facilities shall not be eliminated or reduced to an amount less than that required for new uses. (Ord. 1857 § 2 (Exh. B), 2018).~~

**17.85.130 (Reserved) Fractional spaces.**

~~When units or measurements determining the number of required parking spaces result in requirements of a fractional space, any fraction up to one-half shall be disregarded, and fractions of one-half or over shall require one parking space. (Ord. 1857 § 2 (Exh. B), 2018).~~

**17.85.135 (Reserved) Off-street loading space.**

~~Buildings devoted to retail trade, retail and wholesale food markets, warehouses, supply houses, wholesale and manufacturing trade, hotels, hospitals, laundry, dry cleaning establishments or other buildings where large amounts of goods are received or shipped shall provide loading and unloading space on the same premises as the building as follows:~~

~~A. Building of 6,000 square feet or more of floor area: one off-street loading and unloading space plus one additional off-street loading space for each 20,000 square feet of floor area;~~

~~B. Each loading space shall be not less than 10 feet in width, 25 feet in length and 14 feet in height;~~

~~C. Loading space, exclusive of driveways and/or corridors leading thereto, shall not be considered as providing off-street parking space. (Ord. 1857 § 2 (Exh. B), 2018).~~

**17.85.140 Design standards for private streets and roads.**

Private streets and roads created to serve new development, including subdivisions, short subdivisions, binding site plans, and commercial and industrial development, shall be subject to the following standards and requirements:

A. ~~For private streets that provide access to more than one lot, a~~ road maintenance agreement and access easement approved by the ~~Ceity~~ Engineer shall be recorded with Skagit County auditor's office;

B. Street ~~segments serving s and roads serving up to~~ four dwellings or less units shall be at least 20 feet in width;

C. Streets and roads serving more than four dwelling units or carrying a traffic volume of up to 250 average trips per day, whichever is less, shall be at least ~~28-38~~ feet in width and ~~shall include two driving lanes, one parking lane and a sidewalks along both sides of the street, shall be provided on at least one side in addition to the 28 feet of roadway width~~;

D. Streets and roads carrying a traffic volume of 250 average trips per day or more shall comply with the design standards and specifications applicable to public streets and roads in chapter 12.28 BMC;

E. Low impact development features such as bio-retention areas, rain gardens, and permeable paving shall be incorporated into the design and construction of all private streets and roads unless demonstrated to be infeasible through an engineering analysis. In determining the feasibility of such low impact development features, an engineering analysis shall be submitted and reviewed by the city engineer. This analysis should consider site characteristics such as soil and ground water conditions, and anticipated traffic volumes. The analysis should be consistent with the Washington State Department of Ecology's "Stormwater Manual for Western Washington" and

**Commented [BJ247]:** BJ\_7-19-2022\_ADA requirements have addressed the needs of those with mobility challenges but have also, in some cases, made access less convenient for other users. We've been requiring this as a code interpretation but for several years but it would be better to clearly state the requirement.

**Commented [BJ248]:** BJ\_7-19-2022\_ we've received a number of comment from developers wishing to deviate from the standard private street design requirements. Staff has no objection to using alternative standards for low volume residential streets; however, additional standards should be applied to ensure mitigate aesthetic impacts and provide for adequate pedestrian safety.

the design and site evaluation guidance in the Puget Sound Partnership’s “Low Impact Development Technical Guidance Manual for Puget Sound.”

~~F. All private streets and roads shall be connected to streets on adjacent sites whenever possible. For development sites that abut properties that are **vacant or likely to redevelop** streets should be extended to the property or site boundaries to facilitate future development.~~

~~G. Construction. Private streets shall be paved and shall be designed and constructed in accordance with any designed and constructed consistent with any applicable construction or storm-water requirements identified in **BMC Title 14 BMC**.~~

~~H. Lighting. Pedestrian scale street lighting shall be provided and all lighting shall be consistent with the City’s outdoor lighting standards (**BMC 17.90.105**).~~

~~I. Fire Flow and Access. All streets shall comply with the applicable fire flow and access requirements identified in **Chapter 15.08 BMC**. (Ord. 1857 § 2 (Exh. B), 2018).~~

J. Alternative Street Design Standards – (see attached code section)

**Commented [BJ249]:** BJ – 10-24-2022 – A new process was developed to allow for the approval of alternative private street designs. By creating an approval process rather than specific dimensional standards a more flexible approach is possible. There simply isn’t time to develop detailed design specifications covering all possible scenarios. Instead a process, with approval criteria, has been developed for considering alternative private street plans.  
NOTE: see attached alternative private street code.