



Burien
WASHINGTON

PLANNING COMMISSION AGENDA
August 14, 2012, 7:00 p.m.
Multipurpose Room/Council Chamber
Burien City Hall, 400 SW 152nd Street
Burien, Washington 98166

**This meeting can be watched live on Burien Cable Channel 21 or
streaming live and archived video on www.burienmedia.org**

1. ROLL CALL

2. AGENDA CONFIRMATION

3. PUBLIC COMMENT Public comment will be accepted on topics not scheduled for a public hearing.

4. APPROVAL OF MINUTES June 26, 2012

- 5. NEW BUSINESS**
- a. Election of Chair and Vice-Chair
 - b. Discussion of 2012 Comprehensive Plan Text Amendments: Historic Preservation and Community Character

6. OLD BUSINESS

**7. PLANNING COMMISSION
COMMUNICATIONS**

8. DIRECTOR'S REPORT

9. ADJOURNMENT

- Future Agendas (Tentative)** August 28, 2012
- Discussion of 2012 Comprehensive Plan Amendments: Natural Environment, SPA-2, maps and other unresolved items

- September 11, 2012
- Public hearing on 2012 Comprehensive Plan Amendments

Planning Commissioners

Greg Duff
Brooks Stanfield

Jim Clingan (Chair)
Ray Helms
Nancy Tosta (Vice Chair)

Joey Martinez
John Upthegrove

City of Burien

BURIEN PLANNING COMMISSION
June 26, 2012
7:00 p.m.
Multipurpose Room/Council Chambers
MINUTES

To hear the Planning Commission's full discussion of a specific topic or the complete meeting, the following resources are available:

- Watch the video-stream available on the City website, www.burienwa.gov
- Check out a DVD of the Council Meeting from the Burien Library
- Order a DVD of the meeting from the City Clerk, (206) 241-4647

CALL TO ORDER

Chair Jim Clingan called the June 26, 2012, meeting of the Burien Planning Commission to order at 7 p.m.

ROLL CALL

Present: Jim Clingan, Greg Duff, Ray Helms, Joey Martinez, Brooks Stanfield, Nancy Tosta, John Upthegrove

Absent: None

Administrative staff present: Scott Greenberg, Community Development Department director; David Johanson, senior planner

AGENDA CONFIRMATION

Direction/Action

Motion was made by Commissioner Stanfield, seconded by Commissioner Tosta, to approve the agenda for the June 26, 2012, meeting. Motion passed 7-0.

PUBLIC COMMENT

Robert Howell, 15240 20th Ave SW, asked that the Comprehensive Plan map be amended to designate the Lake Burien area low-density residential.

Chestine Edgar, 1811 SW 152nd St., asked that the Comprehensive Plan map be amended to designate the Lake Burien area low-density residential.

Don Warren, 15702 13th Ave SW, speaking on behalf of the Lake Burien Shore Club, asked that the language forbidding public access to the lake from the Ruth Dykeman Children's Center property remain in the Comprehensive Plan.

APPROVAL OF MINUTES

Direction/Action

Motion was made by Commissioner Stanfield, seconded by Commissioner Helms, and passed 7-0 to approve the minutes of the June 12, 2012, meeting.

NEW BUSINESS

Comprehensive Plan Text Amendments: Phasing and Natural Environment Discussion

Scott Greenberg introduced the topic of phasing and natural environment. He noted that the Comprehensive Plan update is the time to review and potentially modify the Comprehensive Plan policies by judging them against the current best available science. Mr. Greenberg said that FEMA adopted Burien's new flood zone maps a few days after The Watershed Company completed the City's best available science review report. He then distributed to the commissioners an addendum to the report incorporating the new flood zone maps and information. A gap analysis, dated June 2012 and included in the meeting packet, identified recommended changes to the Comprehensive Plan during this update and to a future update of the critical area regulations. Nell Lund and Mark Daniel of The Watershed Company did a brief presentation of the Best Available Science Review report and gap analysis.

The commissioners then reviewed the Comprehensive Plan draft plan phasing and natural environment goals and policies included in their packet.

Direction/Action

In the future, when using a chart to convey draft Comprehensive Plan goals and policies, if there is no change from the current goal/policy language to the proposed goal/policy language (but it is listed with a comment), staff will note "No change" in the proposed goal/policy language column instead of repeating the goal/policy.

OLD BUSINESS

2012 Comprehensive Plan Docket – Discussion and Recommendation

Scott Greenberg briefly reviewed the commission's June 12th discussion and summarized the options available to the commission regarding the proposed 2012 Comprehensive Plan docket.

Direction/Action

Commissioner Upthegrove had Chair Clingan read into the record a motion to include in the recommended 2012 Comprehensive Plan docket "a citizen-proposed amendment to the Comprehensive Plan Land Use Map and the results of any vote on the Motion will be forwarded to the Burien City Council." Commissioner Tosta seconded the motion. During discussion it was clarified that the motion referred to the citizen request to change the land use designation around Lake Burien to "low-density." The motion failed on a 4-3 vote, with Commissioners Clingan, Duff, Martinez and Stanfield voting no, and Commissioners Helms, Tosta and Upthegrove voting yes.

Commissioner Duff moved to reaffirm the Comprehensive Plan amendment docket adopted in Resolution 322. Commissioner Martinez seconded the motion. The motion carried on a 4-3 vote, with Commissioners Clingan, Duff, Martinez and Stanfield voting yes, and Commissioners Helms, Tosta and Upthegrove voting no.

Comprehensive Plan Text Amendments, Business and Industrial Goals and Policies, Discussion

David Johanson briefly reviewed the commission's June 12th discussion and the related memo included in this meeting's packet. There was discussion about issues for which he had requested clarification.

Direction/Action

Consensus was reached to leave Pol. SE 1.3 as is until further review at a later date.

PLANNING COMMISSION COMMUNICATIONS

Commissioner Upthegrove invited any commissioners who have not been on Lake Burien to visit him at home and he will show them the lake from his motorized barge.

Commissioner Helms reminded the commission about the Independence Day Parade in downtown Burien on July 4th and also advised pet owners to take precautions with their animals on the 4th.

Commissioner Stanfield recommended watching the July 4th bicycle race.

Commissioner Martinez said the Burien Bearcats football team is looking for kids to join the team.

DIRECTOR’S REPORT

Mr. Greenberg announced that Julie Brown has joined the city staff as a code specialist. He also asked the commissioners if they would be willing to cancel their July 10th meeting; they agreed. Election of chair and vice chair would be held at the July 24th meeting.

ADJOURNMENT

Direction/Action

Commissioner Helms moved for adjournment; Commissioner Martinez seconded. Motion carried 7-0. The meeting was adjourned at 9:17 p.m.

APPROVED: _____

Jim Clingan, chair
Planning Commission

DRAFT

CITY OF BURIEN, WASHINGTON MEMORANDUM

DATE: August 8, 2012

TO: Burien Planning Commission

FROM: Scott Greenberg, AICP, Community Development Director

SUBJECT: Comprehensive Plan Text Amendments:

- Historic Preservation, Community Character and Plan Implementation Goals and Policies.
- Review Schedule

PURPOSE

The purpose of this agenda item is to continue Planning Commission deliberations regarding comprehensive plan text updates. The focus of this meeting will be on historic preservation, community character and plan implementation goal and policy language. We have also provided a draft schedule for completing your work on the current larger package of amendments culminating in a recommendation to City Council.

BACKGROUND

The City of Burien adopted its first comprehensive plan in 1997 and in 2003 the city completed a major update to the plan in order for it to be consistent with updates to the Growth Management Act, regional planning and county planning documents. Generally since the adoption of the first plan in 1997 the city has been making annual amendments to the original version and those can be characterized as additive in nature.

This is the first opportunity for the Commission to review draft changes to the historic preservation, community character and plan implementation goals and policies.

ACTION

Staff is requesting that the Planning Commission review and discuss the proposed changes to the comprehensive plan text. If there is consensus on the proposed changes, the preliminary text amendments will be combined with the other amendment packages previously reviewed by the Commission. Formal action on the complete set of text and/or other changes would occur later in the year (see draft schedule below). It is our intent to create one full package of amendments for a formal recommendation by the Commission later in October.

DRAFT SCHEDULE

With only 4 months remaining in 2012, we are starting to combine the draft goals and policies previously reviewed by the Commission into a final package for public hearing, further Commission deliberation and recommendation to the City Council. Because these amendments are part of a larger Comprehensive Plan update process, action is not required in 2012. We are recommending adoption of the current amendment package this year, so a large portion of the update would be completed. That would provide an opportunity to complete the remaining elements in 2013 as well as move on to other planning-related work program items.

Planning Commission

8/28: Natural Environment, SPA-2, maps and other leftover items

9/11: Review entire amendment package and Public Hearing

9/25: Discussion on entire amendment package

10/9: Recommendation entire amendment package

City Council:

10/22: Study Session on N. Burien land use map designations and zoning.

11/5: Introduction of amendment package

11/19: Discussion of amendment package

12/3: Council action on amendment package

Attachments:

Comprehensive Plan-DRAFT Historic Preservation, Community Character and Plan Implementation Goals and Policies Table

COMPREHENSIVE PLAN
DRAFT HISTORIC PRESERVATION, COMMUNITY CHARACTER AND PLAN IMPLEMENTATION
GOALS AND POLICIES

August 8, 2012

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
Historic Preservation			
Goal HT.1	<i>Ensure that historic properties and sites are identified, protected from undue adverse impacts associated with incompatible land uses or transportation facilities, and protected from detrimental exterior noise levels.</i>	<i>Ensure that historic properties and sites are identified, protected from undue adverse impacts associated with incompatible land uses or transportation facilities, and protected from detrimental exterior noise levels.</i>	Related to past airport runway expansion issue.
Pol. HT 1.1	The City should protect local historic, archeological and cultural sites and structures through designation and incentives for the preservation of such properties.	The City should p Protect local historic, archeological and cultural sites and structures through designation and incentives for the preservation of such properties.	
	Historic properties and sites which exhibit one or more of the following characteristics may be designated by the City as locally significant historic resources: a. It is listed, or eligible for listing, in the National Register for Historic Places or the King County Inventory of Historic Places; b. It is associated with events that have made a significant contribution to the broad patterns of national, state, or local history; c. It is associated with the life of a person who is important in the history of the community, city, state, or nation or who is recognized by local citizens for substantial contribution to the neighborhood or community; d. It embodies the distinctive characteristics of a type, period, style or method of construction; e. It is an outstanding or significant work of an architect, builder, designer or developer who has made a substantial contribution to	Historic properties and sites which exhibit one or more of the following characteristics may be designated by the City as locally significant historic resources: a. It is listed, or eligible for listing, in the National Register for Historic Places or the King County Inventory of Historic Places; b. It is associated with events that have made a significant contribution to the broad patterns of national, state, or local history; c. It is associated with the life of a person who is important in the history of the community, city, state, or nation or who is recognized by local citizens for substantial contribution to the neighborhood or community; d. It embodies the distinctive characteristics of a type, period, style or method of construction; e. It is an outstanding or significant work of an architect, builder, designer or developer who has made a substantial contribution to	There are currently no designated sites in Burien. http://www.kingcounty.gov/property/historic-preservation.aspx The City is considering contracting with the King County Historic Preservation Program, which has more detailed criteria for landmark designation. Finally, designation criteria for historic resources are more appropriate in the Zoning Code rather than the Comp. Plan.

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
	<p>the profession;</p> <p>f. It has yielded, or may be likely to yield, information important in prehistory or history;</p> <p>g. Because of its location, age or scale, it is an easily identifiable visual feature and contributes to the distinctive quality or identity of the community or City;</p> <p>h. The property or site includes significant cultural facilities such as amphitheaters, museums, community centers, sports complexes, marinas, etc.</p> <p>Discussion: Using the above criteria, the City should be able to identify historic properties and sites as locally significant and worthy of protection from incompatible land uses and activities</p>	<p>the profession;</p> <p>f. It has yielded, or may be likely to yield, information important in prehistory or history;</p> <p>g. Because of its location, age or scale, it is an easily identifiable visual feature and contributes to the distinctive quality or identity of the community or City;</p> <p>h. The property or site includes significant cultural facilities such as amphitheaters, museums, community centers, sports complexes, marinas, etc.</p> <p>Discussion: Using the above criteria, the City should be able to identify historic properties and sites as locally significant and worthy of protection from incompatible land uses and activities</p>	
Pol. HT 1.3	The City shall consider the impacts of new development on historical resources as a part of its environmental review process and require any appropriate mitigation measures.	The City shall consider the impacts of new development on historical resources as a part of its environmental review process and require any appropriate mitigation measures.	There is a section regarding historic and cultural preservation in the SEPA checklist that is used to identify potential impacts.
Pol. HT 1.4	The City will take all reasonable actions within its means to preserve and protect locally significant historic properties and sites incompatible land uses.	The City will take all reasonable actions within its means to preserve and protect locally significant historic properties and sites <u>from</u> incompatible land uses.	
Pol. HT 1.5	In order to minimize adverse impacts related to noise, unless prohibited by federal or state law historic properties and sites of local significance should be protected from exterior noise exposure levels that exceed a Ldn of 55 dBA.	In order to minimize adverse impacts related to noise, unless prohibited by federal or state law historic properties and sites of local significance should be protected from exterior noise exposure levels that exceed a Ldn of 55 dBA.	No nexus between noise and preservation of historic properties.
Community Character			
Goal CC.1	<i>Create a balanced community by controlling and directing growth in a manner which enhances, rather than detracts from community quality and values.</i>	<i>Create a balanced community by eControlling and directing growth in a manner which enhances, rather than detracts from community quality and values.</i>	Proposed language is more direct.
Pol. CC 1.1	In its land use management decisions, the City shall seek to direct the rate and pattern of future growth, and support the type of developments that will further the goals of the Burien Vision and the comprehensive plan.	In its land use management decisions, the City shall seek to direct the rate and pattern of future growth, and support the type of developments that will further the goals of the Burien Vision and the comprehensive plan.	Covered by LU.1, LU 1.1, LU 1.2, LU 1.4, etc. The land use element is more specific.

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
Pol. CC 1.2	The impact of development proposals on community facilities, amenities and services, as well as the City's general quality of life, shall be studied under the provisions of city, state and federal regulations prior to development approval. As appropriate mitigation measures shall be required to ensure conformance with this Plan.	The impact of development proposals on community facilities, amenities and services, as well as the City's general quality of life, shall be studied under the provisions of city, state and federal regulations prior to development approval. As appropriate mitigation measures shall be required to ensure conformance with this Plan.	This is required and done regardless of having a policy.
Pol. CC 1.3	Cooperate with surrounding municipalities to enhance the consistency of development proposals with land use goals and policies of all jurisdictions, particularly with border jurisdictions. Discussion: The Burien Plan implements the Burien Vision by balancing the needs and desires of the community with the types and amount of growth that can be afforded. The plan should determine where growth should occur and limit growth in areas where there are constraints to development, such as areas containing critical areas, inadequate public facilities and services. The Burien Vision also includes the mitigation of impacts associated with future growth. (Amended, Ord. 445, 2005)	Cooperate with surrounding municipalities <u>jurisdictions</u> to enhance the consistency of development proposals with <u>their</u> land use goals and policies. of all jurisdictions, particularly with border jurisdictions. Discussion: The Burien Plan implements the Burien Vision by balancing the needs and desires of the community with the types and amount of growth that can be afforded. The plan should determine where growth should occur and limit growth in areas where there are constraints to development, such as areas containing critical areas, inadequate public facilities and services. The Burien Vision also includes the mitigation of impacts associated with future growth. (Amended, Ord. 445, 2005)	"Surrounding jurisdictions" is the same as "border jurisdictions". The Discussion section doesn't explain the policy.
Public Facilities			
Goal PF.1	<i>Ensure that development is served by adequate levels of public facilities and services that are necessary for development.</i>		
Pol. PF 1.1	Prior to permit approval new development must be coordinated with the provision of adopted levels of service for schools, water, transportation and parks.	Prior to permit approval new development must be coordinated comply with the provision of any adopted levels of service for schools, water, <u>fire protection, sewer, general government services,</u> transportation and parks. <u>If adequate facilities will be provided concurrently (as defined or funded and to be constructed within six years of development) the City may allow development to occur.</u>	Additional services listed to be consistent with GMA. New language incorporates text from PF 1.2 below.
Pol. PF 1.2	The City will allow new development to occur only when and where adequate facilities exist or will be provided concurrently (as defined or funded and to be constructed within six years of development) with new development.	The City will allow new development to occur only when and where adequate facilities exist or will be provided concurrently (as defined or funded and to be constructed within six years of development) with new development.	Combined with PF 1.1 above.
Land Use Plan Implementation			
Goal PI.1	<i>Implement the goals and policies of the land use plan through a variety of means and mechanisms which are coordinated and consistent.</i>		
Pol. PI 1.1	The Comprehensive Plan, development regulations, functional plans and		

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
	budgets should be mutually consistent and reinforce each other.		
Pol. PI 1.2	The City’s development regulations should be consistent with other City plans and activities, including other development requirements. Development regulations shall be clearly written and absent duplicative, uncoordinated or unclear requirements.	The City’s development regulations should be consistent with other City plans, and activities, including and other development requirements.	Two policy statements here, they should be separated.
NEW		Development regulations shall be clearly written and absent duplicative, uncoordinated or unclear requirements.	
Pol. PI 1.3	The development regulations should enable the City to use different types of conditional use permit processes, including administrative, appeal and hearing processes, based on the type of the use applied for and its impact on the community.	The development regulations should enable the City to use Provide for different types levels of conditional use permit review processes, including administrative, appeal and hearing processes, based on the type of the proposed use applied for and its degree of potential impacts on the community.	Our zoning code does not use the term “conditional use”. The review process should match the level or intensity of potential impacts.
Pol. PI 1.4	The land use map of the comprehensive plan shall provide general guidance for land use and zoning (Zoning Map P11).	The land use map of the comprehensive plan shall provide general guidance for land use and zoning (Zoning Map P11). Alternative Language: Burien’s development regulations and zoning map must be consistent with the future land use map (Map LU-1).	It should provide more than “general” guidance. They must be consistent. Should the alternative language be used?
Pol. PI 1.5	In deciding applications for amendments to the comprehensive plan, the City should consider the following: a. Consistency with the comprehensive plan policies and the designation criteria; b. Capability of the land; c. Capacity of public facilities and services and whether public facilities and services can be provided cost effectively (if publicly funded) at the intensity allowed by the designation; d. Whether the proposed use is compatible with nearby uses; e. The need for the land uses which would be allowed by the comprehensive plan change, and whether the change would result in the loss of the capacity to provide other needed land uses, such as housing; and	In deciding applications for amendments to the comprehensive plan, the City should consider the following: Amendments to the Comprehensive Plan shall comply with the following criteria, using the procedures established in the Zoning Code: a. Consistency with the comprehensive plan policies and the designation criteria <u>The proposed amendment is the best means for meeting an identified public need; and</u> b. Capability of the land; <u>The proposed amendment is consistent with the Growth Management Act, applicable Puget Sound Regional Council (PSRC) plans, King County Countywide Planning Policies and Burien Comprehensive Plan; and</u> c. Capacity of public facilities and services and whether public facilities and services can be provided cost effectively (if publicly funded) at the intensity allowed by the designation; <u>The proposed amendment will result in a net benefit to the community; and</u>	Align with new criteria that was adopted in section 19.65.095(6) Ord.560. The zoning code is more direct in its language and was thoroughly discussed by both the Planning Commission and City Council.

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
	<p>f. Whether there has been a change in circumstances that makes the proposed plan designation appropriate or whether the plan designation was the result of technical error.</p> <p>Discussion: The purpose of a comprehensive plan is to aid a community in making decisions about the future. While the future will bring change that the comprehensive plan cannot fully anticipate, the comprehensive plan can identify the factors that may need to be considered in addressing those changes. The above policies describe the role of these factors.</p>	<p>d. Whether the proposed use is compatible with nearby uses; The revised Comprehensive Plan will be internally consistent; and</p> <p>e. The need for the land uses which would be allowed by the comprehensive plan change, and whether the change would result in the loss of the capacity to provide other needed land uses, such as housing; and <u>The capability of the land can support the projected land use; and</u></p> <p>f. Whether there has been a change in circumstances that makes the proposed plan designation appropriate or whether the plan designation was the result of technical error. <u>Adequate public facility capacity to support the projected land use exists, or, can be provided by the property owner(s) requesting the amendment, or, can be cost-effectively provided by the City or other public agency; and</u></p> <p>g. <u>The proposed amendment will be compatible with nearby uses; and</u></p> <p>h. <u>The proposed amendment would not prevent the City from achieving its Growth Management Act population and employment targets; and</u></p> <p>i. <u>For a Comprehensive Plan land use map change, the applicable designation criteria for the proposed land use designation are met and either of the following is met:</u></p> <p style="padding-left: 20px;">i. <u>Conditions have changed since the property was given its present Comprehensive Plan designation so that the current designation is no longer appropriate; or,</u></p> <p style="padding-left: 20px;">ii. <u>The map change will correct a Comprehensive Plan designation that was inappropriate when established.</u></p> <p>Discussion: The purpose of a comprehensive plan is to aid a community in making decisions about the future. While the future will bring change that the comprehensive plan cannot fully anticipate, the comprehensive plan can identify the factors that may need to be considered in addressing those changes. The above policies describe the role of these factors.</p>	

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
<i>Land use Conflicts</i>			
Pol. PI 1.6	If there is a conflict between the comprehensive plan land use map and the land use designation policies, the land use designation policies control.		We are checking with the City Attorney on this policy.
Pol. PI 1.7	If there is a conflict between other maps found in this plan and the comprehensive plan land use map, the map that most specifically addresses the issue controls.		
Pol. PI 1.8	If there is a conflict between the land use designation policies and other policies, the policy that most specifically addresses the issue controls.		
Pol. PI 1.9	<p>Except as provided in policy PI 1.4, if there is a conflict between the comprehensive plan or the comprehensive plan land use map and the zoning ordinance including the zoning map, the comprehensive plan shall control.</p> <p><i>Discussion:</i> The comprehensive plan land use map is a generalized description of the land use policies. Decision-makers should refer to both the comprehensive plan land use map and the applicable land use policies.</p>		We are checking with the City Attorney on this policy.