



*Burien*  
WASHINGTON

**PLANNING COMMISSION AGENDA**

August 28, 2012, 7:00 p.m.

Multipurpose Room/Council Chamber  
Burien City Hall, 400 SW 152<sup>nd</sup> 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](http://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** August 14, 2012

**5. NEW BUSINESS** a. Discussion of Proposed Zoning Code Amendment—Protection and Preservation of Landmarks

**6. OLD BUSINESS** a. Discussion of 2012 Comprehensive Plan Land Use Element Amendments: Land Use, Residential, Business, Industrial, Special Planning Areas, Plan Phasing, Natural Environment, Historic Preservation, Community Character, Plan Implementation and Map Updates.

**7. PLANNING COMMISSION COMMUNICATIONS**

**8. DIRECTOR’S REPORT**

**9. ADJOURNMENT**

**Future Agendas (Tentative)** September 11, 2012  
• Public hearing on 2012 Comprehensive Plan Amendments  
• Public hearing on Zoning Code Amendment—Protection and Preservation of Landmarks

September 25, 2012  
• Discussion and recommendation--2012 Comprehensive Plan Amendments  
• Discussion and recommendation-- Zoning Code Amendment—Protection and Preservation of Landmarks

Planning Commissioners

Jim Clingan (Chair)

Ray Helms

Nancy Tosta (Vice Chair)

Greg Duff  
Brooks Stanfield

Joey Martinez  
John Uptegrove

*City of Burien*

BURIEN PLANNING COMMISSION  
August 14, 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](http://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 August 14, 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: David Johanson, senior planner; Chip Davis, senior planner

**AGENDA CONFIRMATION**

**Direction/Action**

**Motion** was made by Commissioner Tosta, seconded by Commissioner Helms, to approve the agenda for the August 14, 2012, meeting. Motion passed 7-0.

**PUBLIC COMMENT**

Cyndi Upthegrove, 1808 SW 156<sup>th</sup> St., spoke about the importance of working with the King County Historic Preservation staff while developing historic preservation goals and policies for the Comprehensive Plan.

**APPROVAL OF MINUTES**

**Direction/Action**

**Motion** was made by Commissioner Stanfield, seconded by Commissioner Martinez, and passed 7-0 to approve the minutes of the June 26, 2012, meeting.

**NEW BUSINESS**

*Election of Chair and Vice Chair*

Chair Clingan was elected chair for the 2012-2013 term by a vote of 7-0.

Nancy Tosta was elected vice chair for the 2012-2013 term by a vote of 7-0.

*Comprehensive Plan Text Amendments: Historic Preservation, Community Character and Plan Implementation Goals and Policies*

The commissioners discussed the appropriate place – Comprehensive Plan or Zoning Code – for historic designation criteria. There was discussion about the wisdom of sending portions of the proposed Comprehensive Plan update to the City Council instead of sending a complete package. There also was discussion about the merits of contracting with the King County Historic Preservation Program versus having city staff designate historic properties and sites.

**Direction/Action**

Consensus was reached that staff will proceed with the proposed edits to existing historic preservation, community character and plan implementation goals and policy language as presented in the commission’s meeting packet with the exception of Pol. PI 1.4, where the proposed alternative language will be used instead.

**OLD BUSINESS**

None.

**PLANNING COMMISSION COMMUNICATIONS**

Commissioner Stanfield reminded the commission that the second annual Pie Joust is Saturday, Aug. 18<sup>th</sup>, in Town Square Park.

Commissioner Helms noted that Thursday, Aug. 16<sup>th</sup>, is the last Music in the Park event at Lake Burien Park.

Commissioner Upthegrove gave a brief history of the Highline Historical Society.

Commissioner Martinez reported that the Burien Bearcats football program is still accepting kids wanting to participate. He said there will be a fund-raising car wash for the program on Sunday, Aug. 19<sup>th</sup>, at the Les Schwab store.

**DIRECTOR’S REPORT**

None.

**ADJOURNMENT**

**Direction/Action**

Commissioner Tosta moved for adjournment; Commissioner Duff seconded. Motion carried 7-0. The meeting was adjourned at 7:45 p.m.

**APPROVED:** \_\_\_\_\_

\_\_\_\_\_  
Jim Clingan, chair  
Planning Commission

# CITY OF BURIEN, WASHINGTON

## MEMORANDUM

**DATE:** August 16, 2012

**TO:** Burien Planning Commission

**FROM:** Scott Greenberg, AICP, Community Development Director

**SUBJECT:** Zoning Code Amendment—Preservation and Protection of Landmarks

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### **PURPOSE**

The purpose of this agenda item is for the Planning Commission to discuss a proposed Zoning Code Amendment related to the preservation and protection of landmarks. No action is requested at your August 28<sup>th</sup> meeting. A public hearing will be scheduled for your September 11<sup>th</sup> meeting.

### **BACKGROUND**

Recently, the City was approached by a resident seeking landmark designation for his property. Burien's Comprehensive Plan calls for historic properties and sites to be identified and protected. The Commission reviewed updates to these policies at your August 14<sup>th</sup> meeting. Our Zoning Code is inadequate to protect such resources and offers no incentives or process for designation and protection.

### **DISCUSSION**

#### **King County's Historic Preservation Program**

King County's Historic Preservation Program offers landmark designation and protection services to cities within King County through an interlocal agreement (ILA). The following 17 cities have signed the ILA with King County: Auburn, Black Diamond, Carnation, Des Moines, Issaquah, Kenmore, Kent, Kirkland, Maple Valley, Newcastle, North Bend, Redmond, Sammamish, Shoreline, Skykomish, Snoqualmie and Woodinville. A summary of the program is Attachment 1.

We will be recommending to the City Council that Burien join the County's program. One requirement to join is to adopt regulations and procedures that are substantially the same as the King County landmark ordinance (Attachment 2). Our proposed regulations and procedures would amend BMC 19.85, the existing Historic Preservation chapter in the Zoning Code (Attachment 3).

One benefit to the owner of a designated landmark is the number of available tax and other financial incentives. These are offered and run by other agencies, as described on Attachment 4.

#### **Proposed Code Amendments**

The following summarizes the proposed amendments to BMC 19.85:

- Title: Changed to "Protection and Preservation of Landmarks", to better reflect proposed regulations and procedures.
- 19.85.010--Purpose: Added a few words to better align with King County's code
- 19.85.020—City of Burien landmarks: Eliminated list of landmarks. These have never been officially designated as landmarks. Any future landmark designation would be made by the King County Landmarks Commission using the proposed procedures.

- 19.85.020—Limit on noise impacts: Duplicate section numbering (two with 19.85.020). This section is proposed for elimination. It was adopted prior to third runway operation to protect the listed properties from airport noise impacts.
- 19.85.030--Requirement for noise mitigation plan: This section is proposed for elimination. It was adopted prior to third runway operation to protect the listed properties from airport noise impacts.
- NEW 19.85.020—King County Code Chapter 20.62 adopted: This new section adopts a number of King County Code sections by reference. This is the primary connection with the King County regulations, designation criteria and procedures for designation.
- NEW 19.85.030—Landmarks Commission Created: This new section authorizes King County’s Landmarks Commission to act on behalf of the City of Burien. Of note is the requirement for the City Council to appoint a “special member” to the Landmarks Commission. This member serves as a voting member of the Commission on matters related to landmark designations and other issues relating to Burien.
- NEW 19.85.040—Review of building and related permits: This new section authorizes the City to consider comments from the King County Historic Preservation Officer when determining any required mitigation of adverse effects affecting historic resources.
- NEW 19.85.050—Appeal procedure: Allows appeal of a Landmarks Commission decision using the same procedure as a Type 1 appeal.

**Burien Comprehensive Plan Policies:**

The following Comprehensive Plan polices apply to historic preservation and landmark designation. There are two sets of policies—our existing policies and proposed amendments that the Commission reviewed at your last meeting. The proposed policies include a few additional edits for consistency with the proposed Zoning Code amendments.

Existing Policies:

***Goal HT.1 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.***

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.

Pol. HT 1.2 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 the profession;

- f. It has yielded, or may be likely to yield, information important in prehistory or history;
- 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;
- h. The property or site includes significant cultural facilities such as amphitheaters, museums, community centers, sports complexes, marinas, etc.

**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

Pol. HT1.3 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.

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.

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.

Proposed Policies:

***Goal HT.1 Ensure that historic properties and sites are identified, protected from undue adverse impacts associated with incompatible land uses or transportation facilities.***

Pol. HT.1.1 Protect local historic, archeological and cultural sites and structures through designation and incentives for the preservation of such properties.

Pol. HT 1.4 The City will take all reasonable actions within its means to preserve and protect locally significant historic ~~properties and sites~~ resources from incompatible land uses.

(Policies HT 1.2, HT 1.3 and HT 1.5 would be deleted)

Add new definition: Historic resource: A district, site, building, structure or object significant in national, state or local history, architecture, archeology, and culture.

**NEXT STEPS**

A public hearing on the proposed amendments has been scheduled for Sept. 11. Planning Commission recommendation to City Council could occur at that meeting or on Sept. 25.

**Attachments:**

- 1) Regional Historic Preservation Program
- 2) King County Code Chapter 20.62
- 3) Proposed Amendments to BMC 19.85
- 4) Incentive Programs for Landmark Owners



# King County

## Historic Preservation Program

Department of Natural Resources & Parks  
201 South Jackson Street, Suite 700 [MS: KSC-NR-0700]  
Seattle, WA 98104  
206.296-8689

### REGIONAL HISTORIC PRESERVATION PROGRAM

King County is working with cities throughout the county to provide landmark designation and protection services. This cooperative approach to preserving our region's history and character has many benefits:

- compliance with growth management requirements for historic preservation
- cost efficient delivery of professional services
- preservation and enhancement of significant aspects of local history
- protection and enhancement of key elements of community character
- access to incentives for property owners
- access to state and federal funding sources for preservation
- basis for tourism development programs

These services are provided through the County's Historic Preservation Program, located in the Department of Natural Resources and Parks, via an interlocal agreement between King County and the participating city. Services include, but are not limited to, designation and protection of significant historic and cultural properties. Additional services may include preparing nomination applications, conducting survey and inventory of historic properties and maintaining the inventory data, developing and implementing design guidelines, and assisting with preservation planning, or other preservation-related work, all of which are at the City's option.

The County is required by state law to receive full reimbursement for these services; however, grants from the State Department of Archaeology and Historic Preservation are available to defray much of the cost to cities.

One of the primary benefits of the program is that owners of designated landmark properties in the city are eligible to apply for a variety of incentive programs including property tax reductions, low interest loans, brick-and-mortar grants, and technical assistance from qualified preservation professionals.

To date, half of the cities in King County participate in the program. For more information contact Julie Koler, Preservation Officer at 206.296.8689 or by email at [julie.koler@kingcounty.gov](mailto:julie.koler@kingcounty.gov)

**20.54.110 Amendments to designations of King County agricultural districts or agricultural lands of county significance.**

A. Applications to amend boundaries of King County agricultural districts and agricultural lands of county significance to include lands not so designated by this chapter shall be made to the office of agriculture in writing with such supporting evidence as required by the office of agriculture. Boundaries of agricultural districts or agricultural lands of county significance may be amended where lands are found to meet the criteria for designation contained in this chapter.

B. All applications to revise the boundaries of King County agricultural districts shall be heard directly by the King County council.

C. All applications to revise the boundaries of agricultural lands of county significance shall be heard by the zoning and subdivision examiner in accordance with the procedures in King County Code Chapter 20.24.

D. For applications to revise the boundaries of agricultural lands of county significance, the hearing examiner may consider special exceptions to the criteria set forth in Attachment F\* and to the procedures set forth in King County Code Chapter 20.24 for those lands producing horticultural crops which the producer sells directly to the public through public markets, u-pick operations, and roadside stands. (Ord. 3064 § 11, 1977).

**20.54.120 Development of agricultural protection program.**

A. Agricultural land programs, and information for the purchase and trade of certain agricultural lands and other agricultural support programs, shall be developed in conjunction with agricultural district advisory committees as set forth in Ordinance 3074, and presented to the council by the King County office of agriculture as specified in Attachment G\*, which is incorporated by reference. The council intends that these programs shall be, to the fullest extent possible, implemented on a voluntary basis, based on the expressed interest of affected property owners.

B. The following criteria shall be considered in the development of priorities for the agricultural land program:

1. The criteria set forth on Attachment F\*;
2. Farmer-owned and operated agricultural land;
3. Farming activity on lands since 1970;
4. Lands producing horticultural crops which are sold directly by the producer to the public through public markets, u-pick operations, or roadside stands; and
5. Lands zoned in the agricultural zoning classifications. (Ord. 3064 § 12, 1977).

\*Available in the office of the clerk of the council.

**20.54.130 Duration.** Continued application of the provisions of Section 20.54.070 beyond eighteen months from February 10, 1977, shall require further council action by ordinance. Extension of the provisions of Section 20.54.070 or comparable provisions beyond such period shall not occur unless the agricultural land and support programs as set forth in Attachment G\* have been developed and approved by the council and the funding for such programs has been approved. (Ord. 3064 § 13, 1977).

\*Available in the office of the clerk of the council.

**20.62 PROTECTION AND PRESERVATION OF LANDMARKS, LANDMARK SITES AND DISTRICTS**

**Sections:**

- 20.62.010 Findings and declaration of purpose.
- 20.62.020 Definitions.
- 20.62.030 Landmarks commission created - membership and organization.
- 20.62.040 Designation criteria.
- 20.62.050 Nomination procedure.
- 20.62.070 Designation procedure.
- 20.62.080 Certificate of appropriateness procedure.
- 20.62.100 Evaluation of economic impact.
- 20.62.110 Appeal procedure.
- 20.62.120 Funding.
- 20.62.130 Penalty for violation of Section 20.62.080.
- 20.62.140 Special valuation for historic properties.
- 20.62.150 Historic Resources - review process.

**20.62.010 Findings and declaration of purpose.** The King County council finds that:

A. The protection, enhancement, perpetuation and use of buildings, sites, districts, structures and objects of historical, cultural, architectural, engineering, geographic, ethnic and archaeological significance located in King County, and the collection, preservation, exhibition and interpretation of historic and prehistoric materials, artifacts, records and information pertaining to historic preservation and archaeological resource management are necessary in the interest of the prosperity, civic pride and general welfare of the people of King County.

B. Such cultural and historic resources are a significant part of the heritage, education and economic base of King County, and the economic, cultural and aesthetic well-being of the county cannot be maintained or enhanced by disregarding its heritage and by allowing the unnecessary destruction or defacement of such resources.

C. Present heritage and preservation programs and activities are inadequate for insuring present and future generations of King County residents and visitors a genuine opportunity to appreciate and enjoy our heritage.

D. The purposes of this chapter are to:

1. Designate, preserve, protect, enhance and perpetuate those sites, buildings, districts, structures and objects which reflect significant elements of the county's, state's and nation's cultural, aesthetic, social, economic, political, architectural, ethnic, archaeological, engineering, historic and other heritage;

2. Foster civic pride in the beauty and accomplishments of the past;

3. Stabilize and improve the economic values and vitality of landmarks;

4. Protect and enhance the county's tourist industry by promoting heritage-related tourism;

5. Promote the continued use, exhibition and interpretation of significant historical or archaeological sites, districts, buildings, structures, objects, artifacts, materials and records for the education, inspiration and welfare of the people of King County;

6. Promote and continue incentives for ownership and utilization of landmarks;

7. Assist, encourage and provide incentives to public and private owners for preservation, restoration, rehabilitation and use of landmark buildings, sites, districts, structures and objects;

8. Assist, encourage and provide technical assistance to public agencies, public and private museums, archives and historic preservation associations and other organizations involved in historic preservation and archaeological resource management; and

9. Work cooperatively with all local jurisdictions to identify, evaluate, and protect historic resources in furtherance of the purposes of this chapter. (Ord. 14482 § 68, 2002: Ord. 10474 § 1, 1992: Ord. 4828 § 1, 1980).

**20.62.020 Definitions.** The following words and terms shall, when used in this chapter, be defined as follows unless a different meaning clearly appears from the context:

A. "Alteration" is any construction, demolition, removal, modification, excavation, restoration or remodeling of a landmark.

B. "Building" is a structure created to shelter any form of human activity, such as a house, barn, church, hotel or similar structure. Building may refer to an historically related complex, such as a courthouse and jail or a house and barn.

C. "Certificate of appropriateness" is written authorization issued by the commission or its designee permitting an alteration to a significant feature of a designated landmark.

D. "Commission" is the landmarks commission created by this chapter.

E. "Community landmark" is an historic resource which has been designated pursuant to K.C.C. 20.62.040 but which may be altered or changed without application for or approval of a certificate of appropriateness.

F. "Designation" is the act of the commission determining that an historic resource meets the criteria established by this chapter.

G. "Designation report" is a report issued by the commission after a public hearing setting forth its determination to designate a landmark and specifying the significant feature or features thereof.

H. "Director" is the director of the King County department of development and environmental services or his or her designee.

I. "District" is a geographically definable area, urban or rural, possessing a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united by past events or aesthetically by plan or physical development. A district may also comprise individual elements separated geographically but linked by association or history.

J. "Heritage" is a discipline relating to historic preservation and archaeology, history, ethnic history, traditional cultures and folklore.

K. "Historic preservation officer" is the King County historic preservation officer or his or her designee.

L. "Historic resource" is a district, site, building, structure or object significant in national, state or local history, architecture, archaeology, and culture.

M. "Historic resource inventory" is an organized compilation of information on historic resources considered to be significant according to the criteria listed in K.C.C. 20.62.040A. The historic resource inventory is kept on file by the historic preservation officer and is updated from time to time to include newly eligible resources and to reflect changes to resources.

N. "Incentives" are such compensation, rights or privileges or combination thereof, which the council, or other local, state or federal public body or agency, by virtue of applicable present or future legislation, may be authorized to grant to or obtain for the owner or owners of designated landmarks. Examples of economic incentives include but are not limited to tax relief, conditional use permits, rezoning, street vacation, planned unit development, transfer of development rights, facade easements, gifts, preferential leasing policies, private or public grants-in-aid, beneficial placement of public improvements, or amenities, or the like.

O. "Interested person of record" is any individual, corporation, partnership or association which notifies the commission or the council in writing of its interest in any matter before the commission.

P. "Landmark" is an historic resource designated as a landmark pursuant to K.C.C. 20.62.060.

Q. "Nomination" is a proposal that an historic resource be designated a landmark.

R. "Object" is a material thing of functional, aesthetic, cultural, historical, or scientific value that may be, by nature or design, movable yet related to a specific setting or environment.

S. "Owner" is a person having a fee simple interest, a substantial beneficial interest of record or a substantial beneficial interest known to the commission in an historic resource. Where the owner is a public agency or government, that agency shall specify the person or persons to receive notices under this chapter.

T. "Person" is any individual, partnership, corporation, group or association.

U. "Person in charge" is the person or persons in possession of a landmark including, but not limited to, a mortgagee or vendee in possession, an assignee of rents, a receiver, executor, trustee, lessee, tenant, agent, or any other person directly or indirectly in control of the landmark.

V. "Preliminary determination" is a decision of the commission determining that an historic resource which has been nominated for designation is of significant value and is likely to satisfy the criteria for designation.

W. "Significant feature" is any element of a landmark which the commission has designated pursuant to this chapter as of importance to the historic, architectural or archaeological value of the landmark.

X. "Site" is the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself maintains an historical or archaeological value regardless of the value of any existing structures.

Y. "Structure" is any functional construction made usually for purposes other than creating human shelter. (Ord. 14482 69, 2002: Ord. 11620 § 13, 1994: Ord. 10474 § 2, 1992: Ord. 4828 § 2, 1980).

#### **20.62.030 Landmarks commission created - membership and organization.**

A. There is created the King County landmarks commission which shall consist of nine regular members and special members selected as follows:

1. Of the nine regular members of the commission at least three shall be professionals who have experience in identification, evaluation, and protection of historic resources and have been selected from among the fields of history, architecture, architectural history, historic preservation, planning, cultural anthropology, archaeology, cultural geography, landscape architecture, American studies, law, or other historic preservation related disciplines. The nine regular members of the commission shall be appointed by the county executive, subject to confirmation by the council, provided that no more than four members shall reside within any one municipal jurisdiction. All regular members shall have a demonstrated interest and competence in historic preservation.

2. The county executive may solicit nominations for persons to serve as regular members of the commission from the Association of King County Historical Organizations, the American Institute of Architects (Seattle Chapter), the Seattle King County Bar Association, the Seattle Master Builders, the chambers of commerce, and other professional and civic organizations familiar with historic preservation.

3. One special member shall be appointed from each municipality within King County which has entered into an interlocal agreement with King County providing for the designation by the commission of

landmarks within such municipality in accordance with the terms of such interlocal agreement and this chapter. Each such appointment shall be in accordance with the enabling ordinance adopted by such municipality.

B. Appointments of regular members, except as provided in subsection C of this section, shall be made for a three-year term. Each regular member shall serve until his or her successor is duly appointed and confirmed. Appointments shall be effective on June 1st of each year. In the event of a vacancy, an appointment shall be made to fill the vacancy in the same manner and with the same qualifications as if at the beginning of the term, and the person appointed to fill the vacancy shall hold the position for the remainder of the unexpired term. Any member may be reappointed, but may not serve more than two consecutive three-year terms. A member shall be deemed to have served one full term if such member resigns at any time after appointment or if such member serves more than two years of an unexpired term. The members of the commission shall serve without compensation except for out-of-pocket expenses incurred in connection with commission meetings or programs.

C. After May 4, 1992, the term of office of members becomes effective on the date the council confirms the appointment of commission members and the county executive shall appoint or reappoint three members for a three-year term, three members for a two-year term, and three members for a one-year term. For purposes of the limitation on consecutive terms in subsection B of this section an appointment for a one- or a two-year term shall be deemed an appointment for an unexpired term.

D. The chair shall be a member of the commission and shall be elected annually by the regular commission members. The commission shall adopt, in accordance with K.C.C. chapter 2.98, rules and regulations, including procedures, consistent with this chapter. The members of the commission shall be governed by the King County code of ethics, K.C.C. chapter 3.04. The commission shall not conduct any public hearing required under this chapter until rules and regulations have been filed as required by K.C.C. chapter 2.98.

E. A special member of the commission shall be a voting member solely on matters before the commission involving the designation of landmarks within the municipality from which such special member was appointed.

F. A majority of the current appointed and confirmed members of the commission shall constitute a quorum for the transaction of business. A special member shall count as part of a quorum for the vote on any matter involving the designation or control of landmarks within the municipality from which such special member was appointed. All official actions of the commission shall require a majority vote of the members present and eligible to vote on the action voted upon. No member shall be eligible to vote upon any matter required by this chapter to be determined after a hearing unless that member has attended the hearing or familiarized him or herself with the record.

G. The commission may from time to time establish one or more committees to further the policies of the commission, each with such powers as may be lawfully delegated to it by the commission.

H. The county executive shall provide staff support to the commission and shall assign a professionally qualified county employee to serve as a full-time historic preservation officer. Under the direction of the commission, the historic preservation officer shall be the custodian of the commission's records. The historic preservation officer or his or her designee shall conduct official correspondence, assist in organizing the commission and organize and supervise the commission staff and the clerical and technical work of the commission to the extent required to administer this chapter.

I. The commission shall meet at least once each month for the purpose of considering and holding public hearings on nominations for designation and applications for certificates of appropriateness. Where no business is scheduled to come before the commission seven days before the scheduled monthly meeting, the chair of the commission may cancel the meeting. All meetings of the commission shall be open to the public. The commission shall keep minutes of its proceedings, showing the action of the commission upon each question, and shall keep records of all official actions taken by it, all of which shall be filed in the office of the historic preservation officer and shall be public records.

J. At all hearings before and meetings of the commission, all oral proceedings shall be electronically recorded. The proceedings may also be recorded by a court reporter if any interested person at his or her expense shall provide a court reporter for that purpose. A tape recorded copy of the electronic record of any hearing or part of a hearing shall be furnished to any person upon request and payment of the reasonable expense of the copy.

K. The commission is authorized, subject to the availability of funds for that purpose, to expend moneys to compensate experts, in whole or in part, to provide technical assistance to property owners in connection with requests for certificates of appropriateness upon a showing by the property owner that the need for the technical assistance imposes an unreasonable financial hardship on the property owner.

L. Commission records, maps or other information identifying the location of archaeological sites and potential sites shall be exempt from public disclosure as specified in RCW 42.17.310 in order to avoid

looting and depredation of the sites. (Ord. 14482 § 70, 2002: Ord. 10474 § 3, 1992: Ord. 10371 § 1, 1992: Ord. 4828 § 3, 1980).

#### **20.62.040 Designation criteria.**

A. An historic resource may be designated as a King County landmark if it is more than forty years old or, in the case of a landmark district, contains resources that are more than forty years old, and possesses integrity of location, design, setting, materials, workmanship, feeling and association, and:

1. Is associated with events that have made a significant contribution to the broad patterns of national, state or local history; or
2. Is associated with the lives of persons significant in national, state or local history; or
3. Embodies the distinctive characteristics of a type, period, style or method of design or construction, or that represents a significant and distinguishable entity whose components may lack individual distinction; or
4. Has yielded or may be likely to yield, information important in prehistory or history; or
5. Is an outstanding work of a designer or builder who has made a substantial contribution to the art.

B. An historic resource may be designated a community landmark because it is an easily identifiable visual feature of a neighborhood or the county and contributes to the distinctive quality or identity of such neighborhood or county or because of its association with significant historical events or historic themes, association with important or prominent persons in the community or county, or recognition by local citizens for substantial contribution to the neighborhood or community. An improvement or site qualifying for designation solely by virtue of satisfying criteria set out in this section shall be designated a community landmark and shall not be subject to the provisions of 20.62.080.

C. Cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past forty years shall not be considered eligible for designation. However, such a property shall be eligible for designation if they are:

1. An integral part of districts that meet the criteria set out in 20.62.040A or if it is:
2. A religious property deriving primary significance from architectural or artistic distinction or historical importance; or
3. A building or structure removed from its original location but which is significant primarily for its architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
4. A birthplace, grave or residence of a historical figure of outstanding importance if there is no other appropriate site or building directly associated with his or her productive life; or
5. A cemetery that derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
6. A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner or as part of a restoration master plan, and when no other building or structure with the same association has survived; or
7. A property commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance; or
8. A property achieving significance within the past forty years if it is of exceptional importance. (Ord. 10474 § 4, 1992: Ord. 4828 § 4, 1980).

#### **20.62.050 Nomination procedure.**

A. Any person, including the historic preservation officer and any member of the commission, may nominate an historic resource for designation as a landmark or community landmark. The procedures set forth in Sections 20.62.050 and 20.62.080 may be used to amend existing designations or to terminate an existing designation based on changes which affect the applicability of the criteria for designation set forth in Section 20.62.040. The nomination or designation of an historic resource as a landmark shall constitute nomination or designation of the land which is occupied by the historic resource unless the nomination provides otherwise. Nominations shall be made on official nomination forms provided by the historic preservation officer, shall be filed with the historic preservation officer, and shall include all data required by the commission.

B. Upon receipt by the historic preservation officer of any nomination for designation, the officer shall review the nomination, consult with the person or persons submitting the nomination, and the owner, and prepare any amendments to or additional information on the nomination deemed necessary by the officer. The historic preservation officer may refuse to accept any nomination for which inadequate information is

provided by the person or persons submitting the nomination. It is the responsibility of the person or persons submitting the nomination to perform such research as is necessary for consideration by the commission. The historic preservation officer may assume responsibility for gathering the required information or appoint an expert or experts to carry out this research in the interest of expediting the consideration.

C. When the historic preservation officer is satisfied that the nomination contains sufficient information and complies with the commission's regulations for nomination, the officer shall give notice in writing, certified mail/return receipt requested, to the owner of the property or object, to the person submitting the nomination and interested persons of record that a preliminary or a designation determination on the nomination will be made by the commission. The notice shall include:

1. The date, time, and place of hearing;
2. The address and description of the historic resource and the boundaries of the nominated resource;
3. A statement that, upon a designation or upon a preliminary determination of significance, the certificate of appropriateness procedure set out in Section 20.62.080 will apply;
4. A statement that, upon a designation or a preliminary determination of significance, no significant feature may be changed without first obtaining a certificate of appropriateness from the commission, whether or not a building or other permit is required. A copy of the provisions of Section 20.62.080 shall be included with the notice;
5. A statement that all proceedings to review the action of the commission at the hearing on a preliminary determination or a designation will be based on the record made at such hearing and that no further right to present evidence on the issue of preliminary determination or designation is afforded pursuant to this chapter.

D. The historic preservation officer shall, after mailing the notice required herein, refer the nomination and all supporting information to the commission for consideration on the date specified in the notice. No nomination shall be considered by the commission less than thirty nor more than forty five calendar days after notice setting the hearing date has been mailed except where the historic preservation officer or members of the commission have reason to believe that immediate action is necessary to prevent destruction, demolition or defacing of an historic resource, in which case the notice setting the hearing shall so state. (Ord. 10474 § 5, 1992; Ord. 4828 § 5, 1980).

#### **20.62.070 Designation procedure.**

A. The commission may approve, deny, amend or terminate the designation of a historic resource as a landmark or community landmark only after a public hearing. At the designation hearing the commission shall receive evidence and hear argument only on the issues of whether the historic resource meets the criteria for designation of landmarks or community landmarks as specified in K.C.C. 20.62.040 and merits designation as a landmark or community landmark; and the significant features of the landmark. The hearing may be continued from time to time at the discretion of the commission. If the hearing is continued, the commission may make a preliminary determination of significance if the commission determines, based on the record before it that the historic resource is of significant value and likely to satisfy the criteria for designation in K.C.C. 20.62.040. The preliminary determination shall be effective as of the date of the public hearing at which it is made. Where the commission makes a preliminary determination it shall specify the boundaries of the nominated resource, the significant features thereof and such other description of the historic resource as it deems appropriate. Within five working days after the commission has made a preliminary determination, the historic preservation officer shall file a written notice of the action with the director and mail copies of the notice, certified mail, return receipt requested, to the owner, the person submitting the nomination and interested persons of record. The notice shall include:

1. A copy of the commission's preliminary determination; and
2. A statement that while proceedings pursuant to this chapter are pending, or six months from the date of the notice, whichever is shorter, and thereafter if the designation is approved by the commission, the certificate of appropriateness procedures in K.C.C. 20.62.080, a copy of which shall be enclosed, shall apply to the described historic resource whether or not a building or other permit is required. The decision of the commission shall be made after the close of the public hearing or at the next regularly scheduled public meeting of the commission thereafter.

B. Whenever the commission approves the designation of a historic resource under consideration for designation as a landmark, it shall, within fourteen calendar days of the public meeting at which the decision is made, issue a written designation report, which shall include:

1. The boundaries of the nominated resource and such other description of the resource sufficient to identify its ownership and location;

2. The significant features and such other information concerning the historic resource as the commission deems appropriate;

3. Findings of fact and reasons supporting the designation with specific reference to the criteria for designation in K.C.C. 20.62.040; and

4. A statement that no significant feature may be changed, whether or not a building or other permit is required, without first obtaining a certificate of appropriateness from the commission in accordance with K.C.C. 20.62.080, a copy of which shall be included in the designation report. This subsection B.4. shall not apply to historic resources designated as community landmarks.

C. Whenever the commission rejects the nomination of a historic resource under consideration for designation as a landmark, it shall, within fourteen calendar days of the public meeting at which the decision is made, issue a written decision including findings of fact and reasons supporting its determination that the criteria in K.C.C. 20.62.040 have not been met. If a historic resource has been nominated as a landmark and the commission designates the historic resource as a community landmark, the designation shall be treated as a rejection of the nomination for King County landmark status and the foregoing requirement for a written decision shall apply. Nothing contained herein shall prevent renominating any historic resource rejected under this subsection as a King County landmark at a future time.

D. A copy of the commission's designation report or decision rejecting a nomination shall be delivered or mailed to the owner, to interested persons of record and the director within five working days after it is issued. If the commission rejects the nomination and it has made a preliminary determination of significance with respect to the nomination, it shall include in the notice to the director a statement that K.C.C. 20.62.080 no longer applies to the subject historic resources.

E. If the commission approves, or amends a landmark designation, K.C.C. 20.62.080 shall apply as approved or amended. A copy of the commission's designation report or designation amendment shall be recorded with the records and licensing services division, or its successor agency, together with a legal description of the designated resource and notification that K.C.C. 20.62.080 and 20.62.130 apply. If the commission terminates the designation of a historic resource, K.C.C. 20.62.080 shall no longer apply to the historic resource. (Ord. 15971 § 92, 2007: Ord. 14482 § 71, 2002: Ord. 14176 § 4, 2001: Ord. 11620 § 14, 1994: Ord. 10474 § 6, 1992: Ord. 4828 § 7, 1980).

#### **20.62.080 Certificate of appropriateness procedure.**

A. At any time after a designation report and notice has been filed with the director and for a period of six months after notice of a preliminary determination of significance has been mailed to the owner and filed with the director, a certificate of appropriateness must be obtained from the commission before any alterations may be made to the significant features of the landmark identified in the preliminary determination report or thereafter in the designation report. The designation report shall supersede the preliminary determination report. This requirement shall apply whether or not the proposed alteration also requires a building or other permit. The requirements of this section shall not apply to any historic resource located within incorporated cities or towns in King County, except as provided by applicable interlocal agreement.

B. Ordinary repairs and maintenance which do not alter the appearance of a significant feature and do not utilize substitute materials do not require a certificate of appropriateness. Repairs to or replacement of utility systems do not require a certificate of appropriateness provided that such work does not alter an exterior significant feature.

C. There shall be three types of certificates of appropriateness, as follows:

1. Type I, for restorations and major repairs which utilize in-kind materials.
2. Type II, for alterations in appearance, replacement of historic materials and new construction.
3. Type III, for demolition, moving and excavation of archaeological sites.

In addition, the commission shall establish and adopt an appeals process concerning Type I decisions made by the historic preservation officer with respect to the applications for certificates of appropriateness.

The historic preservation officer may approve Type I certificates of appropriateness administratively without public hearing, subject to procedures adopted by the commission. Alternatively the historic preservation officer may refer applications for Type I certificates of appropriateness to the commission for decision. The commission shall adopt an appeals procedure concerning Type I decisions made by the historic preservation officer.

Type II and III certificates of appropriateness shall be decided by the commission and the following general procedures shall apply to such commission actions:

1. Application for a certificate of appropriateness shall be made by filing an application for such certificate with the historic preservation officer on forms provided by the commission.

2. If an application is made to the director for a permit for any action which affects a landmark, the director shall promptly refer such application to the historic preservation officer, and such application shall be deemed an application for a certificate of appropriateness if accompanied by the additional information required to apply for such certificate. The director may continue to process such permit application, but shall not issue any such permit until the time has expired for filing with the director the notice of denial of a certificate of appropriateness or a certificate of appropriateness has been issued pursuant to this chapter.

3. After the commission has commenced proceedings for the consideration of any application for a certificate of appropriateness by giving notice of a hearing pursuant to subsection 3 of this section, no other application for the same or a similar alteration may be made until such proceedings and all administrative appeals therefrom pursuant to this chapter have been concluded.

4. Within forty five calendar days after the filing of an application for a certificate of appropriateness with the commission or the referral of an application to the commission by the director except those decided administratively by the historic preservation officer pursuant to subsection 2 of this section, the commission shall hold a public hearing thereon. The historic preservation officer shall mail notice of the hearing to the owner, the applicant, if the applicant is not the owner, and parties of record at the designation proceedings, not less than ten calendar days before the date of the hearing. No hearing shall be required if the commission, the owner and the applicant, if the applicant is not the owner, agree in writing to a stipulated certificate approving the requested alterations thereof. This agreement shall be ratified by the commission in a public meeting and reflected in the commission meeting minutes. If the commission grants a certificate of appropriateness, such certificate shall be issued forthwith and the historic preservation officer shall promptly file a copy of such certificate with the director.

5. If the commission denies the application for a certificate of appropriateness, in whole or in part, it shall so notify the owner, the person submitting the application and interested persons of record setting forth the reasons why approval of the application is not warranted.

D. The commission shall adopt such other supplementary procedures consistent with K.C.C. 2.98 as it determines are required to carry out the intent of this section. (Ord. 11620 § 15, 1994: Ord. 10474 § 7, 1992: Ord. 4828 § 8, 1980).

#### **20.62.100 Evaluation of economic impact.**

A. At the public hearing on any application for a Type II or Type III certificate of appropriateness, or Type I if referred to the commission by the historic preservation officer, the commission shall, when requested by the property owner, consider evidence of the economic impact on the owner of the denial or partial denial of a certificate. In no case may a certificate be denied, in whole or in part, when it is established that the denial or partial denial will, when available incentives are utilized, deprive the owner of a reasonable economic use of the landmark and there is no viable and reasonable alternative which would have less impact on the features of significance specified in the preliminary determination report or the designation report.

B. To prove the existence of a condition of unreasonable economic return, the applicant must establish and the commission must find, both of the following:

1. The landmark is incapable of earning a reasonable economic return without making the alterations proposed. This finding shall be made by considering and the applicant shall submit to the commission evidence establishing each of the following factors:

a. The current level of economic return on the landmark as considered in relation to the following:

(1) The amount paid for the landmark, the date of purchase, and party from whom purchased, including a description of the relationship, if any, between the owner and the person from whom the landmark was purchased;

(2) The annual gross and net income, if any, from the landmark for the previous five (5) years; itemized operating and maintenance expenses for the previous five (5) years; and depreciation deduction and annual cash flow before and after debt service, if any, during the same period;

(3) The remaining balance on any mortgage or other financing secured by the landmark and annual debt service, if any, during the prior five (5) years;

(4) Real estate taxes for the previous four (4) years and assessed value of the landmark according to the two (2) most recent assessed valuations;

(5) All appraisals obtained within the previous three (3) years by the owner in connection with the purchase, financing or ownership of the landmark;

(6) The fair market value of the landmark immediately prior to its designation and the fair market value of the landmark (in its protected status as a designated landmark) at the time the application is filed;

(7) Form of ownership or operation of the landmark, whether sole proprietorship, for profit or not-for-profit corporation, limited partnership, joint venture, or both;

(8) Any state or federal income tax returns on or relating to the landmark for the past two (2) years.

b. The landmark is not marketable or able to be sold when listed for sale or lease. The sale price asked, and offers received, if any, within the previous two (2) years, including testimony and relevant documents shall be submitted by the property owner. The following also shall be considered:

- (1) Any real estate broker or firm engaged to sell or lease the landmark;
- (2) Reasonableness of the price or lease sought by the owner;
- (3) Any advertisements placed for the sale or lease of the landmark.

c. The unfeasibility of alternative uses that can earn a reasonable economic return for the landmark as considered in relation to the following:

(1) A report from a licensed engineer or architect with experience in historic restoration or rehabilitation as to the structural soundness of the landmark and its suitability for restoration or rehabilitation;

(2) Estimates of the proposed cost of the proposed alteration and an estimate of any additional cost that would be incurred to comply with the recommendation and decision of the commission concerning the appropriateness of the proposed alteration;

(3) Estimated market value of the landmark in the current condition after completion of the proposed alteration; and, in the case of proposed demolition, after renovation of the landmark for continued use;

(4) In the case of proposed demolition, the testimony of an architect, developer, real estate consultant, appraiser or other real estate professional experienced in historic restoration or rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing landmark;

(5) The unfeasibility of new construction around, above, or below the historic resource.

d. Potential economic incentives and/or funding available to the owner through federal, state, county, city or private programs.

2. The owner has the present intent and the secured financial ability, demonstrated by appropriate documentary evidence to complete the alteration.

C. Notwithstanding the foregoing enumerated factors, the property owner may demonstrate other appropriate factors applicable to economic return.

D. Upon reasonable notice to the owner, the commission may appoint an expert or experts to provide advice and/or testimony concerning the value of the landmark, the availability of incentives and the economic impacts of approval, denial or partial denial of a certificate of appropriateness.

E. Any adverse economic impact caused intentionally or by willful neglect shall not constitute a basis for granting a certificate of appropriateness. (Ord. 10474 § 8, 1992: Ord. 4828 § 10, 1980).

#### **20.62.110 Appeal procedure.**

A. Any person aggrieved by a decision of the commission designating or rejecting a nomination for designation of a landmark or issuing or denying a certificate of appropriateness may, within thirty-five calendar days of mailing of notice of such designation or rejection of nomination, or of such issuance or denial or approval of a certificate of appropriateness appeal such decision in writing to the council. The written notice of appeal shall be filed with the historic preservation officer and the clerk of the council and shall be accompanied by a statement setting forth the grounds for the appeal, supporting documents, and argument.

B. If, after examination of the written appeal and the record, the council determines, that: 1. An error in fact may exist in the record, it shall remand the proceeding to the commission for reconsideration or, if the council determines that: 2. the decision of the commission is based on an error in judgment or conclusion, it may modify or reverse the decision of the commission.

C. The council's decision shall be based solely upon the record, provided that, the council may at its discretion publicly request additional information of the appellant, the commission or the historic preservation officer.

D. The council shall take final action on any appeal from a decision of the commission by adoption of an Ordinance, and when so doing, it shall make and enter findings of fact from the record and reasons therefrom which support its action. The council may adopt all or portions of the commission's findings and conclusions.

E. The action of the council sustaining, reversing, modifying or remanding a decision of the commission shall be final unless within twenty calendar days from the date of the action an aggrieved person obtains a writ of certiorari from the superior court of King County, state of Washington, for the purpose of review of the action taken. (Ord. 10474 § 9, 1992: Ord. 4828 § 11, 1980).

#### **20.62.120 Funding.**

A. The commission shall have the power to make and administer grants of funds received by it from private sources and from local, state and federal programs for purposes of:

1. Maintaining, purchasing or restoring historic resources located within King County which it deems significant pursuant to the goals, objectives and criteria set forth in this chapter if such historic resources have been nominated or designated as landmarks pursuant to this chapter or have been designated as landmarks by municipalities within King County or by the State of Washington, or are listed on the National Historic Landmarks Register, the National Register of Historic Places; and

2. Developing and conducting programs relating to historic preservation and archaeological resource management. The commission shall establish rules and regulations consistent with K.C.C. chapter 2.98 governing procedures for applying for and awarding of grant moneys pursuant to this section.

B. The commission may, at the request of the historic preservation officer, review proposals submitted by county agencies to fund historic preservation and archaeological projects through the Housing and Community Development Act of 1974 (42 U.S.C. Secs. 5301 et seq.), the State and Local Fiscal Assistance Act of 1972 (31 U.S.C. Secs. 1221 et seq.) and other applicable local, state and federal funding programs. Upon review of such grant proposals, the commission may make recommendations to the county executive and county council concerning which proposals should be funded, the amount of the grants that should be awarded, the conditions that should be placed on the grant, and such other matters as the commission deems appropriate. The historic preservation officer shall keep the commission apprised of the status of grant proposals, deadlines for submission of proposals and the recipients of grant funds. (Ord. 14482 § 72, 2002: Ord. 10474 § 10, 1992: Ord. 4828 § 12, 1980).

**20.62.130 Penalty for violation of Section 20.62.080.** Any person violating or failing to comply with the provisions of Section 20.62.080 of this chapter shall incur a civil penalty of up to five hundred dollars per day and each day's violation or failure to comply shall constitute a separate offense; provided, however, that no penalty shall be imposed for any violation or failure to comply which occurs during the pendency of legal proceedings filed in any court challenging the validity of the provision or provisions of this chapter, as to which such violations or failure to comply is charged. (Ord. 4828 § 13, 1980).

**20.62.140 Special valuation for historic properties.**

A. There is hereby established and implemented a special valuation for historic properties as provided in chapter 84.26 RCW.

B. The King County landmarks commission is hereby designated as the local review board for the purposes related to chapter 84.26 RCW, and is authorized to perform all functions required by chapter 84.16 RCW and chapter 254-20 WAC.

C. All King County landmarks designated and protected under this chapter shall be eligible for special valuation in accordance with chapter 84.26 RCW. (Ord. 14482 § 73, 2002: Ord. 10474 § 12, 1992: Ord. 9237 §§ 1-3, 1989).

**20.62.150 Historic Resources - review process.**

A. King County shall not approve any development proposal or otherwise issue any authorization to alter, demolish, or relocate any historic resource identified in the King County Historic Resource Inventory, pursuant to the requirements of this chapter. The standards contained in K.C.C. 21A.12, Development Standards - Density and Dimensions and K.C.C. 21A.16, Development Standards - Landscaping and Water Use shall be expanded, when necessary, to preserve the aesthetic, visual and historic integrity of the historic resource from the impacts of development on adjacent properties.

B. Upon receipt of an application for a development proposal located on or adjacent to a historic resource listed in the King County Historic Resource Inventory, the director shall follow the following procedure:

1. The development proposal application shall be circulated to the King County historic preservation officer for comment on the impact of the project on historic resources and for recommendation on mitigation. This includes all permits for alterations to historic buildings, alteration to landscape elements, new construction on the same or abutting lots, or any other action requiring a permit which might affect the historic character of the resource. Information required for a complete permit application to be circulated to the historic preservation officer shall include:

- a. a vicinity map;
- b. a site plan showing the location of all buildings, structures, and landscape features;
- c. a brief description of the proposed project together with architectural drawings showing the existing condition of all buildings, structures, landscape features and any proposed alteration to them;
- d. photographs of all buildings, structures, or landscape features on the site; and

e. an environmental checklist, except where categorically exempt under King County SEPA guidelines.

2. Upon request, the historic preservation officer shall provide information about available grant assistance and tax incentives for historic preservation. The officer may also provide the owner, developer, or other interested party with examples of comparable projects where historic resources have been restored or rehabilitated.

3. In the event of a conflict between the development proposal and preservation of an historic resource, the historic preservation officer shall:

a. suggest appropriate alternatives to the owner/developer which achieve the goals of historic preservation.

b. recommend approval, or approval with conditions to the director of the department of development and environmental services; or

c. propose that a resource be nominated for county landmark designation according to procedures established in the landmarks preservation ordinance (K.C.C. 20.62).

4. The director may continue to process the development proposal application, but shall not issue any development permits or issue a SEPA threshold determination until receiving a recommendation from the historic preservation officer. In no event shall review of the proposal by the historic preservation officer delay permit processing beyond any period required by law. Permit applications for changes to landmark properties shall not be considered complete unless accompanied by a certificate of appropriateness pursuant to K.C.C. 20.62.080.

5. On known archaeological sites, before any disturbance of the site, including, but not limited to test boring, site clearing, construction, grading or revegetation, the State Office of Archaeology and Historic Preservation (OAHP), and the King County historic preservation officer, and appropriate Native American tribal organizations must be notified and state permits obtained, if required by law. The officer may require that a professional archaeological survey be conducted to identify site boundaries, resources and mitigation alternatives prior to any site disturbance and that a technical report be provided to the officer, OAHP and appropriate tribal organizations. The officer may approve, disapprove or require permits conditions, including professional archeological surveys, to mitigate adverse impacts to known archeological sites.

C. Upon receipt of an application for a development proposal which affects a King County landmark or an historic resource that has received a preliminary determination of significance as defined by K.C.C. 20.62.020V, the application circulated to the King County historic preservation officer shall be deemed an application for a certificate of appropriateness pursuant to K.C.C. 20.62.080 if accompanied by the additional information required to apply for such certificate. (Ord. 11620 § 12, 1994).

**20.62.160 Administrative rules.** The director may promulgate administrative rules and regulations pursuant to K.C.C. 2.98, to implement the provisions and requirements of this chapter. (Ord. 11620 § 16, 1994).

## 19.85 Historic Preservation Protection and Preservation of Landmarks

- 19.85.010 Purpose.  
19.85.020 ~~City of Burien Landmarks—King County Code Chapter 20.62 Adopted.~~  
~~19.85.020 Limit On Noise Impacts to Significant Sites, Districts, Buildings, Structures, and Objects.~~  
19.85.030 ~~Requirement For Noise Mitigation Plan.~~ Landmarks Commission Created—Membership and Organization  
19.85.040 Review of Building and Related Permits.  
19.85.050 Appeal Procedure.

### **19.85.010 Purpose.**

The purposes of this chapter are to:

1. Designate ~~and~~, preserve, protect, enhance and perpetuate those sites, buildings, districts, structures and objects which reflect significant elements of the city of Burien's, the county's, the state's, and the nation's cultural, aesthetic, social, economic, political, architectural, ethnic, archaeological, engineering, historic, and other heritage;
2. Foster civic pride in the beauty and accomplishments of the past;
3. Stabilize and improve the economic values and vitality of landmarks;
4. Encourage, pProtect and enhance the city of Burien's tourist industry by promoting heritage-related tourism;
5. Promote the continued use, exhibition and interpretation of significant sites, districts, buildings, structures, and objects for the education, inspiration, and welfare of the people of the city of Burien;
6. Promote and continue incentives~~s~~ for ownership and utilization of landmarks;
7. Assist, encourage and provide incentives~~s~~ to public and private owners for preservation, restoration, rehabilitation, and use of landmark buildings, sites, districts, structures, and objects;
8. Work cooperatively with other jurisdictions to identify, evaluate, and protect historic resources in furtherance of the purposes of this chapter. [Ord. 545 § 1, 2010, Ord. 130 § 1, 1995]

### ~~19.85.020 City of Burien landmarks.~~

~~The following is a list of currently identified significant sites, districts, buildings, structures, and objects within the city of Burien.~~

- ~~1. Highline High School, 251 SW 152nd Street;~~
- ~~2. Sunnydale School, 15631 8th Avenue South;~~
- ~~3. Subdivision 44, 7th Avenue South, 128th Street to S. 132nd Street;~~

- ~~4. Brick Commercial Structure, 658 S. 152nd Street;~~
- ~~5. Derion House, 505 S. 150th Street;~~
- ~~6. Dodd Homestead, 606 S. 140th Street;~~
- ~~7. Pacific Telephone Building, 14605 8th Avenue South;~~
- ~~8. Pollock House, 624 S. 152nd Street;~~
- ~~9. YMCA House, 17874 Des Moines Way South; and~~
- ~~10. Crosby House, 14628 8th Avenue South. [Ord. 545 § 1, 2010, Ord. 130 § 1, 1995]~~

~~**19.85.020 — Limit on noise impacts to significant sites, districts, buildings, structures, and objects.**~~

~~Significant sites, districts, buildings, structures, and objects shall not be subject to adverse land uses which generate exterior noise exposure levels exceeding 55 dbA Ldn. [Ord. 545 § 1, 2010, Ord. 130 § 1, 1995]~~

~~**19.85.030 — Requirement for noise mitigation plan.**~~

~~Proponents of projects which will increase exterior noise levels to which significant sites, districts, buildings, structures, and objects are exposed above an Ldn of 55 dbA must submit a noise mitigation plan to the city of Burien department of community development for review and approval before required permits are issued to allow the project to proceed. The city manager, with the assistance of the director of the department of community development, is authorized and directed to develop criteria for such review and approval. Such criteria shall be available in writing to applicants and shall, at minimum, require that the best available technology be employed to achieve no more than the maximum allowable noise standard set forth in this section. [Ord. 545 § 1, 2010, Ord. 130 § 1, 1995]~~

~~**19.85.020 King County Code Chapter 20.62 adopted.**~~

~~The following sections of Chapter 20.62 King County Code (KCC) are incorporated by reference herein and made a part of this chapter:~~

- ~~1. K.C.C. 20.62.020 – Definitions, except as follows:
  - ~~A. Paragraph H. is changed to read ““Director” is the director of the City of Burien Department of Community Development or his/her designee.”~~
  - ~~B. Add paragraph: Z. “Council” is the City of Burien City Council.~~~~
- ~~2. K.C.C. 20.62.040 - Designation Criteria, except all references to "King County" are changed to read “City of Burien.”~~
- ~~3. K.C.C. 20.62.050 - Nomination Procedure.~~

4. K.C.C. 20.62.070 - Designation Procedure, except all references to "King County" are changed to read "City of Burien."
5. K.C.C. 20.62.080 - Certificate of Appropriateness Procedure, except the last sentence of paragraph A thereof.
6. K.C.C. 20.62.100 - Evaluation of Economic Impact.
7. K.C.C. 20.62.130 - Penalty for Violation of Section 20.62.080 (Paragraph 5. above).
8. K.C.C. 20.62.140 - Special Valuation for Historic Properties
9. Permit applications for changes to landmark properties shall not be considered complete unless accompanied by a certificate of appropriateness pursuant to Section 5 above. Upon receipt of an application for a development proposal, which affects a King County landmark or an historic resource that has received a preliminary determination of significance as defined in Section 1 above, the application circulated to the King County historic preservation officer shall be deemed an application for a certificate of appropriateness pursuant to Section 5 above, if accompanied by the additional information required to apply for such certificate.

#### **19.85.030 Landmarks Commission Created—Membership and Organization.**

1. The King County Landmarks Commission ("Commission"), established pursuant to King County Code (K.C.C.), Chapter 20.62, is hereby designated and empowered to act as the Landmarks Commission for the City of Burien pursuant to the provisions of this chapter.
2. The Special Member of the Commission, provided for in Section 20.62.030 of the King County Code, shall be appointed by the City Council. Such special member shall have a demonstrated interest and competence in historic preservation. Such appointment shall be made for a three-year term. Such special member shall serve until his or her successor is duly appointed and confirmed. In the event of a vacancy, an appointment shall be made to fill the vacancy in the same manner and with the same qualifications as if at the beginning of the term, and the person appointed to fill the vacancy shall hold the position for the remainder of the unexpired term. Such special member may be reappointed but may not serve more than two consecutive, three-year terms. Such special member shall be deemed to have served one full term, if such special member resigns at any time after appointment or if such special member serves more than two years of an unexpired term. The special member of the Commission shall serve without compensation.
3. The Commission shall file its rules and regulations, including procedures consistent with this chapter, with the City Clerk.

#### **19.85.040 Review of Building and Related Permits.**

The official responsible for the issuance of building and related permits shall promptly refer applications for permits which “affect” historic buildings, structures, objects, sites, districts, or archaeological sites to the King County Historic Preservation Officer (HPO) for review and comment. For the purposes of this section, “affect” shall be defined as an application for change to the actual structure, on a property with a landmark structure or designated as a landmark property, or on an adjacent property sharing a common boundary line. The responsible official shall seek and take into consideration the comments of the HPO regarding mitigation of any adverse effects affecting historic buildings, structures, objects, sites, or districts.

**19.85.050 Appeal procedure.**

1. A party of record aggrieved by a decision of the commission designating or rejecting a nomination for designation of a landmark, or issuing or denying a certificate of appropriateness may, appeal such decision pursuant to the procedures established for a Type 1 Decision in BMC 19.65.065.5 through 19.65.065.12.
2. If, after the appeal hearing, the hearing examiner determines:
  - A. An error in fact was made by the commission, the hearing examiner shall remand the proceeding to the commission for reconsideration; or
  - B. The decision of the commission is based on an error in judgment or conclusion, the hearing examiner may modify or reverse the decision of the commission.

# INCENTIVE PROGRAMS FOR LANDMARK OWNERS

*Technical Paper No. 16*



**King County**

Historic Preservation Program, Department of Natural Resources and Parks  
201 S. Jackson, Suite 700, Seattle, WA 98104, 206-296-8689  
TTY Relay: 711

## **Background**

A generous program of incentives balances the controls imposed by the King County Landmark Designation Program. The incentive programs currently available are described below. These programs have changed over time and will continue to change as tax and zoning laws evolve or new sources of grant funds become available. Individuals owning King County landmarks, owners of landmarks in the cities with which King County has interlocal agreements for landmarking services, or individuals who are considering designation are encouraged to contact the King County Historic Preservation Program at 206-296-8689 for updated information on incentive programs.

## **Special Valuation: A Local Tax Incentive Program for Rehabilitating Historic Buildings**

Special valuation subtracts eligible costs associated with the rehabilitation of historic properties (land value is not included) for up to ten years. The primary benefit of the program is that during the ten-year special valuation period, property taxes do not reflect substantial improvements made to the property. Prior to the passage of this law, owners rehabilitating historic buildings were subject to increased property taxes once the improvements were made. To be eligible, the property must have undergone an approved rehabilitation within two years prior to applying for special valuation, and the rehabilitation must be equal in cost to at least 25% of the assessed value of the improvement (excluding land value).

## **Current Use Taxation for Open Space**

Landmark property owners are eligible for tax relief through the Current Use Taxation (CUT) program (<http://www.kingcounty.gov/environment/stewardship/sustainable-building/resource-protection-incentives.aspx>). This program establishes a “current use” property tax assessment for qualifying property that is lower than the “highest and best use” assessment level that is applied to most land in the county. The reduction in taxable value ranges from 50% to 90% for the portion of the property in “current use.” Landmark property owners qualify for a 50% reduction in taxable value for the *land* buffers, special habitat, etc. – the percentage may be higher. Properties determined *eligible* for landmark designation may also qualify for this program if they include another eligible category.

For property to be entered in to the CUT program, either the potential for additional development or use must be present, or the owner must provide some form of public access or agree to other provisions in return for the tax reduction. Public access is encouraged, however, access is not required particularly when visitation could damage or endanger the resource (for example an archaeological site).

## **Landmark Loan Fund**

Low-interest loans are available to landmark property owners through programs administered jointly between the King County Historic Preservation Program and participating local banks. The

Landmarks Commission reviews proposed loan-funded projects for compliance with restoration and rehabilitation standards, while the banks focus on the financial eligibility of the borrower. Loans are available for the restoration or rehabilitation of privately owned residential and commercial properties.

### **Technical Assistance**

Owners of King County landmarks are eligible to receive a range of technical assistance services from the Landmarks Commission and staff. Primary among these is assistance from members of the Commission's Design Review Committee who review and approve all changes to designated features of significance of landmark properties. Included on this committee are architects and preservation specialists who can share both their technical knowledge and broad experience working with historic buildings. In addition, the Program maintains technical papers and has access to information on a wide range of historic preservation issues.

### **Investment Tax Credits**

The Tax Reform Act of 1986 authorizes owners of buildings listed in the National Register of Historic Places to take a 20% income tax credit on the cost of rehabilitating their buildings for industrial, commercial, or rental residential purposes. Many King County Landmarks are eligible for listing on the National Register. An owner investing in rehabilitation of a registered historic property will have credit against federal taxes. The Preservation Assistance Division of the National Park Service monitors this program, which is administered by the Washington State Department of Archaeology and Historic Preservation. For additional information contact Nicholas Vann at [Nicholas.Vann@dahp.wa.gov](mailto:Nicholas.Vann@dahp.wa.gov) or 360-586-3079.

### **Landmark Grant Programs**

4Culture, a King County-chartered public development authority, administers two grant programs to which landmark property owners are eligible to apply:

- *Cultural Facilities Program*  
A cultural organization (either arts or heritage) that owns or uses a King County Landmark is eligible to apply to the Cultural Facilities Program for the purchase, restoration or rehabilitation of the building.
- *Landmark Stabilization and Rehabilitation Grants*  
In 2002, King County established an annual grant-in-aid program for the stabilization and rehabilitation of landmark properties. Individuals owning King County landmarks, or owners of landmarks in the cities with which King County has interlocal agreements for landmarking services are eligible to apply to this program.

Grant awards for both of these programs are made on a competitive basis. Funding decisions are made based on the criteria and priorities outline in the program guidelines. For additional information contact Flo Lentz at [flo.lentz@4culture.org](mailto:flo.lentz@4culture.org) or 206-296-8682.

**This information is available upon request in alternative formats for persons with disabilities at 206-296-7580 TTY.**

# CITY OF BURIEN, WASHINGTON

## MEMORANDUM

**DATE:** August 21, 2012

**TO:** Burien Planning Commission

**FROM:** Scott Greenberg, AICP, Community Development Director  
David Johanson, AICP, Senior Planner

**SUBJECT:** Comprehensive Plan Text Amendments:

- Discussion and direction on remaining
- for public hearing documents

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### 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 reviewing the outstanding issues raised during the review of the text edits and to prepare a public hearing document for a hearing scheduled for September 11, 2012.

### 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 second review of the proposed text edits to the Comprehensive Plan. The Commission has discussed and came to a general consensus on many of the proposed edits, however there were a number of proposed edits that either the commission requested staff to propose alternatives or provide more information.

### ACTION

Staff is requesting that the Planning Commission review and discuss the remaining items as shown in the editing tables. This is not the final recommendation to the City Council rather it is Commission providing direction for the public hearing document.

- The items shaded in **GREEN** – are items where the Planning Commission discussed the specific goal or policy came to a consensus on the proposed changes.
- The items shaded in **YELLOW** – are items where staff needs direction on what edits to include in the public hearing draft.
- Please also review the maps that correspond to these sections.

Formal action on the complete set of text and/or other changes would occur following the public hearing scheduled for September 11, 2012.

## **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 the 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 however staff is 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. It also is beneficial in that it allows a higher degree of certainty on the edits that have agreed to. One example where certainty is vital is the changes to the land use designation criteria. It allows the citizens as well as the city to apply a more coordinated set of criteria while ensuring that changes to the land uses are implemented in a timely manner.

### **Planning Commission:**

9/11: Public Hearings on 2012 Comprehensive Plan amendment package and Historic Preservation Zoning Code amendments.

9/25:

- Discussion and possible recommendation on 2012 Comprehensive Plan amendment package
- Discussion and recommendation on Historic Preservation Zoning Code amendments.

10/9: (if needed) Recommendation on 2012 Comprehensive Plan amendment package and Historic Preservation Zoning Code amendments.

### **Attachments:**

1. DRAFT Land use and Residential Goals and Policies
2. DRAFT Business and Industrial Goals and Policies
3. DRAFT Plan Phasing and Natural Environment Goals and Policies
4. DRAFT Historic Preservation, Community Character and Plan Implementation Goals and Policies
5. MAPS – Figure 2-SE1 - Special Planning Areas, Figure 2LU-1.11 – Urban Center Boundary, Figure 2-EV1-Sensitive/Critical Areas, Figure X.X Commercial Nodes

# COMPREHENSIVE PLAN—DRAFT LAND USE AND RESIDENTIAL GOALS AND POLICIES

August 20, 2012

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
NEW		<p><b>Introduction:</b>  <u>This element [land use] of the comprehensive plan contains land use designation criteria that are to be used to evaluate proposed changes to the land use designation map (LU-1). The city recognizes the existing land use pattern as identified on the map. The land use designation criteria are to be applied in the consideration of future map amendments and not retroactively.</u></p>	Add to the end of Section 2.1, Introduction.
Goal LU.1	<p><i>Establish a development pattern that is true to the vision for Burien by supporting the neighborhoods and preserving the character of the well-established neighborhoods as defined by the Neighborhood Plans, enhancing the attractiveness and vitality of the downtown core, and preserving the City’s small town character.</i></p>	<p><i>Establish a development pattern that is true to the vision for Burien by supporting the neighborhoods and preserving the character of the well-established neighborhoods as defined by the Neighborhood Plans, enhancing the attractiveness and vitality of the downtown core, and preserving the City’s small town character.</i></p> <p><u><i>Discussion:</i> Land use in Burien should remain primarily residential, with the majority of non-residential development concentrated in the regional growth center, in appropriate areas along First Avenue South, Ambaum Boulevard SW, Boulevard Park and the North East Redevelopment Area.</u></p>	No change to goal. New discussion is based on Pol. LU 1.2.
Pol. LU 1.1	<p>The Future Land Use Map adopted in this plan establishes the future distribution, extent and location of generalized land uses within Burien. Uses of land in Burien should reflect the intent of the goals and policies as well as the land use map.</p> <p><b><i>Discussion:</i></b> Map LU-1 (enclosed) illustrates the proposed future land use for the City of Burien. Critical areas are not shown on the future land use map, but may occur within each category. These areas are subject to special regulations and special conditions found in the City’s Critical Areas Ordinance and generally depicted on the city’s Environmentally Critical Areas Map. Full</p>	<p>Pol. LU 1.1 <u>Map LU-1 illustrates the future distribution and location of generalized land uses within Burien.</u> <del>The Future Land Use Map adopted in this plan establishes the future distribution, extent and location of generalized land uses within Burien. Uses of land in Burien should reflect the intent of the goals and policies as well as the land use map.</del></p> <p><b><i>Discussion:</i></b> <del>Map LU 1 (enclosed) illustrates the proposed future land use for the City of Burien. Critical areas are not shown on the future land use map, but may occur within each category. These areas are</del></p>	Revised policy is self-explanatory. Discussion references critical area regulations, which apply to critical areas whether or not they are mentioned in a discussion section.

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
	development potential may not be achieved in these areas.	<del>subject to special regulations and special conditions found in the City's Critical Areas Ordinance and generally depicted on the city's Environmentally Critical Areas Map. Full development potential may not be achieved in these areas.</del>	
Pol. LU 1.2	Land use in Burien should remain primarily residential, with the majority of non-residential development concentrated in the downtown core, in appropriate areas along First Avenue South and Ambaum Boulevard SW, and in specified areas in the northeast.	<del>Land use in Burien should remain primarily residential, with the majority of non-residential development concentrated in the downtown core, in appropriate areas along First Avenue South and Ambaum Boulevard SW, and in specified areas in the northeast.</del>	Moved (and edited) for discussion of Goal LU.1.
Pol. LU 1.3	<p>The general character of existing and future development and capital facility improvements shall correspond to the areas depicted on Map LU-2.</p> <p><i>Discussion:</i> Figure 2 LU-2 depicts the areas generally designated as high, medium, and low (steep slopes) densities. Policies in the land use, transportation and capital facilities elements contain standards for development and improvements in these areas. (Amended, Ord. 445, 2005)</p>	<p><del>The general character of existing and future development and capital facility improvements shall correspond to the areas depicted on Map LU-2.</del></p> <p><del><i>Discussion:</i> Figure 2 LU-2 depicts the areas generally designated as high, medium, and low (steep slopes) densities. Policies in the land use, transportation and capital facilities elements contain standards for development and improvements in these areas. (Amended, Ord. 445, 2005)</del></p>	The map was a valuable way to think about planning Burien in the mid-'90'. But it no longer provides direction since our land use designations have been established, critical area regs adopted and our zoning code is current. However, the map itself needs to remain in the Comp. Plan since it is referenced in the SMP and EV 1.6 (see Pol. RE-1.5 below for the reference).
Pol. LU 1.4	The City should encourage a mix of residential, office and commercial uses within Burien's downtown area to create a vibrant city center that, reduces reliance on the automobile, and provides a range of housing opportunities.	<del>The City should e</del> Encourage a mix of residential, office and commercial uses within Burien's <del>downtown area</del> <u>regional growth center</u> to create a vibrant city center that reduces reliance on the automobile and provides a range of housing opportunities.	Recognizes establishment of regional growth center, including the downtown.
Pol. LU 1.5	Burien should strive to expand its economic base by attracting the types of economic activities which best meet the needs and desires of the community, while protecting well-established residential areas from encroachment by non-residential uses.	<del>Burien should strive to e</del> Expand its <del>Burien's</del> economic base by attracting the types of economic activities <del>which that</del> best meet the needs and desires of the community, while protecting well-established residential areas from encroachment by <u>inappropriate</u> non-residential uses.	Residential areas often have acceptable non-residential uses such as schools, churches, home occupations, etc.
Pol. LU 1.6	The City will ensure that infill development is compatible with the character,	<u>Encourage</u> <del>The City will ensure that infill redevelopment and</del>	The existing policy is regulatory in

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
	scale and design of surrounding development. The City will encourage infill projects when and where the conditions for development are met.	development <del>of underutilized and vacant land to be</del> is-compatible with the <u>appropriate</u> character, scale and design of surrounding development. <del>The City will encourage infill projects when and where the conditions for development are met.</del>	nature. Proposed edits focus more on the policy aspects of infill development and compatibility.
Pol. LU 1.7	The city will strive to ensure that basic community values are reflected in the City's land use and decision making processes, while recognizing the rights of individuals to use and develop private property in a manner consistent with City regulations.	<i>Alternate Language(Tosta): The City should reflect the vision of Burien in its land use and decision-making processes, while recognizing the rights of individuals to use and develop private property in a manner consistent with City regulations.</i>	SMP Policy. <i>Staff agrees with the proposed language however recommends that no changes be made in order to maintain consistency between the two documents. It was agreed changes to the SMP currently under consideration would be limited to the four areas of disagreement between Burien and DOE.</i> <b>PLANNING COMMISSION CONSENSUS</b>
Pol. LU 1.9	The City is aware that under the Growth Management Act the City may not preclude the siting of the third runway if the runway is determined by the courts to be an “essential public facility.” The City also notes that the Growth Management Act, the Central Puget Sound Growth Management Hearings Board, the Countywide Planning Policies, the State Environmental Policy Act and other policies, laws and regulations authorize that there be appropriate and reasonable mitigation for communities and elements of the environment adversely impacted by the siting of an essential public facility. Under certain circumstances, permit applications can be conditioned or denied if significant adverse environmental impacts are not mitigated. If the third runway is constructed, significant adverse impacts should be mitigated to the maximum extent allowed by law.	<del>The City is aware that under the Growth Management Act the City may not preclude the siting of the third runway if the runway is determined by the courts to be an “essential public facility.” The City also notes that the Growth Management Act, the Central Puget Sound Growth Management Hearings Board, the Countywide Planning Policies, the State Environmental Policy Act and other policies, laws and regulations authorize that there be appropriate and reasonable mitigation for communities and elements of the environment adversely impacted by the siting of an essential public facility. Under certain circumstances, permit applications can be conditioned or denied if significant adverse environmental impacts are not mitigated. If the third runway is constructed, significant adverse impacts should be mitigated to the maximum extent allowed by law.</del>	No longer necessary.
Pol. LU 1.11	The City of Burien designates downtown Burien and its surrounding residential	<del>The City of Burien designates d</del> Downtown Burien and its surrounding	Policy updated to reflect

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
	<p>and employment areas as an urban center in accordance with the King County Countywide Planning Policies. The boundaries of the urban center are shown on Figure 2-LU1.11</p> <p><i>Discussion:</i> The Countywide Planning Policies support development of Urban Centers to meet the region’s needs for housing, jobs services, culture and recreation. An Urban Center is characterized by defined boundaries; a broad array of daytime and nighttime land uses that are transit-supportive; pedestrian emphasis, superior urban design, limitations on single-occupancy vehicles, public open space and recreational opportunities. The Burien Urban Center has these characteristics. The Urban Center designation recognizes existing city policy supportive of compact mixed-use development. The designation will assist the city to obtain funding for transportation improvements necessary to support the planned level of redevelopment.</p>	<p><del>residential and employment</del> areas as an urban <u>have been designated a regional growth center</u> in accordance with <u>Vision 2040</u> and the King County Countywide Planning Policies. The boundaries of the <del>urban</del> regional growth center are shown on <u>Figure 2-LU1.11 Map 1-1</u>.</p> <p><del><i>Discussion:</i> The Countywide Planning Policies support development of Urban Centers to meet the region’s needs for housing, jobs services, culture and recreation. An Urban Center is characterized by defined boundaries; a broad array of daytime and nighttime land uses that are transit-supportive; pedestrian emphasis, superior urban design, limitations on single-occupancy vehicles, public open space and recreational opportunities. The Burien Urban Center has these characteristics. The Urban Center designation recognizes existing city policy supportive of compact mixed-use development. The designation will assist the city to obtain funding for transportation improvements necessary to support the planned level of redevelopment.</del></p>	<p>terminology change and to recognize Vision 2040.</p> <p>Discussion not needed.</p>
<p>Goal LU.2 <b>(NEW)</b></p>		<p><u>Plan for a fair share of regional growth consistent with State and regional goals directing growth to urban areas.</u></p> <p><i>Alternate Language (Tosta): <u>Provide plan</u> for a fair share of regional growth consistent with State and regional goals directing growth to urban areas.</i></p>	<p>Inserted to recognize and be consistent with regional and County planning goals.</p> <p><i>Staff believes the term “plan” is the more appropriate word, as it describes the vast array of complexities associated with accommodating growth.</i></p> <p><b>PLANNING COMMISSION CONSENSUS</b></p>

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
Pol. LU 2.1 (NEW)		<u>Accommodate growth targets for the planning period ending in 2031 as shown in figure XX. These targets represent the city's commitment to implement appropriate zoning regulations and develop infrastructure to accommodate this level of growth; they are not a commitment that the market will deliver these numbers.</u>	Insert figure with the following numbers Existing Housing – 13,916 (source OFM) 2031 Housing Target – 4,440 Surplus Capacity – need to re-run capacity analysis to include North Burien. Existing Employment – 11,516 (PSRC) 2031 Employment Target – 4,960 Excess Employment Capacity - need to re-run capacity analysis to include North Burien.

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
<b>Residential Neighborhoods</b>			
Goal RE.1	<p><i>Provide a variety of attractive, well-designed housing choices that reinforce the character of the neighborhoods and meet the needs of existing and future City residents.</i></p>	<p><i>Provide a variety of attractive, well-designed housing choices that reinforce the character of the neighborhoods and meet the needs of existing and future City residents.</i></p> <p><u>Discussion:</u> Burien residents are fortunate to live in a special environment. Five miles of Puget Sound shoreline, steeply wooded slopes, salmon-bearing streams and wetlands help define Burien, but also create potential constraints on land use and development. This plan strives to balance protection of critical areas and the right to use one's property.</p> <p><u>The functions of critical areas can be protected through a lower level of residential density and by critical area regulations.</u></p> <p><u>Development and land use also may be constrained by deficiencies in the type or level of services necessary for urban development, such as transportation (streets and non-motorized facilities), sewer, storm drainage or water.</u></p> <p><u>In addition, lower density residential development is often more compatible with high levels of airport-related noise than higher density residential development. For example, the area east of SR-509 is subjected to high levels of airport-related noise, yet maintains good neighborhood quality. Applying lower density development potentials to such areas will help to preserve the existing quality of the neighborhoods and protect human health.</u></p> <p><i>Alternate language: Residential neighborhoods located on the easternmost edge of the city, adjacent to the airport experience high levels of airport-related noise. While the existing quality of the neighborhoods has remained, it is appropriate to discourage higher levels of residential density on noise-impacted properties.</i></p>	<p>Discussion added based on discussion under RE policies.</p> <p><i>Concern regarding the language relating to airport noise as it relates to residential neighborhoods.</i></p> <p><b>Proposed alternate language.</b> <b>PLANNING COMMISSION CONSENSUS</b></p>
Pol. RE 1.1	The planned densities in single family neighborhoods should match the land use	<del>The planned densities in single family neighborhoods should match</del>	Not needed. Map stands on its

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
	map.	<del>the land use map.</del>	own and reflects this concept.
Pol. RE 1.2	<p>The planned densities for single family development should encourage a lower development potential in areas with development constraints.</p> <p><b>Discussion:</b> Within the City, potential development constraints include, but are not limited to, critical areas, such as areas along the coastline that are susceptible to landslides, areas with wetlands or areas prone to flooding; areas with stormwater drainage problems; exposure to exterior noise levels that exceed an Ldn of 55 dBA; or deficiencies in the type or level of services necessary for urban development, such as transportation facilities (roadway and pedestrian), sewer, or water.</p>	<p>The planned densities for single family development should encourage a lower development potential in areas with development constraints.</p> <p><del><b>Discussion:</b> Within the City, potential development constraints include, but are not limited to, critical areas, such as areas along the coastline that are susceptible to landslides, areas with wetlands or areas prone to flooding; areas with stormwater drainage problems; exposure to exterior noise levels that exceed an Ldn of 55 dBA; or deficiencies in the type or level of services necessary for urban development, such as transportation facilities (roadway and pedestrian), sewer, or water.</del></p>	SMP Policy. Part of this discussion moved to Goal discussion. Rest of discussion not needed.
Pol. RE 1.3	Any existing single-family lot that was legally subdivided or legally created prior to enactment of subdivision statutes prior to incorporation or annexation shall be considered a legally conforming lot for building purposes, providing the size of the lot was not reduced by more than 50 percent through acquisition for public purposes, and on such lots new homes may be built and existing houses may be expanded and remodeled, provided that applicable setbacks, lot coverage, critical area restrictions, design review requirements (if any), height limits and other applicable regulations in the zoning code are met.		No change, SMP policy.
Pol. RE 1.4	When determining buildable lot size for residential development, the area of a lot covered by water (including but not limited to lakes or the Puget Sound) shall not be included in the calculation.		No change, SMP policy.
Pol. RE 1.5	The <i>Low Density Residential Neighborhood</i> designation will provide for low-	The <i>Low Density Residential Neighborhood</i> designation will provide	SMP policy.

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
	<p>density residential development. Development within this designation includes existing neighborhoods that are zoned for four units per acre or less.</p> <p><b>Discussion:</b> Portions of the City that contain critical areas are appropriate for a lower level of residential density to protect those critical areas from impact associated with higher density development. Lower density development is appropriate to protect the critical areas and those functions that they serve including but not limited to the natural habitat and promoting the overall public health, safety and welfare. In addition, lower density residential development is often more compatible with high levels of airport-related noise than higher density residential development. For example, currently within the city, the northeastern area is subjected to high levels of airport-related noise, yet maintains good neighborhood quality. Applying lower density development potentials to such areas will help to preserve the existing quality of the neighborhoods and protect critical areas. (Amended, Ord. 445, 2005)</p> <p><b>Allowed Uses and Description:</b> The <i>Low Density Residential Neighborhood</i> designation allows single family residential uses and their accessory uses at a density of 4 units per acre or less, due to the constraints posed by critical areas. This policy may be implemented by more than one zoning category, based on the ability of the land and public facilities to support development. Development standards, for such items as impervious surfaces, streetscapes, sidewalks and stormwater drainage, may vary within each zoning category based on the existing character of the area.</p> <p><b>Designation Criteria:</b> Properties designated <i>Low Density Residential Neighborhood</i> should reflect the following criteria:</p> <ol style="list-style-type: none"> <li>1. The area is already generally characterized by single family residential development at four units per acre or less; and</li> <li>2. Relative to other residential areas within the City, the area is characterized by lower intensity development as shown on Map LU-2.</li> <li>3. The land is designated as a potential landslide hazard area, steep slope area,</li> </ol>	<p>for low-density residential development. Development within this designation includes existing neighborhoods that are zoned for four units per acre or less.</p> <p><b>Discussion:</b> Portions of the City that contain critical areas are appropriate for a lower level of residential density to protect those critical areas from impact associated with higher density development. Lower density development is appropriate to protect the critical areas and those functions that they serve including but not limited to the natural habitat and promoting the overall public health, safety and welfare. <del>In addition, lower density residential development is often more compatible with high levels of airport-related noise than higher density residential development. For example, currently within the city, the northeastern area is subjected to high levels of airport-related noise, yet maintains good neighborhood quality.</del> Applying lower density development potentials to such areas will help to preserve the existing quality of the neighborhoods and protect critical areas. (Amended, Ord. 445, 2005)</p> <p><b>Allowed Uses and Description:</b> The <i>Low Density Residential Neighborhood</i> designation allows single family residential uses and their accessory uses at a density of 4 units per acre or less, due to the constraints posed by critical areas. This policy may be implemented by more than one zoning category, based on the ability of the land and public facilities to support development. Development standards, for such items as impervious surfaces, streetscapes, sidewalks and stormwater drainage, may vary within each zoning category based on the existing character of the area.</p> <p><b>Designation Criteria:</b> Properties designated <i>Low Density Residential Neighborhood</i> should reflect the following criteria:</p> <ol style="list-style-type: none"> <li>1. The area is already generally characterized by single family residential development at four units per acre or less; and</li> </ol>	<p><i>The Discussion section was not included in SMP.</i></p> <p><i>Staff recommends removal of language that confuses the issue of airport noise, critical areas and appropriate residential densities. See Goal RE.1 above for clarifying language regarding airport noise.</i></p> <p><b>PLANNING COMMISSION CONSENSUS</b></p>

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
	<p>or wetland on the City of Burien’s Critical Areas Map,</p> <p>4. The existing and planned public facilities for the area cannot adequately support a higher density.</p> <p>5. The area is subject to existing impacts from high levels of airport-related noise.</p>	<p>2. Relative to other residential areas within the City, the area is characterized by lower intensity development as shown on Map LU-2.</p> <p>3. The land is designated as a potential constrained by landslide hazard areas, steep slope area, or wetlands as shown on the City of Burien’s Critical Areas Map.</p> <p>4. The existing and planned public facilities for the area cannot adequately support a higher density.</p> <p>5. The area is subject to existing impacts from high levels of airport-related noise.</p>	<p>Planning Staff is recommending the proposed language. It was developed considering all designations to ensure consistency between all criteria. The language also accounts for the long term development objectives contained within the plan which considers the natural and built environments. In addition it enables the discussion of the presence of critical areas during the land use designation process.</p>
Pol. RE 1.6	<p>The <i>Moderate Density Residential Neighborhood</i> land use category will provide primarily single family residential uses in neighborhoods suitable for this type of development, where community improvements and facilities that are normally necessary for development can be provided. Development within this designation includes existing neighborhoods that have been platted at an average of five to six units per acre.</p> <p><b>Discussion:</b> There are specific concerns about increasingly large home sizes within the City’s moderate density neighborhoods. The zoning code will need to include measures that adequately restrict homes from becoming massive structures that cover almost an entire lot and are out of character with the surrounding residential development.</p> <p><b>Allowed Uses and Description:</b> The <i>Moderate Density Residential Neighborhood</i> designation allows for single family residential uses, their accessory uses and public and semi-public uses. The maximum residential density shall not exceed six units per net acre.</p> <p>To retain the existing character of development in the neighborhoods classified as <i>Moderate Density Residential Neighborhood</i>, the City’s zoning code will specify appropriate density and dimension standards that include floor area</p>	<p>The <i>Moderate Density Residential Neighborhood</i> <del>land use category will provide primarily</del> <u>designation allows</u> single family residential uses <del>in neighborhoods suitable for this type of development, where community improvements and facilities that are normally necessary for development can be provided. Development within this designation includes existing neighborhoods that have been platted at an average of five to</del> <u>at a maximum density of six dwelling units per net acre. Accessory and non-residential uses that are compatible with a moderate density residential area may also be allowed. This designation is implemented by the RS-7,200 zoning category.</u></p> <p><del><b>Discussion:</b> There are specific concerns about increasingly large home sizes within the City’s moderate density neighborhoods. The zoning code will need to include measures that adequately restrict homes from becoming massive structures that cover almost an entire lot and are out of character with the surrounding residential development.</del></p> <p><del><b>Allowed Uses and Description:</b> The <i>Moderate Density Residential Neighborhood</i> designation allows for single family residential uses, their accessory uses and public and semi-public uses. The maximum</del></p>	<p>We have not heard of any concern about home size.</p> <p>The zoning code does not include FARs for single-family, this should be removed.</p>

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
	<p>ratios (FARs) in addition to lot coverage, setbacks and height. Development standards for impervious surfaces, streetscapes, sidewalks and stormwater drainage, may vary within each zoning category based on the existing character of the area.</p> <p><b>Designation Criteria:</b> Properties designated for Moderate Density Residential Neighborhood uses should generally reflect all of the following criteria:</p> <ol style="list-style-type: none"> <li>1. The area is already characterized by primarily single family residential uses at greater than four units per acre.</li> <li>2. The existing or committed public facilities are adequate to support residential development at this density.</li> <li>3. The area does not have significant amounts of critical areas.</li> <li>4. The area is designated Urban on Figure 2 LU-2 (Application of this designation outside of the area delineated as Urban, shall be limited to five units per acre).</li> </ol>	<p><del>residential density shall not exceed six units per net acre.</del></p> <p><del>—To retain the existing character of development in the neighborhoods classified as <i>Moderate Density Residential Neighborhood</i>, the City’s zoning code will specify appropriate density and dimension standards that include floor area ratios (FARs) in addition to lot coverage, setbacks and height. Development standards for impervious surfaces, streetscapes, sidewalks and stormwater drainage, may vary within each zoning category based on the existing character of the area.</del></p> <p><b>Designation Criteria:</b> Properties designated for Moderate Density Residential Neighborhood uses should generally reflect all of the following criteria:</p> <ol style="list-style-type: none"> <li>1. The area is already <u>generally</u> characterized by <del>primarily</del> single-family residential <del>uses</del> <u>development or platting</u> at greater than four units per <u>net</u> acre.</li> <li>2. The existing <del>or committed</del> <u>and planned</u> public facilities <u>and services</u> are adequate to support <del>residential development at this density:</del> <u>single-family densities greater than four units per net acre.</u></li> <li>3. The area does not have significant amounts of <del>critical areas.</del> <u>potential landslide hazard areas or wetlands pursuant to the City’s critical area regulations.</u></li> </ol> <p><i>Alternate Language A: A majority of the area is not designated landslide hazard areas or wetlands pursuant to the city’s critical area regulations.</i></p> <p><i>Alternate Language B: The area should not be constrained by critical areas. Where critical areas <u>and or buffers</u> do exist, consideration should be given to the health and safety of residents, and potential impacts on the critical area(s) and</i></p>	<p><i>Adding the term “majority” adds a degree of measurement.</i></p> <p><b>PLANNING COMMISSION CONSENSUS</b> <i>to explore criteria 3 in more detail. Need to evaluate the objective of the criteria and craft a more directly worded criteria.</i></p> <p>Planning Staff is recommending the proposed language. It was</p>

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
		<p><b>buffer(s).</b></p> <p>4. The area is designated Urban on Figure 2 LU-2 (Application of this designation outside of the area delineated as Urban, shall be limited to five units per acre).</p>	<p>developed considering all designations to ensure consistency between all criteria. The language also accounts for the long term development objectives contained within the plan which considers the natural and built environments. In addition it enables the discussion of the presence of critical areas during the land use designation process.</p>
Pol. RE 1.7	<p>The <i>Low and High Density Multifamily Neighborhood</i> designations should provide for the location of stable and attractive multifamily development near transit, employment, shopping and recreation facilities.</p> <p>Compatibility between these uses and adjacent single family development is provided through the City's design guidelines. Recreation facilities, including a park or open space, is required as an integral part of any multifamily development. Public facilities, especially pedestrian access to activity centers, are a requirement for development. In addition, adequate services and facilities (such as sewer, water and roadway capacity) must be provided concurrent with development before the upper density limit is reached. Developments within these designations include existing multi-family dwellings at an average of 8 to 48 units per acre.</p> <ul style="list-style-type: none"> <li>• <i>Low Density Multifamily Neighborhood:</i></li> </ul> <p><b>Allowed Uses and Description:</b> The <i>Low Density Multifamily Neighborhood</i> designation permits multiple family housing, accessory uses associated with residences, and public and semi-public uses. Development in these areas may be characterized by single family homes, duplexes, garden style apartments, townhouses, condominiums or apartment buildings. These areas may also function as a transition between business uses and single family residential neighborhoods.</p>	<p>The <i>Low and High-Density Multifamily Neighborhood</i> designations should provide for the location of stable and attractive multifamily development near transit, employment, shopping and recreation facilities. <u>allows multiple-family residential uses at a maximum density of 12 units per net acre. Accessory and non-residential uses that are compatible with a low density multi-family area may also be allowed. This designation is implemented by the RM-12 zoning category.</u></p> <p><del>Compatibility between these uses and adjacent single family development is provided through the City's design guidelines. Recreation facilities, including a park or open space, is required as an integral part of any multifamily development. Public facilities, especially pedestrian access to activity centers, are a requirement for development. In addition, adequate services and facilities (such as sewer, water and roadway capacity) must be provided concurrent with development before the upper density limit is reached. Developments within these designations include existing multi-family dwellings at an average of 8 to 48 units per acre.</del></p> <ul style="list-style-type: none"> <li>• <del><i>Low Density Multifamily Neighborhood:</i></del></li> </ul> <p><del><b>Allowed Uses and Description:</b> The <i>Low Density Multifamily</i></del></p>	<p>Split Low and High density into separate policies, like we do for single-family.</p> <p>Do we believe that quality recreation can be provided in multi-family development? It may be worth looking at a zoning code regulation setting a threshold where it is required. Other than that a fee for rec space may be a better approach. It allows land use to be maximized while theoretically providing recreation space within the vicinity.</p> <p>This list of housing types is not</p>

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
	<p>The maximum density for new multifamily development in these areas shall be 12 units per net acre.</p> <p><b>Designation Criteria:</b> Properties designated for Multifamily Neighborhood uses shall reflect all of the following criteria:</p> <ol style="list-style-type: none"> <li>1. The area is already primarily characterized by multifamily residential uses at 8 to 12 units per acre.</li> <li>2. The multifamily development is designed for compatibility with adjacent single family homes in a manner that is consistent with the City’s design guidelines.</li> <li>3. The existing or planned public facilities are adequate to support residential development at this density.</li> <li>4. The area is within 1/4 mile of commercial areas and services, and is well served or is likely to be well served by transit. The area does not have significant amounts of critical areas.</li> <li>5. The area is located adjacent to or has adequate access to an arterial.</li> </ol>	<p><del>Neighborhood designation permits multiple family housing, accessory uses associated with residences, and public and semi-public uses. Development in these areas may be characterized by single family homes, duplexes, garden style apartments, townhouses, condominiums or apartment buildings. These areas may also function as a transition between business uses and single family residential neighborhoods.</del></p> <p><del>The maximum density for new multifamily development in these areas shall be 12 units per net acre.</del></p> <p><b>Designation Criteria:</b> Properties designated for <u>Low Density Multifamily Neighborhood</u> uses shall reflect all of the following criteria:</p> <ol style="list-style-type: none"> <li>1. The area is already primarily characterized by multifamily residential <del>uses</del> <u>development</u> at 8 to 12 units per acre.</li> <li>2. <u>The area may function as a transition from higher intensity designations such as commercial or multi-family to single-family residential.</u></li> <li>3. <u>The area is within 1/8 mile of low intensity commercial service nodes as measured along an arterial.</u></li> <li>4. <u>The area is located within ¼ mile of a transit route with a peak transit frequency of at least every 21-30 minutes.</u></li> <li>5. <u>The area does not have significant amounts of critical areas, except critical aquifer recharge areas.</u></li> </ol> <p><u>Alternate language:</u> The area should not be constrained by critical areas. Where critical areas and/or buffers do exist, consideration should be given to the health and safety of residents, and potential impacts on the critical area(s) and</p>	<p>needed – it allows everything.</p> <p>Insert a commercial node map? Since the nodes are a significant measurement used in the criteria a map is appropriate.</p> <p><b>PLANNING COMMISSION CONSENSUS</b></p> <p>Existing criteria #1 would not necessarily allow for expansion of low density multi-family area to accommodate future growth.</p> <p>Existing criteria #2 is regulation and references non-existent design guidelines.</p> <p>Planning Staff is recommending the proposed language. It was developed considering all designations to ensure consistency between all criteria. The language also accounts for the long term development objectives contained within the plan which considers</p>

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
		<p><u>buffer(s).</u></p> <p>6. <u>The area is located adjacent to or has adequate access to an arterial.</u></p>	<p>the natural and built environments. In addition it enables the discussion of the presence of critical areas during the land use designation process.</p>
		<p><u>The Moderate Density Multifamily Neighborhood designation allows multiple-family residential uses at a maximum density of 18 to 24 units per net acre. Accessory and non-residential uses that are compatible with a moderate density multi-family area may also be allowed, including offices in a mixed-use development. This designation is implemented by the RM-18 and RM-24 zoning categories.</u></p> <p><i>Designation Criteria:</i> Properties designated <i>Moderate Density Multifamily Neighborhood</i> shall reflect all of the following criteria:</p>	<p>See separate chart for a comparison between existing and proposed criteria.</p>

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
		<ol style="list-style-type: none"> <li>1. <u>The area is already primarily characterized by multifamily residential development at 12 to 24 units per acre.</u></li> <li>2. <u>The area is within 1/8 mile of any commercial service node or the urban center boundary as measured along an arterial.</u></li> <li>3. <u>The area is located within ¼ mile of a transit route with a peak transit frequency of at least every 10-20 minutes.</u></li> <li>4. <u>The area does not have significant amounts of critical areas, except critical aquifer recharge areas.</u></li> <li>5. <u>The area is located adjacent to or has adequate access to an arterial.</u></li> <li>6. <u>The area is served by adequate and/or planned recreational facilities such as athletic fields or playgrounds.</u></li> </ol>	<p>Planning Staff is recommending the proposed language. It was developed considering all designations to ensure consistency between all criteria. The language also accounts for the long term development objectives contained within the plan which considers the natural and built environments. In addition it enables the discussion of the presence of critical areas during the land use designation process.</p>
	<p>• <i>High Density Multifamily Neighborhood:</i></p> <p><b>Allowed Uses and Description:</b> <i>The High Density Multifamily Neighborhood</i> designation permits multiple family housing, accessory uses associated with residences, and public and semi-public uses. Development in these areas may be characterized by single family homes, duplexes, garden style apartments, townhouses, condominiums or apartment buildings. Such areas may also function as a transition between higher intensity business uses and lower density multifamily housing and single family residential neighborhoods. The maximum density for new multifamily development in these areas shall be 24 units per net acre.</p>	<p><u>The High Density Multifamily Neighborhood</u> designation allows multiple-family residential uses at a maximum density of 48 units per net acre. <u>Accessory and non-residential uses that are compatible with a high density multi-family area also may be allowed, including offices in a mixed use development. This designation is implemented by the RM-48 zoning category.</u></p> <p>• <del><i>High Density Multifamily Neighborhood:</i></del></p> <p><del><b>Allowed Uses and Description:</b> <i>The High Density Multifamily Neighborhood</i> designation permits multiple family housing, accessory uses associated with residences, and public and semi-public uses.</del></p>	

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
	<p>There are a number of conditional uses that may be allowed within areas designated for high density multifamily development:</p> <p>a. Assisted living units for seniors or disabled persons, subject to a conditional use permit process involving a public hearing. Assisted living units are facilities specifically designed to accommodate seniors or disabled persons who are not able to live independently. Densities greater than 24 units per acre may be allowed when the proposed development is appropriate for the site.</p> <p>b. In areas located adjacent to an arterial, well designed office development that fits in with the character of surrounding residential development, subject to an administrative conditional use permit process.</p> <p><b>Designation Criteria:</b> Properties designated for <i>High Density Multifamily Neighborhood</i> uses shall reflect all of the following criteria:</p> <ol style="list-style-type: none"> <li>1. The area is already primarily characterized by multifamily residential uses at 12 to 24, or more units per acre.</li> <li>2. The multifamily development is designed for compatibility with the surrounding development in a manner that is consistent with the City’s design guidelines.</li> <li>3. The existing or planned public facilities are adequate to support residential development at this density.</li> </ol>	<p><del>Development in these areas may be characterized by single family homes, duplexes, garden style apartments, townhouses, condominiums or apartment buildings. Such areas may also function as a transition between higher intensity business uses and lower density multifamily housing and single family residential neighborhoods. The maximum density for new multifamily development in these areas shall be 24 units per net acre.</del></p> <p><del>There are a number of conditional uses that may be allowed within areas designated for high density multifamily development:</del></p> <p><del>a. Assisted living units for seniors or disabled persons, subject to a conditional use permit process involving a public hearing. Assisted living units are facilities specifically designed to accommodate seniors or disabled persons who are not able to live independently. Densities greater than 24 units per acre may be allowed when the proposed development is appropriate for the site.</del></p> <p><del>b. In areas located adjacent to an arterial, well designed office development that fits in with the character of surrounding residential development, subject to an administrative conditional use permit process.</del></p> <p><b>Designation Criteria:</b> Properties designated for <i>High Density Multifamily Neighborhood</i> uses shall reflect all of the following criteria:</p> <ol style="list-style-type: none"> <li>1. <u>The area is already primarily characterized by multifamily residential uses at 18 or more units per acre.</u></li> <li>2. <u>The area is within 1/8 mile of moderate and high commercial service nodes as measured along an arterial. The designation is also appropriate within the urban center boundary or within 1/8 mile of the urban center boundary as measured along an arterial.</u></li> <li>3. <u>The area is located within ¼ mile of a transit route with peak</u></li> </ol>	<p>Planning Staff is recommending the proposed language. It was developed considering all designations to ensure consistency between all criteria. The language also accounts for the long term</p>

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
	<p>4. The area does not have significant amounts of critical areas.</p> <p>5. The area was designated for multifamily development in the City's interim comprehensive plan.</p> <p>6. The area is served by adequate recreational facilities.</p>	<p><u>transit frequency of at least every 10-20 minutes.</u></p> <p>4. <u>The area does not have <del>significant amounts of</del> critical areas, except critical aquifer recharge areas.</u></p> <p>5. <u>The area is located adjacent to or has adequate access to a primary or minor arterial.</u></p> <p>6. <u>The area is served by adequate and/or planned recreational facilities such as athletic fields or playgrounds.</u></p>	<p>development objectives contained within the plan which considers the natural and built environments. In addition it enables the discussion of the presence of critical areas during the land use designation process.</p>

# COMPREHENSIVE PLAN—DRAFT BUSINESS AND INDUSTRIAL GOALS AND POLICIES

August 20, 2012

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
<b>Business</b>			
Goal BU.1	<i>Provide a functional, attractive, and conveniently located mix of uses, including office, retail, commercial, parks and residential uses, that are appropriate in scale, configuration, and location.</i>	<p><i>Provide a functional, attractive, and conveniently located mix of uses, including office, retail, commercial, parks and residential uses that are appropriate in scale, configuration, and location.</i></p> <p><u><i>Alternate Language: Provide a broad range of attractive and strategically located business activity centers/nodes that serve as focal points for employment, commerce and culture for their adjacent residential neighborhoods and the greater Burien area. The scale and intensity of uses at these locations shall be compatible with Burien’s vision.</i></u></p>	<p>Too generic. Should be more business-focused.</p> <p>Using the “centers” term aligns with language in the Burien Vision. Also a reference to the vision was inserted.</p> <p><b>Planning Commission Consensus</b></p>
Pol. BU 1.1	<p>Home occupations should continue to be allowed in residential areas as an accessory use if they comply with standards that ensure compatibility with adjacent residential uses. Home occupations:</p> <p>a. Shall be incidental to or conducted in a dwelling place, and do not change the home's residential character;</p> <p>b. Should have a level of activity compatible with single family structures and residential neighborhood goals; and</p> <p>c. Should be conducted by a member of the family residing within the dwelling place.</p> <p>Greater flexibility may be appropriate for home occupations near neighborhood borders as a transition to more intensive adjacent uses.</p>	<p><del>Allow</del> Home occupations should continue to be allowed in residential areas as an accessory use if they <del>comply with standards that ensure compatibility</del> are compatible with adjacent residential uses <u>and do not change the home’s residential character.</u> <del>Home occupations:</del></p> <p><del>b. Shall be incidental to or conducted in a dwelling place, and do not change the home's residential character;</del></p> <p><del>b. Should have a level of activity compatible with single family structures and residential neighborhood goals; and</del></p> <p><del>e. Should be conducted by a member of the family residing within the dwelling place.</del></p> <p><del>Greater flexibility may be appropriate for home occupations near neighborhood borders as a transition to more intensive adjacent uses.</del></p>	<p>Most of this is regulation, and is covered in the zoning code.</p>

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
Pol. BU 1.2	<p>Through the development of integrated commercial centers, the business land use categories are intended to provide for business uses that serve neighborhoods, the community and the traveling public, and minimize traffic congestion, visual, and other impacts on the surrounding residential areas.</p> <p><b>Discussion:</b> The Land use plan establishes five categories to serve the business needs of Burien and the region -- <i>Neighborhood Centers, Intersection Commercial, Downtown Commercial, Community Commercial and Regional Commercial.</i></p>	<p><del>Through the development of integrated commercial centers, the business land use categories are intended to provide</del> <u>Provide areas</u> for businesses <del>uses</del> that serve neighborhoods, the community and the <del>traveling public region</del>, and minimize traffic congestion, visual, and other impacts on the surrounding residential areas.</p> <p><b>Discussion:</b> <del>The Land use plan establishes five categories to serve the business needs of Burien and the region --</del> <i>Neighborhood Centers, Intersection Commercial, Downtown Commercial, Community Commercial and Regional Commercial.</i></p>	<p>How is this different from Goal BU.1? Suggest eliminating it. If not modify language as suggested.</p> <p><b>Planning Commission Consensus</b></p> <p>Not necessary to list all categories.</p>
Pol. BU 1.3	<p>The <i>Neighborhood Center</i> classification allows for relatively small areas that provide convenience goods and services to serve the everyday needs of the surrounding single family neighborhoods or to provide locally based employment opportunities, while protecting the desired neighborhood character. These neighborhood focal points should be designed and located so that customers and employees are encouraged to walk rather than drive to these areas.</p> <p><b>Allowed Uses and Description:</b> The type and scale of uses in these areas must be consistent with the road and utility capacity and compatible with neighborhood character. Limited retail stores, services and professional offices that serve the immediate neighborhood as well as other markets or service areas are allowed. Uses that sell gasoline or diesel fuels are not allowed.</p> <p>Within this designation, mixed-use developments that include residential uses on the second floor may be allowed as a conditional use (excluding the area designated for neighborhood center uses in Three Tree Point). Stand-alone multifamily residential structures are not an intended use in these areas, except to accommodate existing structures. Residential densities in mixed-use developments should not exceed 12 units per acre, and retail or commercial uses are required on the first floor.</p> <p>The design of these areas, including the size, location and design of parking lots, shall be strictly regulated to ensure compatibility with the surrounding</p>	<p>The <i>Neighborhood Center</i> <del>classification</del> <u>designation</u> allows for relatively small areas that provide <u>limited scale</u> convenience goods and services to serve the everyday needs of the surrounding single family neighborhoods or to provide locally based employment opportunities, while protecting the desired neighborhood character. <u>Residential uses up to 12 units per net acre are only allowed on the upper floors of mixed-use developments. Mixed use development containing business uses and dwelling units is allowed. Uses that sell gasoline or diesel fuels are not allowed.</u> These neighborhood focal points should be designed and located so that customers and employees are encouraged to walk rather than drive to these areas.</p> <p><u>This Comprehensive Plan land use designation is implemented by the Neighborhood Center zoning designation.</u></p> <p><del><b>Allowed Uses and Description:</b> The type and scale of uses in these areas must be consistent with the road and utility capacity and compatible with neighborhood character. Limited retail stores, services and professional offices that serve the immediate neighborhood as well as other markets or service areas are allowed. Uses that sell gasoline or diesel fuels are not allowed.</del></p> <p><del>Within this designation, mixed-use developments that include</del></p>	<p>Recognized that mixed use development is allowed in the policy language.</p>

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
	<p>neighborhood. Hours of operation should be regulated and vary with the type and intensity of neighborhood in which it is located. Development within this designation shall include design features to encourage pedestrian and transit access, such as shared parking and siting the buildings near the sidewalks.</p> <p><b>Designation Criteria:</b> Properties designated for <i>Neighborhood Center</i> uses should generally reflect all of the following criteria:</p> <ol style="list-style-type: none"> <li>1. The area must be adjacent to neighborhoods, of limited extent, and currently developed or partially developed as business, service or commercial uses.</li> <li>2. The area should have existing or planned pedestrian or other non-motorized connections to the adjacent neighborhood.</li> <li>3. The existing or planned public facilities should be adequate to support small-scale commercial development.</li> <li>4. The area should be located on an arterial, so that physical access does not result in adverse impacts on adjacent and nearby local access streets.</li> <li>5. The area is served or will be served by transit.</li> </ol>	<p><del>residential uses on the second floor may be allowed as a conditional use (excluding the area designated for neighborhood center uses in Three Tree Point). Stand-alone multifamily residential structures are not an intended use in these areas, except to accommodate existing structures. Residential densities in mixed-use developments should not exceed 12 units per acre, and retail or commercial uses are required on the first floor.</del></p> <p><del>The design of these areas, including the size, location and design of parking lots, shall be strictly regulated to ensure compatibility with the surrounding neighborhood. Hours of operation should be regulated and vary with the type and intensity of neighborhood in which it is located. Development within this designation shall include design features to encourage pedestrian and transit access, such as shared parking and siting the buildings near the sidewalks.</del></p> <p><b>Designation Criteria:</b> Properties designated for <i>Neighborhood Center</i> uses should generally reflect all of the following criteria:</p> <ol style="list-style-type: none"> <li><del>1. The area must be adjacent to neighborhoods, of limited extent, and currently developed or partially developed as business, service or commercial uses.</del></li> <li><del>2. The area should have existing or planned pedestrian or other non-motorized connections to the adjacent neighborhood.</del></li> <li><del>3. The existing or planned public facilities should be adequate to support small-scale commercial development.</del></li> <li><del>4. The area should be located on an arterial, so that physical access does not result in adverse impacts on adjacent and nearby local access streets.</del></li> <li><del>5. The area is served or will be served by transit.</del></li> </ol>	<p>We don't use the term "conditional use" in the zoning code. Change to "may be conditionally allowed."</p> <p>No designation at 3 tree point</p> <p>These are design standards and should be included in the zoning code.</p> <p>"shall reflect" is used for residential and is more restrictive. The term "should reflect" is used in criteria language for most other designations. Is "should" or "shall" the appropriate qualifier?</p> <p><b>Planning Commission Consensus to use "should" in all but a few sections.</b></p>

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
		<ol style="list-style-type: none"> <li>1. <u>Areas are located at low intensity commercial nodes adjacent to residential neighborhood(s).</u></li> <li>2. <u>Adjacent residential designations shall predominately be Moderate Density Residential.</u></li> <li>3. <u>Areas shall be located on an identified general bikeway.</u></li> <li>4. <u>Areas are located within 1/8 mile of a transit route with a peak transit frequency of at least 21-30 minutes.</u></li> <li>5. <u>Areas do not contain critical areas.</u> <b><u>Alternate language: The area does not have critical areas, except aquifer recharge areas.</u></b></li> <li>6. <u>Areas are located adjacent to or have direct access to an arterial.</u></li> <li>7. <u>The area is located in sections of the city that have or are planned to have pedestrian or other non-motorized connections.</u></li> </ol>	<p>Staff is recommending the proposed alternate language. It was developed considering all designations to ensure consistency between all criteria. The language also accounts for the long term development objectives contained within the plan which considers the natural and built environments. In addition it enables the discussion of the presence of critical areas during the land use designation process.</p>
Pol. BU 1.4	<p>The <i>Intersection Commercial</i> category provides for a variety of commercial uses of low to moderate density or intensity, located at major roadway intersections in close proximity to higher density uses, such as multifamily developments. Customers are anticipated to either drive or walk to these establishments.</p> <p><b><i>Allowed Uses and Description:</i></b> <i>Intersection Commercial</i> land uses serve multiple residential areas, with a diverse mix of uses. These uses will typically be grouped around a shared parking facility, with primary access on an arterial. Uses include commercial, retail, services, professional offices, recreation and community facilities. The edges of these areas need to be well-defined to contain development and limit encroachment into single family areas.</p> <p><b><i>Designation Criteria:</i></b> Properties designated for <i>Intersection Commercial</i> uses should reflect the following criteria:</p> <ol style="list-style-type: none"> <li>1. The intersection of two arterials should be the preferred location for the designation.</li> </ol>	<p>The <i>Intersection Commercial</i> category provides designation allows for a variety of commercial uses of low to moderate density or intensity, located at major roadway intersections in close proximity to higher density uses, such as multifamily developments. <u>Multifamily development in these areas may only be approved as part of a mixed use development with the appropriate unit density being based on the adjacent comprehensive plan land use designations.</u> Customers are anticipated to either drive or walk to these establishments.</p> <p><u>This Comprehensive Plan land use designation is implemented by the Intersection Commercial zoning designation.</u></p> <p><del><b><i>Allowed Uses and Description:</i></b></del> <del><i>Intersection Commercial</i> land uses serve multiple residential areas, with a diverse mix of uses. These uses will typically be grouped around a shared parking facility, with primary access on an arterial. Uses include commercial, retail, services, professional offices, recreation and community facilities. The edges of these areas need to be well defined to contain development</del></p>	<p>Recognizes that mixed use is appropriate at these locations and will now make the policy consistent with the zoning regulations.</p> <p>Revised designation criteria and zoning regulations now address most of the items listed in this section.</p>

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
	<p>2. The design and capacity of the intersection are able to support the planned uses.</p> <p>3. The existing or planned public facilities are adequate to support the proposed development.</p> <p>4. The area is served or planned to be served by transit.</p>	<p><del>and limit encroachment into single family areas.</del></p> <p><i>Designation Criteria:</i> Properties designated for <i>Intersection Commercial</i> uses should reflect the following criteria:</p> <p><del>1. The intersection of two arterials should be the preferred location for the designation.</del></p> <p><del>2. The design and capacity of the intersection are able to support the planned uses.</del></p> <p><del>3. The existing or planned public facilities are adequate to support the proposed development.</del></p> <p><del>4. The area is served or planned to be served by transit.</del></p> <p>1. <u>Areas are located within 1/8 mile of Low and Moderate Density Multi-Family Neighborhood land use designations as measured along an arterial. Generally the designation is located outside of the urban center boundary and at low intensity commercial nodes.</u></p> <p>2. <u>Areas shall be located at or within 1/8<sup>th</sup> mile of the intersection of arterials.</u></p> <p>3. <u>Areas are located within 1/8 mile of a transit route with a peak transit frequency of at least 21-30 minutes.</u></p> <p>4. <u>Areas are not constrained by critical areas.</u>  <b>Alternate language:</b> <u>The area does not have critical areas, except critical aquifer recharge areas.</u></p> <p>5. <u>Areas are located adjacent to or have adequate access to a primary or minor arterial.</u></p>	<p>Staff is recommending the proposed alternate language. It was developed considering all designations to ensure consistency between all criteria. The language also accounts for the long term development objectives contained within the plan which considers the natural and built environments. In addition it enables the discussion of the presence of critical areas during the land use designation process.</p>

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
Pol. BU 1.5	<p>The <i>Downtown Commercial</i> land use designation fosters a vibrant, compact, pedestrian oriented area by allowing high density residential development, office, retail and commercial uses, government activities, and restaurants, entertainment and cultural uses. Mixed use developments are encouraged, including well-designed townhouses and condominiums, providing a convenient living environment and making the downtown a community focal point and center, as well as a lively place in the evening and on weekends. Residential densities are limited only by physical constraints such as height, bulk, parking and infrastructure capacities. Moderate to high rise buildings, pedestrian amenities and facilities that help define downtown Burien’s distinctive qualities are encouraged.</p> <p><b>Designation Criteria:</b> Properties with the Downtown Commercial land use designation are appropriate for land within the area labeled “downtown area” as shown in Fig. 2-SE1.</p>	<p>The <i>Downtown Commercial</i> <del>land use</del> designation fosters a vibrant, compact, pedestrian oriented area by allowing high density residential development, office, retail and commercial uses, government activities, and restaurants, entertainment and cultural uses. Mixed use developments are encouraged, including well-designed townhouses and condominiums, providing a convenient living environment and making the downtown a community focal point and center, as well as a lively place in the evening and on weekends. Residential densities are limited only by physical constraints such as height, bulk, parking and infrastructure capacities. Moderate to high rise buildings, pedestrian amenities and facilities that help define downtown Burien’s distinctive qualities are encouraged.</p> <p><u>This Comprehensive Plan land use designation is implemented by the Downtown Commercial zoning designation.</u></p> <p><b>Designation Criteria:</b> Properties with the Downtown Commercial land use designation <u>should reflect the following criteria.</u> <del>are appropriate for land within the area labeled “downtown area” as shown in Fig. 2-SE1.</del></p> <ol style="list-style-type: none"> <li>1. <u>The area is located within the urban center boundary.</u></li> <li>2. <u>The area is located within 1/8 mile of a transit route with a peak transit frequency of at least every 10 minutes.</u></li> <li>3. <u>The area does not contain critical areas.</u></li> <li>4. <u>The area is located adjacent to or has adequate access to an arterial.</u></li> </ol>	<p>Fig. 2-SE1 does not have area labeled “downtown area”. Criteria are circular.</p>

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
Pol. BU 1.7	<p>The <i>Community Commercial</i> land use designation recognizes the business orientation of some of the principal arterials that are in close proximity to the downtown area, including Ambaum Boulevard Southwest and the Five Corners area, and is intended to provide for moderate intensity commercial uses that serve the community. Customers would likely access these establishments by automobile or by transit.</p> <p><b>Allowed Uses and Description:</b> The <i>Community Commercial</i> land use designation provides for moderate intensity retail activities, professional offices, restaurants, entertainment, and services.</p> <p><b>Designation Criteria:</b> Properties designated for Community Commercial uses should reflect the following criteria:</p> <ol style="list-style-type: none"> <li>1. The area is located on a principal arterial in close proximity to the downtown core.</li> <li>2. The existing or planned public facilities are adequate to support small to moderate scale commercial development.</li> <li>3. The area is served or planned to be served by transit.</li> </ol>	<p>The <i>Community Commercial</i> <del>land use</del> designation recognizes the business orientation of some of the principal arterials <del>that are in close proximity to the downtown area</del>, including Ambaum Boulevard Southwest, <u>Boulevard Park</u> and the Five Corners area. <u>The designation and is intended to provide for allows moderate intensity commercial uses that serve the community. Customers would likely access these establishments by automobile or by transit. The range of allowed uses includes moderate intensity retail activities, professional offices, restaurants, entertainment, and services. Multifamily development in these areas may only be approved as part of a mixed use development with the appropriate unit density being based on the intensity of adjacent comprehensive plan land use designations. Business uses should be located on the ground floor.</u></p> <p><u>This Comprehensive Plan land use designation is implemented by the Community Commercial 1 and Community Commercial 2 zoning designations.</u></p> <p><del><b>Allowed Uses and Description:</b> The <i>Community Commercial</i> land use designation provides for moderate intensity retail activities, professional offices, restaurants, entertainment, and services.</del></p> <p><b>Designation Criteria:</b> Properties designated for Community Commercial uses should reflect the following criteria:</p> <ol style="list-style-type: none"> <li><del>1. The area is located on a principal arterial in close proximity to the downtown core.</del></li> <li><del>2. The existing or planned public facilities are adequate to support small to moderate scale commercial development.</del></li> <li><del>3. The area is served or planned to be served by transit.</del></li> </ol>	<p>Boulevard Park should be recognized as a higher intensity commercial area. The area is more remote as compared to the downtown core and should allow more commercial choice for the surrounding neighborhood. The reference to the downtown core will need to be removed.</p> <p>Recognizes mixed use development is appropriate in these locations if the development is designed to respect the business nature of these areas. Mixed use is allowed by the zoning regulations.</p> <p>Is the proper qualifier “should” or “shall”?  <b>Planning Commission Consensus to use “should” in all but a few sections.</b></p>

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
		<ol style="list-style-type: none"> <li>1. <u>Areas are located within 1/8 mile of the center of moderate and high commercial service nodes (see Map XX) as measured along an arterial or within the urban center boundary.</u></li> <li>2. <u>Areas are generally adjacent to multi-family residential and other commercial land use designations.</u></li> <li>3. <u>Areas have direct access to an Auto/Truck Priority Route.</u></li> <li>4. <u>Areas are located within 1/8 mile of a transit route with a peak transit frequency of at least 10-20 minutes.</u></li> <li>5. <u>Areas do not have significant amounts of geologically hazardous areas.</u> <b>Alternate language:</b> <u>The area does not have geologically hazardous areas.</u></li> <li>6. <u>Areas are located adjacent to or have adequate access to an arterial.</u></li> </ol>	<p>Staff is recommending the proposed alternate language. It was developed considering all designations to ensure consistency between all criteria. The language also accounts for the long term development objectives contained within the plan which considers the natural and built environments. In addition it enables the discussion of the presence of critical areas during the land use designation process.</p>
Pol. BU 1.8	<p>The <i>Regional Commercial</i> land use category is intended to provide for larger scaled commercial uses that serve the community, the region, and the traveling public. These uses are typically land extensive, and are not well-suited to being located downtown. This classification is currently found along 1st Avenue South and accommodates many of the existing larger chain stores and car dealerships.</p> <p><b>Allowed Uses and Description:</b> The Regional Commercial land use category provides for retail uses that require large sites, bulk or large box retail uses, automobile sales and services, wholesale uses, restaurants, and retail and services for travelers.</p> <p><b>Designation Criteria:</b> Properties designated for Regional Commercial uses should reflect the following criteria:</p> <ol style="list-style-type: none"> <li>1. The area is located along a principal arterial with adequate roadway capacity and easy access to highways.</li> <li>2. The area does not result in the creation or extension of a commercial strip.</li> </ol>	<p>The <i>Regional Commercial</i> land use category designation allows is intended to provide for larger scaled commercial uses that serve the community, the region, and the traveling public. These uses are typically land extensive, and are not well-suited to being located downtown. This classification is currently found along 1st Avenue South and provides locations for retail uses that require large sites, automobile sales and services, restaurants and services for travelers. <del>accommodates many of the existing larger chain stores and car dealerships.</del> <u>Multifamily development in these areas may only be approved as part of a mixed use development with a maximum of 24 units per acre. Business uses should be located on the ground floor and minimum gross floor area standards for floor area devoted to business uses shall be established to maintain a predominate commercial presence.</u></p> <p><u>This Comprehensive Plan land use designation is implemented by the Regional Commercial zoning designation.</u></p> <p><del><b>Allowed Uses and Description:</b> The Regional Commercial land use category provides for retail uses that require large sites, bulk or large</del></p>	<p>Recognizes mixed use development is appropriate in these locations if the development is designed to respect the business nature of these areas. Mixed use is allowed in the zoning regulations.</p>

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
	<p>3. The area should not economically compete with or detract from the downtown businesses.</p>	<p><del>box retail uses, automobile sales and services, wholesale uses, restaurants, and retail and services for travelers.</del></p> <p><b>Designation Criteria:</b> Properties designated for Regional Commercial uses should reflect the following criteria:</p> <ol style="list-style-type: none"> <li><del>1. The area is located along a principal arterial with adequate roadway capacity and easy access to highways.</del></li> <li><del>2. The area does not result in the creation or extension of a commercial strip.</del></li> <li><del>3. The area should not economically compete with or detract from the downtown businesses.</del></li> </ol> <ol style="list-style-type: none"> <li>1. <u>Areas have direct access to an auto/truck priority route.</u></li> <li>2. <u>Areas are located within 1/8 mile of a transit route with a peak midday transit frequency of at least 10-20 minutes</u></li> <li>3. <u>Areas are not constrained by geologically hazardous areas.</u></li> <li>4. <u>Areas are adjacent to 1<sup>st</sup> Avenue South and within 1/2 mile of the urban center boundary.</u></li> </ol>	<p>Is the proper qualifier “should” or “shall”?</p> <p><b>Planning Commission Consensus to use “should” in all but a few sections.</b></p> <p>Staff is recommending the proposed alternate language. It was developed considering all designations to ensure consistency between all criteria. The language also accounts for the long term development objectives contained within the plan which considers the natural and built environments. In addition it enables the discussion of the presence of critical areas during the land use designation process.</p>
<b>Office Uses</b>			
<b>Goal OF.1</b>	<i>Provide areas where low to moderate density office development can be concentrated, and where impacts of this use on the surrounding residential neighborhoods can be minimized.</i>		No changes.
Pol. OF 1.1	<p>The <i>Office</i> land use designation should recognize existing office uses and encourage the expansion of office uses in appropriate areas, based on the criteria below.</p> <p><b>Allowed Uses and Description:</b> The <i>Office</i> land use category allows low to</p>	<p>The <i>Office</i> land use designation should recognize existing office uses and encourage the expansion of office uses in appropriate areas, based on the criteria below.</p>	Encouraging “expansion” in this policy statement is not appropriate and in potential conflict with policy that calls

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
	<p>moderate density office, medical and medical-related uses, research and development, day care centers, eating and drinking establishment, personal and professional services, and public and semi-public uses. Mixed use development, combining office, retail, commercial and residential uses is also permitted. Multifamily development in these areas may only be approved as part of a mixed use development.</p> <p><b>Designation Criteria:</b> Properties designated for <i>Office</i> use must generally reflect the following criteria:</p> <ol style="list-style-type: none"> <li>1. The area should be located on or near arterials with adequate vehicular capacity.</li> <li>2. The area should be located along the edges of residential areas and not penetrate them.</li> </ol>	<p><del><b>Allowed Uses and Description:</b> The <i>Office</i> land use category allows low to moderate density office, medical and medical-related uses, research and development, day care centers, eating and drinking establishment, personal and professional services, and public and semi-public uses. Mixed use development, combining office, retail, commercial and residential uses is also permitted. Multifamily development in these areas may only be approved as part of a mixed use development with the appropriate unit density being based on the adjacent comprehensive plan land use designations.</del></p> <p><u>This Comprehensive Plan land use designation is implemented by the Office zoning designation.</u></p> <p><del><b>Designation Criteria:</b> Properties designated for <i>Office</i> use <u>should</u> <del>must</del> generally reflect the following criteria:</del></p> <ol style="list-style-type: none"> <li><del>1. The area should be located on or near arterials with adequate vehicular capacity.</del></li> <li><del>2. The area should be located along the edges of residential areas and not penetrate them.</del></li> </ol> <ol style="list-style-type: none"> <li>1. <u>Areas should be located along the edges of residential areas and may expand into non-residential areas.</u></li> <li>2. <u>Areas must be located within ¼ mile of a moderate or high intensity commercial node.</u></li> <li>3. <u>Areas may serve as a transition from High Density and Moderate Residential Multi-Family Neighborhoods and/or commercial designations to Low and Moderate Density Residential neighborhoods.</u></li> <li>4. <u>Areas are located within 1/8 mile of a transit route with a peak midday transit frequency of at least 21-30 minutes.</u></li> <li>5. <u>Areas should be free of or able to appropriately accommodate environmentally critical areas.</u></li> </ol> <p><b>Alternate language:</b> <u>The area should not be constrained by critical areas. Where critical areas and/or buffers do exist, consideration</u></p>	<p>for the protection of residential neighborhoods.</p> <p>Zoning code allows both RM-48 and RM-24.</p> <p>To be consistent the terms “should” or “shall” should be inserted here. “should” is currently used for all other land use designation criteria.</p> <p><b>Planning Commission Consensus to use “should” in all but a few sections.</b></p> <p>Criteria was modified and inserted below as number 1.</p> <p>Staff is recommending the proposed alternate language. It was developed considering all designations to ensure consistency between all criteria. The language also accounts for the long term development objectives</p>

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
		<p><u>should be given to the health and safety of residents, and potential impacts on the critical area(s) and buffer(s).</u></p> <p>6. <u>Areas should have direct access to an arterial.</u></p>	<p>contained within the plan which considers the natural and built environments. In addition it enables the discussion of the presence of critical areas during the land use designation process.</p>
<b>Industrial &amp; Manufacturing Uses</b>			
Goal IN.2	<p><i>Provide areas in the southeast part of the city where industrial activities can be concentrated and where traffic congestion, visual and other impacts on the surrounding environment can be minimized.</i></p>	<p><i>Provide areas <del>in the southeast part of the city</del> where industrial activities can be concentrated <u>and in a manner</u> where traffic congestion, visual and other impacts on the surrounding environment can be minimized.</i></p>	<p>Moved Goal IN.2 here since it's more general than Goal IN.1</p>
Pol. IN 1.2	<p>Existing industrial land uses, including heavier commercial uses or the processing, manufacturing or storage of non-objectionable products not involving processes or machinery likely to cause undesirable effects upon nearby residential or commercial property, is appropriate for the Industrial land use designation. . The processing or storage of hazardous materials shall be strictly controlled and permitted in accordance with state and federal law.</p> <p><b>Allowed Uses and Description:</b> This land use designation includes manufacturing, high technology manufacturing, research and development, industrial uses, processing and essential public facilities.</p> <p><b>Character:</b> Uses in the Southeast Industrial designation may include a wide variety of industrial and commercial uses in a less managed environment than the Northeast Special Planning Area or Special Planning Area 4. Area activities may include outside storage, processing, manufacturing, or heavy vehicles repair and storage. Developments are encouraged to be grouped together and designed in a manner reflective of an Industrial Park.</p> <p><b>Designation Criteria:</b> Properties designated in the southeast for industrial type uses should meet the following criteria:</p>	<p><del>The Industrial designation provides areas for Existing industrial land uses, including heavier commercial uses or the processing, manufacturing or storage of non-objectionable products not involving processes or machinery likely to cause undesirable effects upon nearby residential or commercial property. , is appropriate for the Industrial land use designation.</del> The processing or storage of hazardous materials shall be strictly controlled and permitted in accordance with state and federal law.</p> <p><b>Allowed Uses and Description:</b> This land use designation includes manufacturing, high technology manufacturing, research and development, industrial uses, processing and essential public facilities. <u>Area activities may include outside storage, processing, manufacturing, or heavy vehicle repair and storage. Developments are encouraged to be grouped together and designed in a manner reflective of an Industrial Park.</u></p> <p><del><b>Character:</b> Uses in the Southeast Industrial designation may include a wide variety of industrial and commercial uses in a less managed environment than the Northeast Special Planning Area or Special Planning Area 4. Area activities may include outside storage,</del></p>	<p>Portions of the “character” section have been moved into the “allowed uses” section.</p>

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
	<p>1. The area must be a minimum of 2 acres in size, although smaller lots may be aggregated to meet this requirement.</p> <p>2. The area is characterized by industrial or heavy commercial development or is adjacent to or designated for industrial uses.</p> <p>3. The area shall be located near major transportation corridors to facilitate the transportation of goods and minimize the interference with local traffic.</p> <p>4. The area does not include significant amounts of environmentally critical areas.</p> <p>5. The existing or planned public facilities are adequate to support these types of industrial uses.</p>	<p><del>processing, manufacturing, or heavy vehicles repair and storage. Developments are encouraged to be grouped together and designed in a manner reflective of an Industrial Park.</del></p> <p><i>Designation Criteria:</i> Properties designated in the southeast for industrial type uses <u>Industrial</u> should meet the following criteria:</p> <p>1. <del>The area must be a minimum of 2 acres in size, although smaller lots may be aggregated to meet this requirement.</del></p> <p>2. <b>The area is characterized by industrial or heavy commercial development or is adjacent to or designated for industrial uses.</b></p> <p>3. <del>The area shall be located near major transportation corridors to facilitate the transportation of goods and minimize the interference with local traffic</del> <u>The area has direct access to an auto/truck priority route.</u></p> <p>4. The area does not include significant amounts of environmentally critical areas. <b>Alternate language:</b> The area should be free of or able to appropriately accommodate environmentally critical areas.</p> <p>5. <del>The existing or planned public facilities are adequate to support these types of industrial uses.</del></p>	<p>Is the proper qualifier “should” or “shall”? <b>Planning Commission Consensus to use “should” in all but a few sections.</b></p> <p><b>Staff would like to confirm if this is still appropriate.</b> Staff recommends removal of the criteria. See 6/26/12 memo.</p> <p>Is the term “significant” appropriate?</p> <p><b>Staff is recommending the proposed alternate language. It was developed considering all designations to ensure consistency between all criteria. The language also accounts for the long term development objectives contained within the plan which considers the natural and built environments. In addition it enables the discussion of the presence of critical areas during the land use designation process.</b></p> <p>No. 5 - City has policy addressing this requirement.</p>

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
Pol. IN 1.3	Vegetative Buffers. Uses in the Southeast Industrial area and Northeast Special Planning Area shall provide vegetative buffers to screen development from adjacent non-business properties and from adjacent roadways.	Vegetative Buffers. Uses in the <del>Southeast Industrial</del> <u>and Airport Industrial</u> areas <del>and Northeast Special Planning Area</del> shall provide vegetative buffers to screen development from adjacent non-business properties and from adjacent roadways.	
Pol. IN 1.4	Performance Standards. Performance standards for uses in the Southeast Industrial area and Northeast Special Planning Area will ensure that:  a. The scale and design of these uses is compatible with surrounding neighborhoods;  b. Lighting from these uses will not interfere or conflict with adjacent non-industrial properties;  c. Signage will be controlled and limited to informational types;  d. Curb cuts should be minimized and sharing of access encouraged; and  e. Adequate and safe motorized and non-motorized access to the site is provided, and transportation and circulation impacts, especially on residential areas, will be mitigated.	Performance Standards. Performance standards for uses in the <del>Southeast Industrial</del> <u>and Airport Industrial</u> areas <del>and Northeast Special Planning Area</del> will ensure that:  a. The scale and design of these uses is compatible with surrounding neighborhoods;  b. Lighting from these uses will not interfere or conflict with adjacent non-industrial properties;  c. Signage will be controlled and limited to informational types;  d. Curb cuts should be minimized and sharing of access encouraged; and  e. Adequate and safe motorized and non-motorized access to the site is provided, and transportation and circulation impacts, especially on residential areas, will be mitigated.	
<b><i>Implementation — Northeast Special Planning Redevelopment Area — Special Area Plan</i></b>			
<b>Goal IN.1</b>	<b><i>Provide opportunities for the development of attractive Business Park, Warehouse, Manufacturing and Airport-Related uses in the northeast part of the City where impacts on the surrounding environment can be minimized.</i></b>	<b><i>Provide <del>opportunities</del> <u>areas</u> for the development of attractive Business Park, Warehouse, Manufacturing and Airport-Related uses in the <del>northeast</del> part of the City where impacts on the surrounding environment can be minimized.</i></b>	
Pol. IN 1.1	<b><i>Discussion:</i></b> In 2003, the City Council implemented this policy in the southern portion of the Northeast Special Planning Area (south of So. 138 <sup>th</sup> Street) by creating a new underlying land use designation, Special Planning Area 4 (see Map LU-1 and Pol. SE 1.5). Policies IN 1.1, 1.2, 1.3, 1.4, 1.5 and 1.6 do not apply to Special	<b><i>Discussion:</i></b> In 2003, the City Council implemented this policy in the <del>southern portion of the Northeast Special Planning Area (south of So. 138<sup>th</sup> Street)</del> by creating a new underlying land use designation, Special Planning Area 4 (see Map LU 1 and Pol. SE 1.5). Policies IN 1.1, 1.2,	Discussion section was modified and moved below policy language.

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
	<p>Planning Area 4, but continue to apply in the rest of the Northeast Special Planning Area (north of So. 138<sup>th</sup> Street).</p> <p>The Northeast Special Planning Area identified on Map LU-1 is an overlay land use designation that recognizes a potential opportunity for economic development in the northeastern part of the City, in areas affected by aircraft noise from SeaTac International Airport. Development of Uses in the Northeast Special Planning Area should be low scale, landscaped and buffered, have access to Des Moines Memorial Drive, meet the designation criteria under this policy and meet the performance criteria set forth in policies IN 1.3 and 1.4.</p> <p><b>Allowed Uses and Description:</b> Business Park, Warehouse, Manufacturing uses are storage within a building, production, light industrial, processing and distribution-related businesses with minimal environmental and land use impacts. Since the area is in close proximity to SeaTac International Airport, the uses in this classification could be airport-oriented. In addition, studio space for artists is also encouraged as a part of these developments, to the extent allowed by FAA restrictions.</p> <p><b>Character:</b> Uses in the Northeast Special Planning Area should be contained entirely within a structure. Only limited outside storage, or other external activity is appropriate. Developments should be clustered together and sited so that they have internal circulation, minimizing the number of access points to Des Moines Memorial Drive. Sites should be designed and located in a way that minimizes traffic, congestion, visual, noise or other impacts on adjacent residential uses or environmentally critical areas.</p> <p><b>Designation Criteria:</b> Properties designated for the Northeast Special Planning Area shall reflect the following criteria:</p> <ol style="list-style-type: none"> <li>1. The area is located in the northeastern corner of Burien, and is currently or anticipated to be subjected to high levels of noise from airport-related activities, and therefore, less suitable for residential development.</li> <li>2. The area must be a minimum of 2 acres in size, although smaller lots may be</li> </ol>	<p><del>1.3, 1.4, 1.5 and 1.6 do not apply to Special Planning Area 4, but continue to apply in the rest of the Northeast Special Planning Area (north of So. 138<sup>th</sup> Street).</del></p> <p>The Northeast <del>Special Planning</del> <u>Redevelopment</u> Area (NERA) identified on Map LU-1 is an overlay land use designation that recognizes a potential opportunity for economic development in the <del>northeastern</del> part of the City, in areas affected by aircraft noise from SeaTac International Airport. Development of uses in the <del>Northeast Special Planning Area</del> <u>NERA</u> should be low scale, landscaped, <del>and buffered, and</del> <u>be clustered together and sited so that they have internal circulation, minimizing the number of access points to Des Moines Memorial Drive</u> <del>have access to Des Moines Memorial Drive.</del> <u>, meet the designation criteria under this policy and meet the performance criteria set forth in policies IN 1.3 and 1.4.</u> <u>Sites should be designed and located in a way that minimizes traffic, congestion, visual, noise or other impacts on adjacent residential uses or environmentally critical areas.</u></p> <p><b>Discussion:</b> <u>In 2009, the City and Port of Seattle collaborated on a Supplemental Environmental Impact Statement (SEIS) and Redevelopment Plan for the Northeast Redevelopment Area. This led to a series of Comprehensive Plan text and map amendments as well as Zoning Code and Zoning Map amendments related to approximately 158 acres of the NERA. These 158 acres were re-designated and rezoned into two Airport Industrial designations and a Professional Residential designation. Development within this portion of the NERA is subject to the SEIS and Redevelopment Plan. The City subsequently adopted a SEPA Planned Action Ordinance to help facilitate redevelopment in the area.</u></p> <p><b>Allowed Uses and Description:</b> Business Park, Warehouse, Manufacturing uses <del>are</del> <u>include</u> storage <del>within a building,</del> production, light industrial, processing and distribution-related businesses <u>inside buildings with only limited storage and related activities occurring</u></p>	

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
	<p>aggregated to meet this requirement.</p> <p>3. The area shall be located near major transportation corridors with adequate highway access.</p> <p>4. The area should be free of or able to appropriately accommodate significant amounts of environmentally critical areas.</p> <p>5. The existing or planned public facilities are or will be adequate to support the level and intensity of proposed development.</p>	<p><del>outside. Uses only have minimal environmental and land use impacts. Since the area is in close proximity to SeaTac International Airport, the uses in this classification could</del> <b>should</b> be airport-oriented due to its close proximity to SeaTac International Airport. In addition, studio space for artists is also encouraged as a part of these developments, to the extent allowed by FAA restrictions.</p> <p><b>Character:</b> <del>Uses in the Northeast Special Planning Area 4 should be contained entirely within a structure. Only limited outside storage, or other external activity is appropriate. Developments should be clustered together and sited so that they have internal circulation, minimizing the number of access points to Des Moines Memorial Drive. Sites should be designed and located in a way that minimizes traffic, congestion, visual, noise or other impacts on adjacent residential uses or environmentally critical areas.</del></p> <p><b>Designation Criteria:</b> <del>Properties designated for the as Northeast Special Planning Redevelopment Area shall</del><b>should</b> reflect the following criteria:</p> <ol style="list-style-type: none"> <li>1. The area <del>should be is located in the northeast corner of Burien adjacent to the Northeast Redevelopment Area as shown on Figure 2-SE1,</del> and is currently or anticipated to be subjected to high levels of noise from airport-related activities, and therefore, less suitable for residential development.</li> <li>2. <del>The area must be a minimum of 2 acres in size, although smaller lots may be aggregated to meet this requirement.</del></li> <li>3. The area shall be located near major transportation corridors with adequate highway access.</li> <li>4. The area should be free of or able to appropriately accommodate <del>significant amounts of</del> environmentally critical areas.</li> </ol>	<p>Is the proper qualifier “should” or “shall”?  <b>Planning Commission Consensus to use “should” in all but a few sections.</b></p> <p>Is this still desirable? Staff recommends removal of the criteria. See 6/26/12 memo.</p> <p>Is the term “significant” appropriate?  <b>Staff is recommending the proposed alternate language.</b></p>

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
		<p>5. <del>The existing or planned public facilities are or will be adequate to support the level and intensity of proposed development.</del></p>	<p>It was developed considering all designations to ensure consistency between all criteria. The language also accounts for the long term development objectives contained within the plan which considers the natural and built environments. In addition it enables the discussion of the presence of critical areas during the land use designation process.</p> <p>No. 5 - Already covered in public facility policies.</p>
	<p><b>Discussion:</b> Land in the Northeast Special Planning Area shown on Map LU-1 may not be ready for conversion from existing residential uses. Preparation of a Special Area Plan or sub-area plan will help ensure that the Northeast Special Planning Area is re-developed in a coordinated manner.</p>	<p><del><b>Discussion:</b> Land in the Northeast Special Planning Area shown on Map LU-1 may not be ready for conversion from existing residential uses. Preparation of a Special Area Plan or sub-area plan will help ensure that the Northeast Special Planning Area is re-developed in a coordinated manner.</del></p>	<p>Moved to end of Pol. IN 1.5</p>
<p>Pol. IN 1.5</p>	<p>Prior to considering redesignation of land within the Northeast Special Planning Area to Special Planning Area 4, a Special Area Plan shall be prepared.</p> <p>This Special Area Plan should be in the form of an integrated Growth Management Act/State Environmental Policy Act integrated plan in order to provide advance environmental review and approval of specific development opportunities or plans. The Special Area Plan shall consider the appropriateness and feasibility of non-residential uses in this area and which areas should be converted to the Special Planning Area 4 designations. For those areas appropriate for conversion, the Plan shall address how such areas may be transitioned from existing residential uses, and how development will be supported by adequate facilities. The Plan and resulting development regulations should address</p>	<p>Prior to considering redesignation of land within <del>Special Planning Area 4</del> <u>the NERA north of South 138<sup>th</sup> Street as shown on Map LU-1</u>, a Special Area Plan <u>in the form of an addendum or revision to the existing Redevelopment Plan and SEIS</u> shall be prepared. Until completion of a Special Area Plan <del>(or related sub-area plan)</del>, this area shall continue to be regulated under the provisions of the underlying land use designation as shown on Map LU-1 and zoning as shown on the City's Zoning Map.</p> <p><del>This Special Area Plan, should be in the form of an integrated Growth Management Act/State Environmental Policy Act integrated plan in order to provide advance environmental review and approval of specific</del></p>	

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
	<p>minimum parcel size for development to avoid piecemeal conversion of residential land uses. The Special Planning Area may be included in one Special Area Plan or be divided into a number of smaller Special Area Plans particular to individual development plans prepared over time.</p> <p>Until completion of a Special Area Plan (or related sub-area plan), this area shall continue to be regulated under the provisions of the underlying land use designation as shown on Map LU-1 and zoning as shown on the City's Zoning Map.</p>	<p><del>development opportunities or plans.</del> The Special Area Plan shall consider <u>at a minimum, the following items:</u></p> <ol style="list-style-type: none"> <li>a. The appropriateness and feasibility of non-residential uses in this area;</li> <li>b. <del>and w</del>Which areas should be converted to <del>the Special Planning Area 4 Airport Industrial, Professional Residential and/or other designations</del> <u>that will achieve the objective of Pol. IN 1.1;</u></li> <li>c. <del>For those areas appropriate for conversion, the Plan shall address h</del>How such areas may be transitioned from existing residential uses;</li> <li>d. <del>and h</del>How development will be supported by adequate facilities;</li> <li>e. <del>The Plan and resulting development regulations should address m</del>Minimum parcel size for development to avoid piecemeal conversion of residential land uses. <del>The Special Planning Area may be included in one Special Area Plan or be divided into a number of smaller Special Area Plans particular to individual development plans prepared over time.</del></li> </ol> <p><i>Discussion:</i> Land in the Northeast <del>Special Planning</del> <u>Redevelopment</u> Area shown on Map LU-1 may not be ready for conversion from existing residential uses. Preparation of a Special Area Plan <del>or sub-area plan</del> will help ensure that the Northeast <del>Special Planning Area</del> is re-developed in a coordinated manner.</p>	
Pol. NEW		<p><u>The Airport Industrial designations facilitate economic development and provide flexibility for airport-compatible uses in a campus-like setting with internal circulation to minimize the number of access points to Des Moines Memorial Drive.</u></p> <p><i>Allowed Uses and Description:</i> <u>The Airport Industrial with Automall/Commercial Retail designation allows flex-tech, professional</u></p>	This new policy is based on existing NERA language.

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
		<p><u>office, light manufacturing, production, processing and distribution-related businesses; warehousing, utilities, retail, and new car auto sales developed in an auto center configuration. New residential uses are not allowed.</u></p> <p><u>The <i>Airport Industrial</i> designation allows flex-tech, professional office, light manufacturing, production, processing and distribution-related businesses; warehousing, and utilities. Retail is allowed as an accessory use. New residential uses are not allowed.</u></p> <p><u>Further discussion of the Airport Industrial designations can be found in the Final Supplemental Environmental Impact Statement for the Northeast Redevelopment Area dated November 2009.</u></p> <p><b><i>Implementation:</i></b> <u>Properties designated <i>Airport Industrial with Automall/Commercial Retail</i> will be implemented by the AI-1 zone. Properties designated <i>Airport Industrial</i> will be implemented by the AI-2 zone.</u></p> <p><b><i>Designation Criteria:</i></b> <u>Properties designated <i>Airport Industrial</i> shall be located within the Northeast Redevelopment Area and shall be subject to a special study/Supplemental Environmental Impact Statement supporting the designation as outlined in Pol. IN 1.5.</u></p>	
Pol. NEW		<p><u>The <i>Professional Residential</i> designation provides flexibility by allowing both single-family homes and small businesses in an area near but not directly under SeaTac International Airport's third runway.</u></p> <p><b><i>Allowed Uses and Description:</i></b> <u>The <i>Professional Residential</i> designation allows moderate density residential, small office, small scale retail, art studios, and other similar uses that would be compatible with single-family homes.</u></p>	

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
		<p><u>Further discussion of the Professional Residential designation can be found in the Final Supplemental Environmental Impact Statement for the Northeast Redevelopment Area dated November 2009.</u></p> <p><b><i>Implementation:</i></b> <u>Properties designated <i>Professional Residential</i> will be implemented by the PR zone.</u></p> <p><b><i>Designation Criteria:</i></b> <u>Properties designated <i>Professional Residential</i> shall be located within the Northeast Redevelopment Area and shall be subject to a special study/Supplemental Environmental Impact Statement supporting the designation as outlined in Pol. IN 1.5.</u></p>	
<b>Parks, Schools, Recreation and Open Space</b>			
<b>Goal PO.1</b>	<b><i>Provide areas for Parks, Schools, Recreation and Open Space land uses areas within the City that are devoted to these types of uses, and recognize their contribution to the overall quality of life in Burien.</i></b>	<b><i>Provide areas for Parks, Schools, Recreation and Open Space land uses areas within the City that are devoted to these types of uses, and recognize their contribution to the overall quality of life in Burien.</i></b>	
Pol. PO 1.1	<p>The <i>Parks/Schools/Recreation/Open Space</i> area designation should reflect existing or planned areas for public recreational facilities, such as community centers, parks, trails, open space areas and public schools. This classification also encompasses significant quasi-public facilities, such as private schools, that are not intended for unrestricted public use but provide limited public access to the community.</p> <p><b><i>Allowed Uses and Description:</i></b> This designation allows for public parks, public or quasi-public facilities, recreation, and public open space areas.</p> <p><b><i>Designation Criteria:</i></b> Properties designated as parks, schools, recreation or open space should generally reflect one of the following criteria:</p> <ol style="list-style-type: none"> <li>1. The area is a public park or recreation facility.</li> <li>2. The area is a quasi-public facility that has limited access park, recreation or open space areas.</li> </ol>	<p>The <i>Parks/Schools/Recreation/Open Space</i> area designation should reflect existing or planned areas for public recreational facilities, such as community centers, parks, trails, open space areas and public schools. This classification also encompasses significant quasi-public facilities, such as private schools, that are not intended for unrestricted public use but provide limited public access to the community.</p> <p><b><i>Allowed Uses and Description:</i></b> <del>This</del> <u>The <i>Parks/Schools/Recreation/Open Space</i> designation allows for public parks, public or quasi-public facilities, recreation, and public open space areas.</u></p> <p><b><i>Designation Criteria:</i></b> Properties designated as parks, schools, recreation or open space <del>should</del> <u>shall</u> generally reflect one of the following criteria:</p> <ol style="list-style-type: none"> <li>1. The area is a public park or recreation facility.</li> </ol>	<p>Should vs. shall?</p> <p><b>Planning Commission Consensus to use "should" in all but a few sections.</b></p>

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
	<p>3. The area is a public designated open space.</p> <p>4. The area is identified for acquisition as a public park or a public open space.</p> <p>5. The area or facility is appropriate for multiple or shared uses, such as a stormwater facility or a public or private school with a play area that could also serve as a passive or active park or open space.</p>	<p>2. The area is a quasi-public facility that has limited access park, recreation or open space areas.</p> <p>3. The area is a public designated open space.</p> <p>4. The area is identified for acquisition as a public park or a public open space.</p> <p>5. The area or facility is appropriate for multiple or shared uses, such as a stormwater facility or a public or private school with a play area that could also serve as a passive or active park or open space.</p>	
<b>Special Planning Areas</b>			
Goal SE.1	<p><i>Designate Special Planning Areas to provide the City with the ability to support, encourage and achieve the community vision for specific areas of the downtown. These areas have distinctive geographic characteristics that the City's existing land use designations cannot adequately address.</i></p> <p><b>Discussion:</b> Special Planning Areas are used as a planning tool to create policies, regulations and criteria for development within defined geographic areas of the City that have special characteristics. These characteristics could include special design elements, gateways, large-lot public or semi-public facilities, or master-planned areas. A Special Planning Area can be established when the City's traditional Plan designations and zoning regulations are inadequate to address the development of an area. Within Special Planning Areas, special regulations are designed to ensure that development supports and achieves the desired character and stated goals and policies for the area. Special Planning Areas within the City of Burien are identified in Figure 2-SE1.</p>	<p><i>When appropriate, designate Special Planning Areas to provide the City with the ability to support, encourage and achieve the community vision for specific areas of the <u>city downtown</u>. These areas have distinctive <del>geographic</del> characteristics that the City's existing land use designations cannot adequately address.</i></p> <p><b>Discussion:</b> Special Planning Areas are used as a planning tool to create policies, regulations and criteria for development within defined geographic areas of the City that have special characteristics. These characteristics could include special design elements, gateways, large-lot public or semi-public facilities, or master-planned areas. A Special Planning Area can be established when the City's traditional Plan designations and zoning regulations are inadequate to address the development of an area. Within Special Planning Areas, special regulations are designed to ensure that development supports and achieves the desired character and stated goals and policies for the area. Special Planning Areas within the City of Burien are identified in Figure 2-SE1.</p>	<p>Move discussion to beginning of business/industrial section?</p>
Pol. SE 1.2	Special Planning Area 1 at the southwest entrance of downtown includes an area centered around SW 152nd Street between 8 <sup>th</sup> Avenue SW and the Ruth Dykeman Center, "Old Burien." The City should strive to help achieve the following	<del>Special Planning Area 1 at the southwest entrance of downtown includes an area centered around SW 152nd Street between 8<sup>th</sup> Avenue SW and the Ruth Dykeman Center, is the area known as "Old Burien."</del>	Revised map will show location.

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
	<p>objectives through administering Special Planning Area 1 design standards recognizing the area’s pedestrian orientation, historic character and location as a gateway to and from downtown. Within Special Planning Area 1:</p> <ul style="list-style-type: none"> <li>a. The City should strengthen, preserve and enhance Old Burien as an active and economically viable place to shop, visit, conduct business and enjoy cultural events;</li> <li>b. The pedestrian orientation will be enhanced and maintained in a manner that is consistent with the City’s design guidelines;</li> <li>c. Any construction, improvements or demolition of structures should be subject to special design review by the City;</li> <li>d. The City shall administer adopted design standards perpetuating the architecture within Old Burien for commercial, business and residential uses;</li> <li>e. Proposed developments should comply with the stated goals and policies for this area and enhance the character of the area. A strong connection between Old Burien and the pedestrian oriented shopping area along SW 152nd east of Ambaum Blvd. SW should be established and maintained; and,</li> <li>f. The residential neighborhood west of 10<sup>th</sup> Avenue SW should be protected from the potential expansion of retail uses west of Old Burien.</li> </ul>	<p><del>the City should strive to help achieve the following objectives through administering Special Planning Area 1 design standards recognizing</del>  <u>The Special Planning Area designation recognizes</u> the area’s pedestrian orientation, historic <u>and design</u> character, and location as a gateway to and from downtown. Within Special Planning Area 1 <u>the City should:</u></p> <ul style="list-style-type: none"> <li>a. <del>The City should s</del><u>Strengthen, preserve and enhance Old Burien</u> as an active and economically viable place to shop, visit, conduct business and enjoy cultural events;</li> <li>b. <del>The pedestrian orientation will be e</del><u>Enhanced and maintained the</u> <u>area’s pedestrian orientation and design character</u> in a manner that is consistent with the City’s design <u>guidelines</u><del>standards</del>;</li> <li>e. <del>Any construction, improvements or demolition of structures should be subject to special design review by the City;</del></li> <li>d. <del>The City shall administer adopted design standards perpetuating the architecture within Old Burien for commercial, business and residential uses;</del></li> <li>e. <del>Proposed developments should comply with the stated goals and policies for this area and enhance the character of the area. A</del>  <u>Maintain the strong pedestrian connection</u> between Old Burien and <u>the pedestrian oriented shopping area along SW 152nd east of Ambaum Blvd. SW should be established and maintained</u><u>Downtown Burien</u>; and,</li> <li>f. <u>Protect T</u><del>the residential neighborhood west of 10<sup>th</sup> Avenue SW should be protected</del> from the potential expansion of retail uses west of Old Burien.</li> </ul>	<p>The city has adopted design standards for the area.</p>

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
Pol. SE 1.3	<p>Special Planning Area 2 includes the existing Ruth Dykeman Children’s Center facilities on Lake Burien. While the City encourages and supports the continued operation of the Center, any proposed change in use in the future should be reviewed to ensure that:</p> <p style="padding-left: 40px;">a. Public access to the water is prohibited; and b. The development supports the historical link with Old Burien.</p> <p>While the Ruth Dykeman Children’s Center continues to operate a children’s center on the site, residential, office and accessory uses associated with the center should be allowed. Minor expansion and/or modification of the children’s center uses and structures should be allowed, if consistent with a City-approved Master Plan for the property. Major expansion and/or modification should be reviewed in conjunction with an amendment of the approved Master Plan.</p>	<p>Special Planning Area 2 includes the existing Ruth Dykeman Children’s Center facilities on Lake Burien. <u>The Special Planning Area designation recognizes the unique use, campus and location of the Ruth Dykeman’s Children’s Center.</u> While the City encourages and supports the continued operation of the Center, any proposed change in use in the future should be reviewed to ensure that <del>a. Public access to the water is prohibited; and b.</del> The development supports the historical link with Old Burien.</p> <p>While the Ruth Dykeman Children’s Center continues to operate a children’s center on the site, residential, office and accessory uses associated with the center should be allowed. Minor expansion and/or modification of the children’s center uses and structures should be allowed, if consistent with a City-approved Master Plan for the property. Major expansion and/or modification should be reviewed in conjunction with an amendment of the approved Master Plan.</p>	<p>Item “a” should be removed or modified in order to be consistent with the state law, SMA and SMP update guidelines. Please note underlined sections below.</p> <p>Or Leave as is although it will be in conflict with SMP section 20.30.025[2.d]</p> <p><b>WAC 173-26-191, Master program contents. (e) Consistency with comprehensive planning and other development regulations.</b> Shoreline management is most effective and efficient when accomplished within the context of comprehensive planning. <u>For cities and counties planning under the Growth Management Act, chapter 36.70A RCW requires mutual and internal consistency between the comprehensive plan elements and implementing development regulations (including master programs).</u> The requirement for consistency is amplified in WAC <a href="#">365-196-500</a>.</p> <p><b>WAC 365-196-500, Internal consistency. (3) The development regulations must be internally consistent and be consistent with and implement the comprehensive plan.</b></p>

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
			<p><b>Burien SMP 20.30.035, Public Access</b></p> <p><b>2. Regulations</b></p> <p>d. <u>Public access shall be required for all new shoreline development and uses, except for; water dependent uses, individual single family residences and subdivisions of less than four parcels.</u></p>
Pol. SE 1.4	<p>Special Planning Area 3 includes the eastern entrance into downtown near the vicinity of 1st Avenue South and SW 148th Street on the north and SW 150<sup>th</sup> Street on the south. This area is also referred to as the gateway area. Special Planning Area 3 should develop as a quality environment that identifies a primary entrance to the City and downtown from major transportation corridors. Developments and improvements in the area (including land within the SR-509 and SR-518 rights-of-way) should be consistent with the December, 1998 “Burien Gateway Design Report”, which is adopted as part of this Plan by reference. Within this Special Planning Area the City should:</p> <ol style="list-style-type: none"> <li>a. Encourage the type of well-designed, quality development that reinforces a positive image for the City and the adjacent downtown area, and promotes economic development; and</li> <li>b. Support and encourage site design, building design and landscaping that promotes pedestrian activity and establishes a strong pedestrian connection between the Special Planning Area 3 and the downtown; and</li> <li>c. Support and encourage the development of quality designed hotels with conference facilities and associated retail.</li> </ol>	<p>Special Planning Area 3 <del>includes the eastern entrance into downtown near the vicinity of 1st Avenue South and SW 148th Street on the north and SW 150<sup>th</sup> Street on the south. This area is also referred to as the gateway area.</del> <u>The Special Planning Area 3 designation 3 should develop recognizes that the gateway area should be as</u> a quality environment that identifies a primary entrance to the City and downtown from major transportation corridors. Developments and improvements in the area (including land within the SR-509 and SR-518 rights-of-way) should be consistent with the December, 1998 “Burien Gateway Design Report”, which is adopted as part of this Plan by reference. Within <del>this</del> Special Planning Area <u>3</u> the City should:</p> <ol style="list-style-type: none"> <li>a. Encourage <del>the type of</del> well-designed, quality development that reinforces a positive image for the City and the adjacent downtown area, and promotes economic development; and</li> <li>b. Support and encourage site design, building design and landscaping that promotes pedestrian activity and establishes a strong pedestrian connection between <del>the</del> Special Planning Area 3 and the downtown; and</li> <li>c. Support and encourage the development of quality designed hotels with conference facilities and associated retail.</li> </ol>	No need to verbally describe if it is shown on a map.

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
Pol. SE 1.5	<p>The Northeast Redevelopment Area (NERA) is an approximately 158 acre area located in the northeastern part of Burien that has been affected by SeaTac International Airport operations (see Figure 2-SE1). The NERA provides near and long term opportunities for economic development.</p> <p><b>Allowed Uses and Description:</b> The NERA has been divided into two land use designations: Airport Industrial (AI) and Professional Residential (PR).</p> <p><i>Airport Industrial:</i> The purpose of this designation is to facilitate economic development and provide flexibility for airport-compatible uses in a campus-like setting with internal circulation to minimize the number of access points to Des Moines Memorial Drive. Allowed uses include, but are not limited to flex-tech, professional offices, light manufacturing, production, processing and distribution-related businesses; warehousing, utilities, retail, and new car auto sales developed in an auto mall configuration in designated locations. New residential uses are not allowed.</p> <p><i>Professional Residential:</i> The purpose of this designation is to provide flexibility by allowing both single-family homes and small businesses in an area near but not directly under SeaTac International Airport's third runway. Allowed uses include, but are not limited to moderate density residential, small office, small scale retail, art studios, and other similar uses that would be compatible with single-family homes. (Amended, Ord. 528, 2009)</p>	<p><del>The Northeast Redevelopment Area (NERA) is an approximately 158 acre area located in the northeastern part of Burien that has been affected by SeaTac International Airport operations (see Figure 2-SE1). The NERA provides near and long term opportunities for economic development.</del></p> <p><b>Allowed Uses and Description:</b> The NERA has been divided into two land use designations: Airport Industrial (AI) and Professional Residential (PR).</p> <p><del><i>Airport Industrial:</i> The purpose of this designation is to facilitate economic development and provide flexibility for airport-compatible uses in a campus-like setting with internal circulation to minimize the number of access points to Des Moines Memorial Drive. Allowed uses include, but are not limited to flex-tech, professional offices, light manufacturing, production, processing and distribution-related businesses; warehousing, utilities, retail, and new car auto sales developed in an auto mall configuration in designated locations. New residential uses are not allowed.</del></p> <p><del><i>Professional Residential:</i> The purpose of this designation is to provide flexibility by allowing both single-family homes and small businesses in an area near but not directly under SeaTac International Airport's third runway. Allowed uses include, but are not limited to moderate density residential, small office, small scale retail, art studios, and other similar uses that would be compatible with single-family homes. (Amended, Ord. 528, 2009)</del></p>	Moved much of this to another policy above
Pol. IN 1.5	<p>Prior to considering redesignation of land within the Northeast Special Planning Area to Special Planning Area 4, a Special Area Plan shall be prepared.</p> <p>This Special Area Plan should be in the form of an integrated Growth Management Act/State Environmental Policy Act integrated plan in order to provide advance environmental review and approval of specific development</p>	<p><del>Prior to considering redesignation of land within the Northeast Special Planning Area to Special Planning Area 4, a Special Area Plan shall be prepared.</del></p> <p><del>This Special Area Plan should be in the form of an integrated Growth Management Act/State Environmental Policy Act integrated plan in</del></p>	Moved to another policy(s) above.

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
	<p>opportunities or plans. The Special Area Plan shall consider the appropriateness and feasibility of non-residential uses in this area and which areas should be converted to the Special Planning Area 4 designations. For those areas appropriate for conversion, the Plan shall address how such areas may be transitioned from existing residential uses, and how development will be supported by adequate facilities. The Plan and resulting development regulations should address minimum parcel size for development to avoid piecemeal conversion of residential land uses. The Special Planning Area may be included in one Special Area Plan or be divided into a number of smaller Special Area Plans particular to individual development plans prepared over time.</p> <p>Until completion of a Special Area Plan (or related sub-area plan), this area shall continue to be regulated under the provisions of the underlying land use designation as shown on Map LU-1 and zoning as shown on the City's Zoning Map.</p>	<p><del>order to provide advance environmental review and approval of specific development opportunities or plans. The Special Area Plan shall consider the appropriateness and feasibility of non-residential uses in this area and which areas should be converted to the Special Planning Area 4 designations. For those areas appropriate for conversion, the Plan shall address how such areas may be transitioned from existing residential uses, and how development will be supported by adequate facilities. The Plan and resulting development regulations should address minimum parcel size for development to avoid piecemeal conversion of residential land uses. The Special Planning Area may be included in one Special Area Plan or be divided into a number of smaller Special Area Plans particular to individual development plans prepared over time.</del></p> <p>Until completion of a Special Area Plan (or related sub-area plan), this area shall continue to be regulated under the provisions of the underlying land use designation as shown on Map LU-1 and zoning as shown on the City's Zoning Map.</p>	

**COMPREHENSIVE PLAN**  
**DRAFT PLAN PHASING AND NATURAL ENVIRONMENT**  
**GOALS AND POLICIES**  
August 20, 2012

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
<b>Phasing of Uses and Densities</b>			
Goal PH.1	<i>To allow for the orderly phasing of current uses and densities to desired future uses and densities.</i>	<del><i>To allow for the orderly phasing of current uses and densities to desired future uses and densities.</i></del>	Goal is more appropriate for jurisdictions adjacent to a growth boundary. Original goal is more related to development alternatives
Pol. PH 1.1	Where appropriate, the City will encourage and support the use by individual property owners of alternatives to development. Such alternatives may include transfer of development rights (“TDR”) to the downtown and other appropriate areas, conservation easements, open space tracts, and other mechanisms designed to permanently eliminate development. In cases where individual neighborhoods have reduced the development capacity through the use of covenants, the City will support the conversion of those covenants to conservation easements or other suitable mechanisms. Each time a development right is exercised in this or a like manner the development potential of the area will be commensurately reduced. The City will implement administrative programs designed to educate and facilitate the use of these mechanisms and present these programs to the neighborhoods during the neighborhood planning process.	<del>Where appropriate, the City will encourage and support the use by individual property owners of alternatives to development. Such alternatives may include transfer of development rights (“TDR”) to the downtown and other appropriate areas, conservation easements, open space tracts, and other mechanisms designed to permanently eliminate development. In cases where individual neighborhoods have reduced the development capacity through the use of covenants, the City will support the conversion of those covenants to conservation easements or other suitable mechanisms. Each time a development right is exercised in this or a like manner the development potential of the area will be commensurately reduced. The City will implement administrative programs designed to educate and facilitate the use of these mechanisms and present these programs to the neighborhoods during the neighborhood planning process.</del>	Move concepts elsewhere?  Possibly move to an introduction section as a discussion on ways to mitigate pressures of increased population growth in our ever urbanizing environment?
<b>Natural Environment</b>			
Goal EV.1	<i>Preserve and enhance critical areas in order to protect public health, safety, and welfare, and to maintain the integrity of the natural environment.</i>		No change.
Pol. EV 1.1	The City of Burien’s Critical Areas Map shall be used as a reference for identifying the City’s critical areas. Other unmapped critical areas do exist throughout the city. Any site containing critical areas are subject to the special development regulations and conditions found in the City’s Critical Areas Ordinance.		No change. SMP Pol. CON 3.

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
Pol. EV 1.2	Development should be directed toward areas where their adverse impacts on critical areas can be minimized.		No change. SMP Pol. CON 4. Consider Impact avoidance (Watershed Co.). New policy recommended to avoid inconsistency with SMP Pol. CON 4.
<b>NEW POLICY</b>		Avoid impacts to critical areas before considering minimizing impacts or providing mitigation.	Recommended by Watershed Co. as a part of the BAS review.
Pol. EV 1.3	The City shall maintain a system of development regulations and a permitting system to prevent the destruction of critical areas. Development regulations should at a minimum address wetland protection, aquifer recharge areas important for potable water, fish and wildlife habitat conservation areas, frequently flooded areas, and geologically hazardous areas.		SMP Pol. CON 6. All critical areas are shown on the map referenced in Pol. EV 1.1. Per Watershed Co. Streams are not listed and should be added; however, this would make Pol. EV 1.3 inconsistent with SMP Pol. CON 6.
Pol. EV 1.4	The City shall require permit review approval before any activity or construction is allowed to occur in, adjacent to, or impact a critical area.  <i>Discussion:</i> A permit is required because critical areas are susceptible to degradation from incompatible uses or activities including, improper clearing, grading, filling, refuse dumping, and construction.	The City shall require permit review approval before any activity or construction is allowed to occur in, adjacent to, or impact a critical area.  <del><i>Discussion:</i> A permit is required because critical areas are susceptible to degradation from incompatible uses or activities including, improper clearing, grading, filling, refuse dumping, and construction.</del>	SMP Pol. CON 7 (Discussion not included in SMP).  Remove because requirement is in the zoning code, 19.40.040(1) and res. 297 (fees for CAR)
Pol. EV 1.5	If no feasible alternative exists, a limited amount of development may occur on wetlands and floodplains, however development shall not result in a net loss of associated natural functions and values of those systems. In these instances, a broad range of site planning techniques should be explored to minimize impacts on these critical areas. (Amended, Ord. 497, 2008)  <i>Discussion:</i> Clustering and appropriately designed housing types can allow for a more environmentally sensitive site plan by concentrating development on the most buildable portion of a site while preserving natural drainage, wetlands and other natural features. Greater attention to site design, including the use of buffers, can enhance aesthetic appeal, neighborhood compatibility, and resource protection.	If no feasible alternative exists, a limited amount of development may occur on wetlands and floodplains, however development shall not result in a net loss of associated natural functions and values of those systems. In these instances, a broad range of site planning techniques should be explored to minimize impacts on these critical areas. (Amended, Ord. 497, 2008)  <del><i>Discussion:</i> Clustering and appropriately designed housing types can allow for a more environmentally sensitive site plan by concentrating development on the most buildable portion of a site while preserving natural drainage, wetlands and other natural features. Greater attention to site design, including the use of buffers, can enhance aesthetic appeal, neighborhood compatibility, and resource protection.</del>	SMP Pol. CON 16 (Discussion not included in SMP).  Move to intro section explaining techniques to allow development while protecting environmentally sensitive areas?

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
Pol. EV 1.6	<p>Clustering of housing units may be allowed on lots designated for residential development that contains steep slopes and are located adjacent to an urban environment.</p> <p><i>Discussion:</i> This policy is intended to allow a more gradual transition from the urban environments (containing multifamily and commercial development) along Ambaum Boulevard eastward to the steep sloped areas designated for lower density single family residential development that are adjacent to Salmon Creek Ravine and Seahurst Park. This policy would allow a property owner to use the full development potential of the lot by concentrating development on the buildable portion of the lot, while protecting the steep sloped portion from development.</p>	<p>Clustering of housing units may be allowed on lots designated for residential development that contains steep slopes and are located adjacent to an urban environment.</p> <p><del><i>Discussion:</i> This policy is intended to allow a more gradual transition from the urban environments (containing multifamily and commercial development) along Ambaum Boulevard eastward to the steep sloped areas designated for lower density single family residential development that are adjacent to Salmon Creek Ravine and Seahurst Park. This policy would allow a property owner to use the full development potential of the lot by concentrating development on the buildable portion of the lot, while protecting the steep sloped portion from development.</del></p>	<p>SMP Pol. USE 10 (Discussion not included in SMP).</p> <p>Removing the reference to the Urban environment (map 2LU-2) changes the policy substantially. The reference should have been change to “high”. This policy is not implemented by our code.</p> <p>Move to an introduction section?</p>
Pol. EV 1.X (NEW)		<p><u>Locate development in a manner that minimizes impacts to natural features. Promote the use of innovative environmentally sensitive development practices, including design, materials, construction, and on-going maintenance.</u></p>	From Vision 2040
Pol. EV 1.7	The City shall develop land use regulations to buffer critical areas from the impacts of adjacent land uses.		No change, SMP Pol. CON 8 This has been completed and is also a GMA requirement.
Pol. EV 1.8	The City requires the use of Best Available Science for protecting critical areas within the community pursuant to the Growth Management Act [RCW 36.70A.172(1)].		No change. SMP Pol. CON 9
Pol. EV 1.9	Encourage minimizing the amount of impervious surfaces in new development through the use of appropriate low-impact development techniques and removing paved areas or using retrofit options in existing developments, where applicable, to minimize runoff.		No change. SMP Pol. CON 12
Goal EV.2	<i>Maintain and promote a safe and healthy environment and preserve the quality of life in Burien.</i>	<i>Maintain and promote a safe and healthy environment and preserve the quality of life in Burien.</i>	Really similar to goal EV 1. (Planning Commission consensus to KEEP)
Pol. EV 2.1	The City shall ensure that uses and development in shoreline areas is compatible with the shoreline environments designated in the City’s Shoreline Master Program. Adherence to these designations will ensure that sensitive habitat, ecological systems, and other shoreline resources are protected.	The City shall ensure that uses and development in shoreline areas is compatible with the shoreline environments designated in the City’s Shoreline Master Program. Adherence to these designations will ensure that sensitive habitat, ecological systems, and other shoreline resources are protected.	SMP Pol. CON 2 (Discussion not included in SMP).

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
	<b>Discussion:</b> Shoreline designations within the City are as follows: “Conservancy” designation is applied from the north end of Seahurst Park southwards to approximately the northern end of 28th Ave. SW. “Urban” designation is applied to the remainder of the Puget Sound shoreline within Burien, as well as to the shoreline of Lake Burien.	<del><b>Discussion:</b> Shoreline designations within the City are as follows: “Conservancy” designation is applied from the north end of Seahurst Park southwards to approximately the northern end of 28th Ave. SW. “Urban” designation is applied to the remainder of the Puget Sound shoreline within Burien, as well as to the shoreline of Lake Burien.</del>	Removed because the proposed SMP no longer uses these identifiers.
	<i>Surface Water Quality</i>		
Pol. EV 2.2	Stream banks and stream channels should be maintained or restored to their natural condition wherever such conditions or opportunities exist.	<del>Maintain and restore</del> Stream banks and stream channels <del>should be maintained or restored</del> to their natural condition wherever such conditions or opportunities exist.	Ensure consistency with stormwater element. Should be maintaining and restoring.
Pol. EV 2.3	The capacity of natural drainage courses shall not be diminished by development or other activities.		No change. SMP Pol. FLD 2
Pol. EV 2.4	The City shall consider the impacts of new development on water quality as part of its environmental review process and require where appropriate any mitigation measures.		No change. SMP Pol. CON 13
Pol. EV 2.5	The City Shoreline Master Program, hereby adopted as an element of this Plan, shall govern the development of all designated Shorelines of the City. Lands adjacent to these areas shall be managed in a manner consistent with this Program.	<del>The City Shoreline Master Program, hereby adopted as an element of this Plan, shall govern the development of all designated Shorelines of the City. Lands adjacent to these areas shall be managed in a manner consistent with this Program.</del>	State law—not needed.
	<i>Air Quality</i>		
Pol. EV 2.6	The City will continue to support and rely on the various State, Federal, local and regional programs to protect and enhance air quality.	<del>The City will c</del> ontinue to support and rely on the various State, Federal, local and regional programs to protect and enhance air quality.	
Pol. EV 2.7	The City shall encourage the retention of vegetation and top soil and require landscaping in new developments in order to provide filtering of suspended particulates. (Amended, Ord. 497, 2008)	<del>The City shall e</del> ncourage the retention of <u>native</u> vegetation and top soil and require landscaping in new developments in order to provide filtering of suspended particulates. (Amended, Ord. 497, 2008)	Retention of “native” vegetation should be preferred.
Pol. EV 2.8	The City shall consider the impacts of new development on air quality as a part of its environmental review process and require mitigating measures as may be appropriate.	<del>The City shall e</del> consider the impacts of new development on air quality as a part of <del>it’s</del> <u>the SEPA</u> environmental review process and require mitigating measures as may be appropriate.	The term “SEPA” was added for clarification purposes.

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
	<i>Vegetative Quality</i>		
Pol. EV 2.9	The City shall consider the impacts of new development on the quality of land, wildlife and vegetative resources as a part of its environmental review process and require any appropriate mitigating measures. Such mitigation may involve the retention of significant habitats.		No change. SMP Pol. CON 20 Consider a policy that addresses wildlife corridors and habitat connectivity (Watershed Co.)
<b>NEW POLICY</b>		Identify existing and potential wildlife habitat corridors and work to enhance their function and connectivity to other habitat areas.	
Pol. EV 2.10	The City shall encourage an increase in tree canopies through the addition and the preservation of existing vegetation and use of landscaping as an integral part of development plans.		No change. SMP Pol. CON 21
Pol. EV 2.11	The City should consider developing and implementing a measure which would preserve trees of historical significance.		No change. SMP 20.20.040 – HCSE 3
	<i>Hazardous Materials</i>		
Pol. EV 2.12	The storage and disposal of any hazardous material shall be done only in strict compliance with applicable city, state and federal law.	<del>The s</del> Storage and disposal of any hazardous material shall be done only in strict compliance with applicable city, state and federal law.	
Pol. EV 2.13	The City shall consider the impacts of new development on the risk of hazardous materials as a part of its environmental review process and require any appropriate mitigating measures.	<del>The City shall c</del> Consider the impacts of new development on the risk of hazardous materials as a part of <del>it's</del> the environmental review process and require any appropriate mitigating measures.	
Pol. EV 2.14	No development shall occur on land determined to be contaminated until mediation has been completed between all parties involved. The city will obtain county, Federal and state resources to address issues.	<del>No development shall occur on land determined to be contaminated until mediation has been completed between all parties involved. The city will obtain county, Federal and state resources to address issues.</del>	State/Federal responsibility, not City.
	<i>Education</i>		
Pol. EV 2.15	Educate the public on water quality issues and impacts of stormwater flow.		No change. SMP Pol. CON 14 Action item—not policy
Pol. EV 2.16	Educate individuals and households about different ways to reduce pollution.		No change, SMP Pol. CON 15 Action item—not policy
<b>NEW POLICY</b>		Support efforts to create and improve urban habitat areas. Habitat creation and enhancement efforts include backyards and/or other forms of urban habitat areas.	Consider a new policy that supports creation of back yard and urban habitats (Watershed Co.)
Goal EV.3	<i>Promote soil stability and to ensure against the loss of both public and private property in areas with steep slopes.</i>	<i>Promote soil stability and <del>to</del> protect against the loss of both public and private property in areas with steep slopes.</i>	“Protect” is an action related term.

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
Pol. EV 3.1	<p>As slope increases, development intensity, site coverage, and vegetation removal should decrease and thereby minimize the potential for drainage problems, soil erosion, siltation and landslides. Slopes of 40 percent or greater should be retained in a natural state, free of structures and other land surface modifications.</p> <ol style="list-style-type: none"> <li>1. Single family homes and detached single-family garages on existing legally established lots are exempted from this restriction, provided that: <ol style="list-style-type: none"> <li>a. The application of this restriction would deny any appropriate use of this property;</li> <li>b. There is no other appropriate economic use with less impact;</li> <li>c. The proposed development does not pose a threat to public health, safety or welfare on or off the development site;</li> <li>d. Any alterations permitted to the critical area shall be the minimum necessary to allow for economic use of the property;</li> <li>e. An analysis of soils, footings and foundations, and drainage be prepared by qualified professionals, certifying that the proposed activity is safe and will not adversely affect the steep slope hazard area or buffer; and</li> <li>f. There are adequate plans, as determined by the City, for stormwater and vegetation management.</li> </ol> </li> <li>2. Short plats or other divisions of an existing legal lot shall only be approved if all resulting lots are buildable under this restriction.</li> <li>3. It is the applicant's responsibility to show that these provisions are met through an appropriate mechanism such as, or similar to, the SEPA process.</li> </ol>		No change. SMP Pol. USE 11
Pol. EV 3.2	The City should prohibit development on areas prone to erosion and landslide hazards. Further, the City should restrict development on potentially unstable land to ensure public safety and conformity with existing natural constraints, unless the risks and adverse impacts associated with such		No change. SMP Pol. USE 12

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
	development can be appropriately mitigated.		
Pol. EV 3.3	The City should require development proposals to include measures to stabilize soils, hillsides, bluffs and ravine sidewalls and to promote wildlife habitat by retaining or restoring native vegetation.		No change. SMP Pol. CON 22
Pol. EV 3.4	The City should consider developing policies that balance the removal of vegetation to preserve and enhance views with the need to retain vegetation to promote slope stability and open space.		No change. SMP Pol. CON 23
Pol. EV 3.5	Land uses on steep slopes should be designed to prevent property damage and environmental degradation, and to enhance open space and wildlife habitat.		No change. SMP Pol. USE 13
Pol. EV 3.6	Where there is a high probability of erosion, grading should be kept to a minimum and disturbed vegetation should be restored as soon as feasible. In all cases, the City shall require appropriate site design and construction measures to control erosion and sedimentation.		No change. SMP Pol. USE 14
<b>Goal EV. 4</b>	<b><i>Conserve fish and wildlife resources and maintain bio-diversity.</i></b>		No change
Pol. EV 4.1	The City should maintain and enhance existing species and habitat diversity including fish and wildlife habitat that supports the greatest diversity of native species.		No change. SMP Pol. CON 25
Pol. EV 4.2	All development activities shall be located, designed, constructed and managed to avoid disturbance of adverse impacts to fish and wildlife resources, including spawning, nesting, rearing and habitat areas and migratory routes.		No change. SMP Pol. CON 26
Pol. EV 4.3	Fish and wildlife habitat should be protected, conserved and enhanced, including:  a. Habitats for species which have been identified as endangered, threatened, or sensitive by the state or federal government;  b. Priority species and habitats listed in the Adopted King County Comprehensive Plan, November 1994;  c. Commercial and recreational shellfish areas;  d. Kelp and eel-grass beds;  e. Herring and smelt spawning areas; and	Fish and wildlife habitat should be protected, conserved and enhanced, including:  a. Habitats for species which have been identified as endangered, threatened, or sensitive by the state or federal government;  b. Priority species and habitats listed in the Adopted King County Comprehensive Plan, <del>November 1994</del> <u>October 2008, as amended</u> ;  c. <del>Commercial and recreational s</del> Shellfish areas;  d. Kelp and eel-grass beds;  e. Herring and smelt spawning areas; and	SMP Pol. CON 27-changes are to match SMP language

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
	f. Wildlife habitat networks designated by the City.	f. Wildlife habitat networks designated by the City.	
Pol. EV 4.4	Fish and wildlife should be maintained through conservation and enhancement of terrestrial, air and aquatic habitats.		No change. SMP Pol. CON 28
Pol. EV 4.5	The City shall be a good steward of public lands and should integrate fish and wildlife habitats into capital improvement projects whenever feasible.	The City shall be a good steward of public lands and should integrate <u>restoration and/or enhancement of</u> fish and wildlife habitats into capital improvement projects whenever feasible.	SMP Pol. REST 2 Edits to match SMP language.
Pol. EV 4.6	The City shall work with adjacent jurisdictions and state, federal and tribal governments during land use plan development review to identify and protect habitat networks that follow or are adjacent to jurisdictional boundaries.	<del>The City shall work</del> <u>Coordinate</u> with adjacent jurisdictions and state, federal and tribal governments during land use <del>plan development</del> review to identify and protect habitat networks that <del>follow or</del> are adjacent to jurisdictional boundaries.	
Pol. EV 4.7	The City should ensure that habitat networks throughout the City are designated and mapped. The network should be of sufficient width to protect habitat and dispersal zones for small mammals, amphibians, reptiles, and birds. These networks should be protected through incentives, regulation and other appropriate mechanisms. Site planning should be coordinated during development review to ensure that connections are made or maintained amongst segments of the network.		No change. SMP Pol. CON 29
Pol. EV 4.8	Native plant communities and wildlife habitats shall be integrated with other land uses where possible. Development shall protect wildlife habitat through site design and landscaping. Landscaping, screening, or vegetated buffers required during development review shall retain, salvage and/or reestablish native vegetation whenever feasible. Development within or adjacent to wildlife habitat networks shall incorporate design techniques that protect and enhance wildlife habitat values.		No change. SMP Pol. CON 30
Pol. EV 4.9	The City should protect salmonid habitats by ensuring that land use and facility plans (transportation, water, sewer, power, gas) include riparian habitat conservation measures developed by the City, affected tribes, and/or state and federal agencies. Development within basins that contain fish enhancement facilities must consider impacts to those facilities.	<del>The City should p</del> Protect salmonid habitats by ensuring that land use and facility plans (transportation, water, sewer, power, gas) include riparian habitat conservation measures developed by the City, affected tribes, and/or state and federal agencies. Development within basins that contain fish enhancement facilities must consider impacts to those facilities.	
Pol. EV 4.10	In order to minimize adverse impacts related to noise, unless prohibited by federal or state law, fish and wildlife habitat conservation areas within the City should be protected from exterior noise levels which exceed 55 dBA Ldn.	<del>In order to minimize adverse impacts related to noise, unless prohibited by federal or state law,</del> <u>Protect</u> fish and wildlife habitat conservation areas within the City <del>should be protected</del> from exterior noise levels which exceed 55 dBA Ldn <u>to the extent allowed by federal and state law.</u>	Suggest moving this modified policy to the noise section below.

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
Pol. EV 4.11	The City shall promote voluntary wildlife enhancement projects which buffer and expand existing wildlife habitat, through educational and incentive programs for individuals and businesses.		No change. SMP Pol. CON 31
<b>Goal EV.5</b>	<b><i>Protect, improve and sustain ground water quality and quantity through sound and innovative environmental management.</i></b>		No change.
Pol. EV 5.1	The City hereby adopts King County’s Preliminary Map of Areas Highly Susceptible to Ground Water Contamination designating Critical Aquifer Recharge Areas, including any subsequent amendments.		No change. WD 20 does not use aquifers as a water source. Link to Map: <a href="http://your.kingcounty.gov/dnrp/library/2003/kcr958/0303kcCA_RA7.pdf">http://your.kingcounty.gov/dnrp/library/2003/kcr958/0303kcCA_RA7.pdf</a>
Pol. EV 5.2	The City shall protect the quality and quantity of groundwater by:  a. <del>Placing priority on implementation of the South King County Groundwater Management Plan;</del>  b. Developing a process by which the City will review, and implement, as appropriate, Wellhead Protection Programs in conjunction with adjacent jurisdictions and ground water purveyors, and adopting best management practices for new development. <del>recommended by the South King County Groundwater Management Plan.</del> The goals of those practices should be to promote aquifer recharge quality and quantity; and  c. Refining regulations as appropriate to protect critical aquifer recharge areas based on information derived through the preparation of Groundwater Management Plans and Wellhead Protection Programs.		No change.  Plan was never adopted and is based on info from 90-95. Draft is dated 2003, therefore staff and Watershed Co. recommends removing the reference.  <a href="http://www.kingcounty.gov/environment/waterandland/groundwater/maps-reports/management-plans.aspx">http://www.kingcounty.gov/environment/waterandland/groundwater/maps-reports/management-plans.aspx</a>
Pol. EV 5.3	The City shall protect ground water recharge by promoting low-impact development techniques that infiltrate runoff where site conditions permit, except where potential groundwater contamination cannot be prevented by pollution source controls and stormwater pretreatment.	<del>The City shall protect</del> Promote ground water recharge by promoting allowing and encouraging the use of low-impact development techniques that infiltrate runoff where site conditions permit. <del>, except where potential groundwater contamination cannot be prevented by pollution source controls and stormwater pretreatment.</del>	There are multiple policies and they should be separated.
<b>Pol. EV X.X (NEW)</b>		<u>Protect groundwater sources from contamination by requiring pollution source controls and stormwater pretreatment.</u>	New policy separated out from policy above.

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
Pol. EV 5.4	In making future zoning decisions, the City shall evaluate and monitor ground water policies, their implementation costs, impacts upon the quantity and quality of groundwater and the need for new water supplies.	<u>Comprehensive Plan land use decisions</u> <del>In future zoning decisions, the City shall consider impacts to evaluate and monitor ground water policies, their implementation costs, impacts upon the quantity and quality of groundwater supply. and the need for new water supplies.</del>	There are many policy statements here. If this is important, it should be captured in the criteria for designation changes. It should refer to comp. plan changes rather than zoning. Separated policy language below.
<b>Pol. EV 5.X (NEW)</b>		<u>When considering new or modified groundwater polices the City should evaluate costs of implementation.</u>	Policy statement separated from above.
	<b>Wetlands</b>		
<b>Goal EV.6</b>	<i>Protect and enhance the functions and values of the City's wetlands.</i>		No change.
Pol. EV 6.1	The City shall protect its wetlands with an objective of no overall net-loss of functions and values.	<del>The City shall p</del> <u>Protect its the city's</u> wetlands with an objective of no overall net-loss of functions and values.	
Pol. EV 6.2	All wetland functions should be considered in evaluating wetland mitigation proposals, including fish and wildlife habitat, flood storage, water quality, recreation, educational opportunities, and aesthetics.		No change. SMP Pol. CON 17
Pol. EV 6.3	The City will protect wetlands by maximizing infiltration opportunities and promoting the conservation of forest cover and native vegetation.		No change. SMP Pol. CON 18
Pol. EV 6.4	Mitigation for any adverse impacts on wetlands shall be provided in the same basin within which the impacts occur.		No change. SMP Pol. CON 19
	<b>Noise</b>		
<b>Goal NO.1</b>	<i>Prevent community and environmental degradation by limiting noise levels, and to safeguard the health and safety of the residents of the City by ensuring that the City's physical and human environments are protected and enhanced as progress and change take place within and outside of its municipal boundaries.</i>	<i>Prevent community and environmental degradation by limiting noise levels, and to safeguard the health and safety of the residents of the City by ensuring that the City's physical and human environments are protected and enhanced as progress and change <del>take place</del> <u>occurs</u> within and outside of its municipal boundaries.</i>	Grammatical edit.
Pol. NO 1.1	The City shall: a. discourage the introduction of noise levels which are incompatible with current or planned land uses;  b. encourage the reduction of incompatible noise levels; and  c. discourage the introduction of new land uses into areas where existing noise levels are incompatible with such land uses.	<del>The City shall:</del> <del>a. d</del> Discourage the introduction of noise levels which are incompatible with current or planned land uses.  <del>b. encourage the reduction of incompatible noise levels; and</del>  <del>c. discourage the introduction of new land uses into areas where existing noise levels are incompatible with such land uses.</del>	

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
Pol. NO 1.X (NEW)		eEncourage the reduction of incompatible noise levels; and	Separated from Pol. NO 1.1
Pol. NO 1.X (NEW)		dDiscourage the introduction of new land uses into areas where existing noise levels are incompatible with such land uses.	Separated from Pol. NO 1.1
Pol. NO 1.2	The City shall work with other jurisdictions and agencies to encourage the reduction of noise from Seattle-Tacoma International Airport.	<del>The City shall w</del> Work with other jurisdictions and agencies to encourage the reduction of noise from Seattle-Tacoma International Airport.	
Pol. NO 1.3	The City shall aggressively campaign for the development of new and quieter aircraft engines as well as modifications and/or retrofitting programs which promote the greatest reductions possible in aircraft noise emission levels.	<del>The City shall aggressively campaign for the development of new and quieter aircraft engines as well as modifications and/or retrofitting programs which promote the greatest reductions possible in aircraft noise emission levels.</del>	Not needed
Pol. NO 1.4	The City shall take advantage of every opportunity to work with the Port of Seattle and the Federal Aviation Administration to promote the development and implementation of airport operational procedures that will decrease the adverse noise effects of airport operations on the City and its residents.	<del>The City shall take advantage of every opportunity to w</del> Work with the Port of Seattle and the Federal Aviation Administration to <del>promote the development and implementation of</del> airport operational procedures that will decrease the adverse noise effects. <del>of airport operations on the City and its residents.</del>	

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

August 20, 2012

Reference No.	Current Goal/Policy Language	Proposed Goal/Policy Language	Comments
<b>Historic Preservation</b>			
<b>NEW</b>		Add definition to Glossary in Section 1.4: <b>Historic Resource:</b> A district, site, building, structure or object significant in national, state or local history, architecture, archaeology, and culture.	Taken from King County code. Allows use of one term throughout these goals and policies.
<b>Goal HT.1</b>	<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 <del>properties and sites</del> resources are identified, protected from undue adverse impacts associated with incompatible land uses or transportation facilities, and <del>protected from detrimental exterior noise levels.</del></i>	Changed to “historic resources”. 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.	<del>The City should p</del> Protect local historic, archeological and cultural sites and structures resources through designation and incentives for the preservation of such <del>properties resources.</del>	Changed to “historic resources”.
Pol. HT 1.2	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;	<del>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;</del>	There are currently no designated sites in Burien. <a href="http://www.kingcounty.gov/property/historic-preservation.aspx">http://www.kingcounty.gov/property/historic-preservation.aspx</a>  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

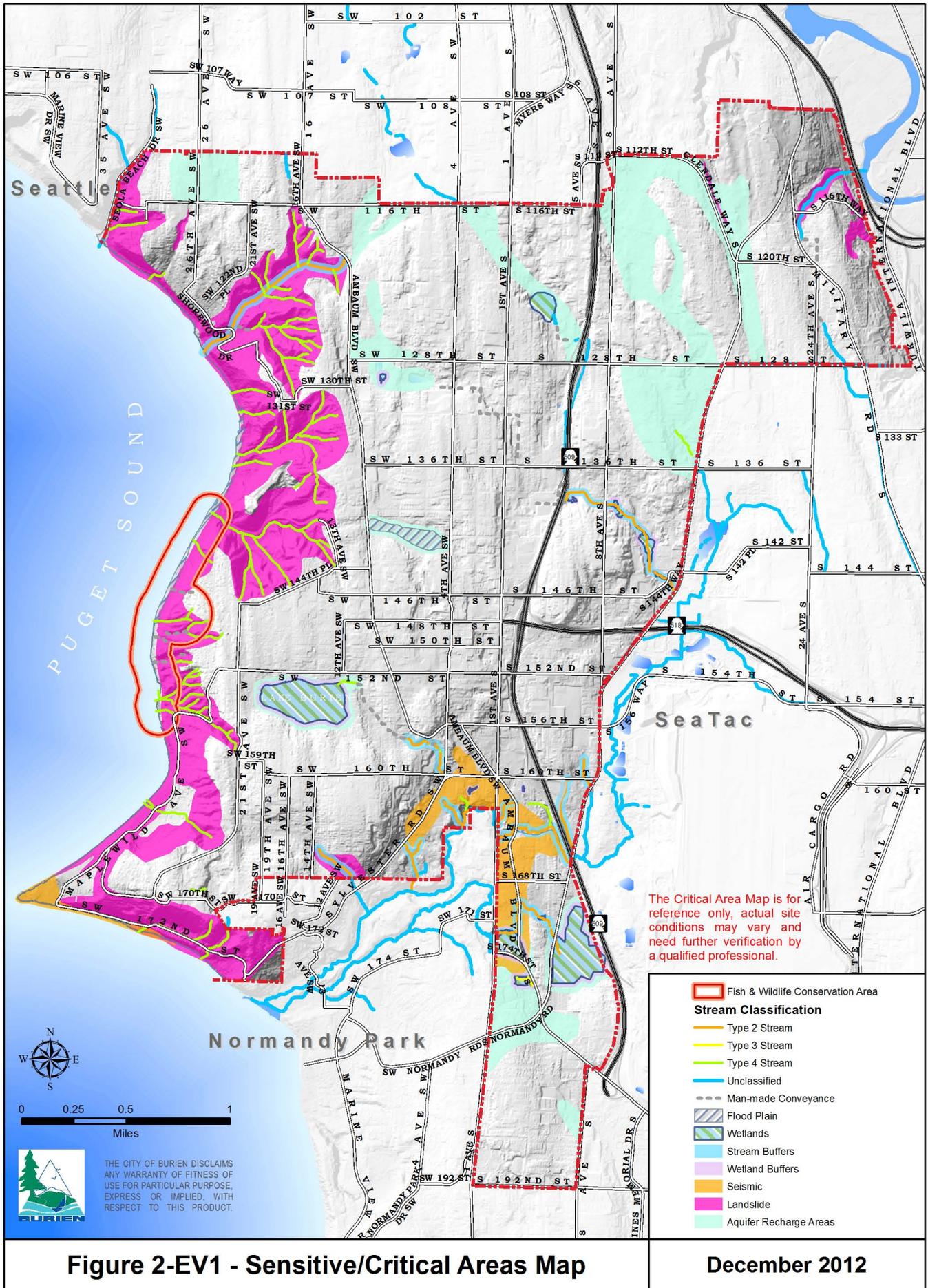
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	<p>d. It embodies the distinctive characteristics of a type, period, style or method of construction;</p> <p>e. It is an outstanding or significant work of an architect, builder, designer or developer who has made a substantial contribution to the 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><b>Discussion:</b> 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><del>d. It embodies the distinctive characteristics of a type, period, style or method of construction;</del></p> <p><del>e. It is an outstanding or significant work of an architect, builder, designer or developer who has made a substantial contribution to the profession;</del></p> <p><del>f. It has yielded, or may be likely to yield, information important in prehistory or history;</del></p> <p><del>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;</del></p> <p><del>h. The property or site includes significant cultural facilities such as amphitheaters, museums, community centers, sports complexes, marinas, etc.</del></p> <p><del><b>Discussion:</b> 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</del></p>	<p>rather than the Comp. Plan.</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.	<del>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.</del>	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 <b>properties, and sites resources</b> from incompatible land uses.	<b>Planning Commission suggests expanding the ability to protect other historical assets such as trees or other important features. Changed to "historic resources".</b>
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.	<del>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.</del>	No nexus between noise and preservation of historic properties.

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<b>Community Character</b>			
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>	<del>Create a balanced community by controlling and directing growth in a manner which enhances, rather than detracts from community quality and values.</del>	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.	<del>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.</del>	Covered by LU.1, LU 1.1, LU 1.2, LU 1.4, etc. The land use element is more specific.
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.	<del>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.</del>	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.  <b>Discussion:</b> 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 <del>municipalities</del> <u>jurisdictions</u> to enhance the consistency of development proposals with <u>their</u> land use goals and policies. <del>of all jurisdictions, particularly with border jurisdictions.</del>  <del><b>Discussion:</b> 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)</del>	"Surrounding jurisdictions" is the same as "border jurisdictions".  The Discussion section doesn't explain the policy.
<b>Public Facilities</b>			
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 <del>be coordinated</del> comply with the provision of <u>any</u> 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.

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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.	<del>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.</del>	Combined with PF 1.1 above.
<b>Land Use Plan Implementation</b>			
<b>Goal PI.1</b>	<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 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.
<b>NEW</b>		Development regulations shall be clearly written and absent duplicative, uncoordinated or unclear requirements.	Separated from policy PI 1.2 above.
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.	<del>The development regulations should enable the City to use</del> 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).  <i>Alternative Language:</i> 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? <b>Planning Commission Consensus to use Alternate Language</b>
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	<del>In deciding applications for amendments to the comprehensive plan, the City should consider the following:</del> <u>Amendments to the Comprehensive Plan shall comply with the following criteria, using the procedures established in the Zoning Code:</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

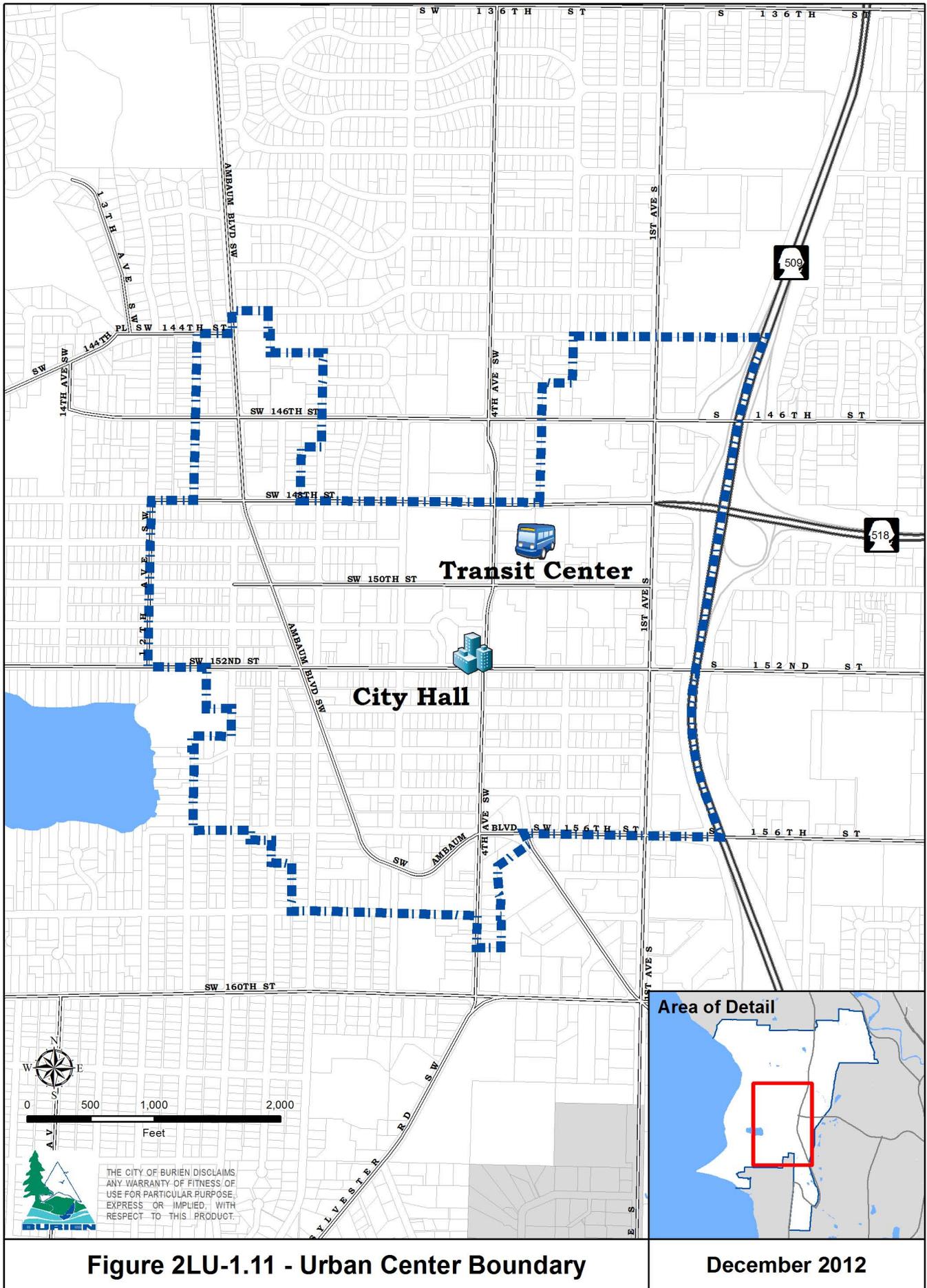
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	<p>designation criteria;</p> <p>b. Capability of the land;</p> <p>c. Capacity of public facilities and services and whether public facilities and services can be provided cost effectively (if publicly funded) at the intensity allowed by the designation;</p> <p>d. Whether the proposed use is compatible with nearby uses;</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</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.</p> <p><b>Discussion:</b> 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>a. <del>Consistency with the comprehensive plan policies and the designation criteria</del> <u>The proposed amendment is the best means for meeting an identified public need; and</u></p> <p>b. <del>Capability of the land;</del> <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></p> <p>c. <del>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;</del> <u>The proposed amendment will result in a net benefit to the community; and</u></p> <p>d. <del>Whether the proposed use is compatible with nearby uses;</del> <u>The revised Comprehensive Plan will be internally consistent; and</u></p> <p>e. <del>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</del> <u>The capability of the land can support the projected land use; and</u></p> <p>f. <del>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.</del> <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</u></p>	<p>was thoroughly discussed by both the Planning Commission and City Council.</p>

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		<p><u>either of the following is met:</u></p> <p>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>ii. <u>The map change will correct a Comprehensive Plan designation that was inappropriate when established.</u></p> <p><b>Discussion:</b> 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>	
<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.	<del>If there is a conflict between the comprehensive plan land use map and the land use designation policies, the land use designation policies control.</del>	City Attorney recommends removing 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.	<del>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.</del>	City Attorney recommends removing this policy.
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.	<del>If there is a conflict between the land use designation policies and other policies, the policy that most specifically addresses the issue controls.</del>	City Attorney recommends removing this policy.
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><b>Discussion:</b> 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>	<p><del>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.</del></p> <p><del><b>Discussion:</b> 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</del></p>	City Attorney recommends removing this policy.



**Figure 2-EV1 - Sensitive/Critical Areas Map**

**December 2012**



**Figure 2LU-1.11 - Urban Center Boundary**

**December 2012**

