

**CITY OF BUCKLEY, WASHINGTON**

**ORDINANCE NO. 06-23**

**AN ORDINANCE OF THE CITY OF BUCKLEY, WASHINGTON, AMENDING THE CITY'S PARKING CODE IN THE DOWNTOWN DESIGN REVIEW DISTRICT AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.**

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**WHEREAS**, the City has been discussing ways to improve economic development, and

**WHEREAS**, recent permitting in the Downtown Design Review District has revealed an impediment to new development in this area in that the Parking Code does not allow for the counting of on-street parking and ignores the many adjacent parking opportunities provided by City owned parking lots, and

**WHEREAS**, the provision of parking is sometimes the most expensive aspect of developing, redeveloping, or providing tenant improvements within the Downtown Design Review District, and

**WHEREAS**, the City Council wishes to promote economic development and recognize the many existing opportunities to park within this established district, and

**WHEREAS**, by consensus of the Council, the City Council added the above amendment to the Planning Commission docket on January 3, 2023, and

**WHEREAS**, the Buckley Planning Commission held an open public hearing on the amendment on January 23, 2023 and recommended approval of the proposed code amendments to Council, and

**WHEREAS**, the SEPA Responsible Official published a SEPA Determination of Nonsignificant Impact on January 8, 2023 which was not appealed; and

**WHEREAS**, the content of the proposed ordinance was transmitted to the Department of Commerce for their review on January 8, 2023, and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BUCKLEY, WASHINGTON DO ORDAIN AS FOLLOWS:**

**Section 1.** Section 19.28.020 Basic regulations for off-street parking is hereby amended as follows:

**19.28.020 Basic regulations for off-street parking.**

(1) Off-street parking shall be provided subject to the provisions of this chapter for:

- (a) Any new building constructed;
- (b) Any addition or enlargement of an existing building and use; and
- (c) Any change in the occupancy of any building or the manner in which any use is constructed that would result in additional parking spaces being required.

(2) Except for those exempted in the HC zone as allowed under BMC 19.20.090(2)(d)(i), and cottage housing developments, the required parking spaces or garages shall be located on the same building site or development and shall be located near to the site entrance, if feasible, so as to reduce the need for long driveways. **Parking for parcels zoned public (P), Central Commercial (CC) or neighborhood mixed use (NMU) located within the Downtown Design Review district are also subject to the expanded flexible provisions of BMC 19.20.090(2)(d).**

(3) All off-street parking spaces and areas required by this chapter shall be designed and maintained to be fully usable for the duration of the use requiring such areas and spaces.

(4) On-street parking within public or private streets, driveways, or drives shall not be used to satisfy the off-street parking requirements, except where allowed by this chapter.

(5) Whenever the computation of the number of off-street parking spaces required by this section results in a fractional parking space, one additional parking space shall be required for one-half or more fractional space and any fractional space less than one-half of a parking space shall not be counted.

(6) Temporary use of off-street parking spaces for nonparking purposes will not violate this chapter if such use is specifically approved by the planning director.

(7) Parking facilities constructed or substantially reconstructed subsequent to the effective date of the ordinance codified in this chapter, whether or not required, shall conform to the design standards set forth in this chapter.

(8) All parking lots allowed or required under this code shall also allow electric vehicle stations and/or infrastructure.

**Section 2.** Section 19.20.090 HC historical commercial zone is hereby amended as follows:

**BMC 19.20.090 HC historical commercial zone.**

(1) Intent and Purpose. The HC zone is intended to implement the policies of the Buckley comprehensive plan for areas designated for commercial development and privileging pedestrian traffic first, and motorized transportation second. The primary purpose is to preserve and maintain commercial parcels for neighborhood-oriented businesses and pedestrian connectivity per the Buckley comprehensive plan (Urban Design Element Goals 4.3, 4.4, and 4.5, Policy 4.4.3).

(2) Performance Standards – Dimensional Requirements.

(a) Lot Area and Coverage.

(i) Lot Area. The minimum lot area shall be 3,000 square feet per unit.

(ii) Lot Coverage. The maximum lot coverage of the primary dwelling unit shall be 100 percent.

(b) Lot Dimensions. The minimum dimensions shall be:

(i) Lot width: 40 feet.

(ii) Lot width at street on a radius: 30 feet.

(c) Setback Requirements. No minimum setback requirements.

(d) Off-street parking requirements for both the HC historical commercial zone and the larger Downtown Design Review District pursuant to BMC 19.28.020(2) shall be per Chapter 19.28 BMC except as follows:

(i) All new buildings or additions in the downtown business area shall provide parking at a flat rate of one parking stall for every 500 square feet of new gross floor area of building. If it is a mixed use or residential building, the portions of the building used exclusively for residential uses shall only be required to provide parking at one stall per dwelling unit. For purposes of this chapter,



“residential uses” shall refer to lobbies, stairwells, elevators, storage areas and other similar features.

(ii) All existing and new uses in existing buildings are considered to comply with the parking requirements set forth in this chapter of the code.

(iii) In lieu of providing the parking spaces as set forth above, the sum of \$2,500 may be paid to the public parking expansion fund for each parking space as required.

(iv) Parking may also be provided as shared parking through an agreement with the owners of private parking pursuant to BMC 19.28.040(3). Additionally, any party may enter into an automatic agreement with the City provided a parking study indicates there are sufficient available on-street and public parking facilities within 1,000 feet of the structure.

(e) Standards for street and utility construction shall be as specified under Chapter 17.08 BMC.

**Section 3.** If any provisions of this Ordinance is held invalid, such invalidity shall not effect any other provisions, or the application thereof, which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

**Section 4.** This Ordinance shall be in full force and effective March 15, 2023. A summary of this Ordinance may be published in lieu of publishing the Ordinance in its entirety.

Introduced, passed and approved this 28<sup>th</sup> day of February 2023.

A handwritten signature in blue ink, appearing to read 'Beau Burkett', written over a horizontal line.

Beau Burkett, Mayor

ATTEST:

A handwritten signature in blue ink, appearing to read 'Treva Percival', written over a horizontal line.

Treva Percival, City Clerk

APPROVED AS TO FORM:

A handwritten signature in dark ink, appearing to read "Phil Olbrechts", written over a horizontal line.

Phil Olbrechts, City Attorney

PUBLISHED: March 8, 2023

EFFECTIVE: March 13, 2023