



CITY COUNCIL REGULAR MEETING AGENDA

February 3, 2014

7:00 p.m.

PAGE NO.

- | | | | | |
|---|--|---|--|------|
| 1. CALL TO ORDER | | 2. PLEDGE OF ALLEGIANCE | | |
| 3. ROLL CALL | | | | |
| 4. AGENDA CONFIRMATION | | | | |
| 5. PUBLIC COMMENT | Individuals will please limit their comments to two minutes on general issues not on the agenda. Concerns will be referred to staff for a response as appropriate and will be included in the next City Manager's Report. The Council will take general comments for a maximum of 20 minutes. Individuals may also comment on each Business Agenda Item for a maximum time of three minutes. | | | |
| 6. CORRESPONDENCE FOR THE RECORD | a. | Email Dated October 31, 2013, from M. Little with Response from Liz Olmstead, Planner, Regarding el Fogoncito Restaurant. | | 3. |
| | b. | Email Dated January 26, 2014, from Margaret Tierney, Owner Mad Dog Productions, with Response from Carol Allread, Executive Assistant, Regarding Burien Actors Theatre. | | 5. |
| 7. CONSENT AGENDA | a. | Approval of Check Register: Numbers 36557 - 36824 in the Amounts of \$935,065.42 for Payment on February 3, 2014, and Payroll Salaries and Benefits Numbers 6025 - 6041 for Direct Deposits and Wire Transfers in the Amount of \$302,178.70 for December 16 – December 31, 2013, Paid on January 3, 2014, and Payroll Salaries and Benefits Numbers 6042 - 6053 for Direct Deposits and Wire Transfers in the Amount of \$262,719.70 for January 1 – January 15, 2014, Paid on January 17, 2014. | | 7. |
| | b. | Approval of Minutes: Regular Meeting, January 6, 2014; Retreat, January 11, 2014; Special Meetings, January 23, 2014; Study Session, January 27, 2014. | | 43. |
| 8. BUSINESS AGENDA | a. | Presentation on Town Square. | | |
| | b. | Presentation of the 2013 Annual Report by the Southwest King County Chamber of Commerce. | | |
| | c. | Discussion and Possible Action on Permanent Marijuana Related Business Zoning Regulations Pursuant to Washington State Initiative 502. | | 57. |
| | d. | Review of Council Proposed Agenda Schedule. | | 233. |
| | e. | City Manager's Report. | | 237. |

COUNCILMEMBERS

Lucy Krakowiak, Mayor
Lauren Berkowitz

Bob Edgar, Deputy Mayor
Gerald F. Robison **Nancy Tosta**

Stephen Armstrong
Debi Wagner

CITY COUNCIL REGULAR MEETING AGENDA

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9. COUNCIL BUSINESS

10. ADJOURNMENT

From: maria little [mailto:dewatobay@live.com]
Sent: Thursday, October 31, 2013 3:03 PM
To: Stephanie Jewett; David Johanson
Cc: Public Council Inbox
Subject: el Fogoncito restaurant

To all – this is a good restaurant. How long have you FORCED this restaurant to be associated with the remnants of the ugliest sign ever allowed in the City of Burien!?

Rather than allow this restaurant to possibly make use of the eyesore , you FORCE them to comply with today's signage requirements all the while leaving the eyesore!

Really?????????? Who wants to try a restaurant with the ugliest monument left in the City?

I'm surprised that the City is not helping this restaurant.

M. Little
2650 SW 151st Pl
206-241-1618

Carol Allread

From: Carol Allread
Sent: Friday, January 24, 2014 2:06 PM
To: Public Council Inbox
Subject: FW: el Fogoncito restaurant

From: Elizabeth Olmstead
Sent: Thursday, January 23, 2014 9:40 AM
To: 'dewatobay@live.com'
Cc: Chip Davis; Carol Allread
Subject: RE: el Fogoncito restaurant

Ms. Little,

In 2011, when El Fogoncito opened for business, the City had many discussions with the business owner and the property owner regarding the use of the freestanding sign. Because the sign is considered nonconforming due to its height and sign area (BMC 19.30.060.4), the Burien Municipal Code states that if the sign face is replaced for any reason, the sign must be made conforming (BMC 19.40.160). On 12/28/11, a formal enforcement letter was sent to the property owner regarding alteration/removal of the sign, but no action was taken by the property owner to remove the sign or bring it into compliance. In response to your comment, the City has handed this issue over to the Code Enforcement Department for further action to reach compliance with the code.

Thank you and please feel free to contact me with any questions. I have been reached at elizabetho@burienwa.gov or (206) 812-7575.

Liz Olmstead
Planner

From: Public Council Inbox
Sent: Friday, November 01, 2013 2:14 PM
To: 'maria little'
Subject: RE: el Fogoncito restaurant

Dear Ms. Little,

Thank you for writing to the City Council to express your concerns. Your email will be forwarded to staff for response to your question, and **will** be included in a future Council agenda packet as Correspondence for the Record.

Sincerely,

*Staff Follow-up: Liz Olmstead, Planner
CFTR: 2/3/14*

Carol Allread
Executive Assistant, City Manager Office
City of Burien
(206) 248-5508 Office
(206) 248-5539 Fax
carola@burienwa.gov

Carol Allread

From: Margaret Tierney [margreat@hotmail.com]
Sent: Sunday, January 26, 2014 2:32 PM
To: counsel@burienwa.gov
Subject: BAT

Dear Burien Counsel,

I'm am writing to you on behalf the Burien Actors Theater. As a patron of the theatre and a former board member, scenic designer, builder, painter I wild like to encourage you to continue your support of BAT. I find the theatres programming to be highly entertaining and a great asset to the community. The theatre has a long history with Burien and there will be plenty more shows in the future. Burien is a stepping stone in the Seattle Puget Sound theatre community. Without the local venues available for people to become involved we lose our appreciation for the arts as whole. Many people go on from community involvement to professional employment. The more venues available the better.

Thank You

Margaret Tierney

Owner Mad Dog Productions

Sent from my HTC on T-Mobile 4G LTE

Carol Allread

From: Public Council Inbox
Sent: Wednesday, January 29, 2014 2:21 PM
To: 'Margaret Tierney'
Subject: BAT

Dear Ms. Tierney,

Thank you for writing to the City Council to express your concerns about the impact of the Annex fire on the operations of the Hi-Liners and Burien Actors Theater. Unfortunately, the fire significantly damaged the performance area of the building and its roof, and this area has been temporarily secured against further damages. In the next several days, the City is expecting an assessment by a structural engineer as well as a repair plan and cost estimate for those repairs. Meanwhile City staff is also working to assist the two performing arts organizations with finding space in the community to address their short-term needs. A decision to go forward with the repairs to the Annex will be made quite soon, and then an estimated 3-month construction process is expected. Until that repair can be fully made, the performance area of the building has been deemed unsafe to the public, but rest assured, City staff are actively working on resolving this matter. Again, thank you for writing to express your concerns; your email will be included in a future Council agenda packet as Correspondence for the Record.

Sincerely,

Carol Allread
Executive Assistant, City Manager Office
City of Burien
(206) 248-5508 Office
(206) 248-5539 Fax
carola@burienwa.gov

CFTR: 2/3/14
cc: michael Lafreniere, Parks Director
Dan Trimble, Economic Development
Director

From: Margaret Tierney [<mailto:margreat@hotmail.com>]
Sent: Sunday, January 26, 2014 2:34 PM
To: Public Council Inbox
Subject: Fwd: Delivery Status Notification (Failure)

Sent from my HTC on T-Mobile 4G LTE

----- Forwarded message -----

From: postmaster@mail.hotmail.com
To: <margreat@hotmail.com>
Subject: Delivery Status Notification (Failure)
Date: Sun, Jan 26, 2014 2:32 PM

This is an automatically generated Delivery Status Notification.

Delivery to the following recipients failed.

COMPUTER CHECK REGISTER

CHECK REGISTER APPROVAL

WE, THE MEMBERS OF THE CITY COUNCIL OF BURIEN, WASHINGTON, HAVING RECEIVED DEPARTMENT CERTIFICATION THAT MERCHANDISE AND/OR SERVICES HAVE BEEN RECEIVED OR RENDERED, DO HEREBY APPROVE FOR PAYMENT ON This 3rd day of February 2014 THE FOLLOWING:

CHECK NOS. 36557-36824

IN THE AMOUNTS OF \$935,065.42

WITH VOIDED CHECK NOS. 0

PAYROLL SALARIES AND BENEFITS APPROVAL

FOR December 16th - December 31st PAID ON January 3rd 2014

CHECK NOS. 6025-6041

DIRECT DEPOSITS AND WIRE TRANSFERS IN THE AMOUNT OF: \$302,178.70

FOR January 1st - January 15th PAID ON January 17th 2014

CHECK NOS. 6042-6053

DIRECT DEPOSITS AND WIRE TRANSFERS IN THE AMOUNT OF: \$262,719.70

Accounts Payable
Checks for Approval



User: cathy
Printed: 01/30/2014 - 7:15 AM

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
36557	01/06/2014	General Fund	City Hall Custodial	Global Cleaning Inc	1,308.83
Check Total:					1,308.83
36558	01/21/2014	General Fund	Professional Services	ABC Legal	7.00
36558	01/21/2014	General Fund	Professional Services	ABC Legal	7.00
36558	01/21/2014	General Fund	Professional Services	ABC Legal	12.00
36558	01/21/2014	General Fund	Professional Services	ABC Legal	50.00
Check Total:					76.00
36559	01/21/2014	Surface Water Management Fund	Office And Operating Supplies	Ace Hardware	15.74
36559	01/21/2014	Surface Water Management Fund	Office And Operating Supplies	Ace Hardware	24.60
36559	01/21/2014	Street Fund	Office And Operating Supplies	Ace Hardware	19.98
36559	01/21/2014	Surface Water Management Fund	Office And Operating Supplies	Ace Hardware	27.27
Check Total:					87.59
36560	01/21/2014	General Fund	Professional Services	Admin Office of the Courts	6.00
Check Total:					6.00
36561	01/21/2014	General Fund	Machinery/Eqpt - Noncapitaliz	Apple Inc	1,349.05
36561	01/21/2014	General Fund	Machinery/Eqpt - Noncapitaliz	Apple Inc	930.76
36561	01/21/2014	General Fund	Machinery/Eqpt - Noncapitaliz	Apple Inc	389.83
Check Total:					2,669.64
36562	01/21/2014	General Fund	Telephone	A T & T	12.47
36562	01/21/2014	General Fund	Telephone	A T & T	49.84

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	62.31
36563	01/21/2014	General Fund	Telephone	AT&T Mobility	20.65
				Check Total:	20.65
36564	01/21/2014	General Fund	Printing/Binding/Copying	Brim Press LLC	230.15
				Check Total:	230.15
36565	01/21/2014	Transportation CIP	Design - Engineering	CH2M Hill	67,543.20
				Check Total:	67,543.20
36566	01/21/2014	General Fund	Nuisance and Abatement Costs	CleanScapes Inc	263.39
				Check Total:	263.39
36567	01/21/2014	General Fund	Office/Operating Supplies	Complete Office LLC	34.63
36567	01/21/2014	General Fund	Office/Operating Supplies	Complete Office LLC	193.94
36567	01/21/2014	General Fund	IT Office/Operating Supplies	Complete Office LLC	69.27
36567	01/21/2014	General Fund	Office and Operating Supplies	Complete Office LLC	34.63
36567	01/21/2014	General Fund	Office and Operating Supplies	Complete Office LLC	103.90
36567	01/21/2014	General Fund	Office And Operating Supplies	Complete Office LLC	277.06
36567	01/21/2014	General Fund	Office And Operating Supplies	Complete Office LLC	235.50
36567	01/21/2014	General Fund	Office And Operating Supplies	Complete Office LLC	187.02
36567	01/21/2014	General Fund	Office/Operating Supplies	Complete Office LLC	249.35
36567	01/21/2014	General Fund	Office And Operating Supplies	Complete Office LLC	522.17
				Check Total:	1,907.47
36568	01/21/2014	General Fund	Operating Rentals and Leases	Construction Site Services	125.00
				Check Total:	125.00
36569	01/21/2014	General Fund	City Hall Bldg Maintenance	Cosco Fire Protection Inc	84.32
				Check Total:	84.32
36570	01/21/2014	General Fund	Professional Services	CTS Language Link	0.31
36570	01/21/2014	General Fund	Professional Services	CTS Language Link	5.06

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
Check Total:					5.37
36571	01/21/2014	Street Fund	Utilities - Traffic Signals	City of Seattle	91.80
36571	01/21/2014	Street Fund	Utilities - Traffic Signals	City of Seattle	68.49
36571	01/21/2014	Street Fund	Utilities - Traffic Signals	City of Seattle	243.96
36571	01/21/2014	General Fund	Utilities	City of Seattle	115.25
36571	01/21/2014	General Fund	Utilities	City of Seattle	39.94
36571	01/21/2014	Street Fund	Utilities - Traffic Signals	City of Seattle	17.03
36571	01/21/2014	Street Fund	Utilities - Traffic Signals	City of Seattle	141.87
36571	01/21/2014	Street Fund	Utilities - Traffic Signals	City of Seattle	81.42
36571	01/21/2014	Street Fund	Utilities - Traffic Signals	City of Seattle	64.93
36571	01/21/2014	Street Fund	Utilities - Traffic Signals	City of Seattle	124.76
36571	01/21/2014	Street Fund	Utilities - Traffic Signals	City of Seattle	151.31
36571	01/21/2014	Street Fund	Utilities - Traffic Signals	City of Seattle	44.81
36571	01/21/2014	Street Fund	Utilities - Traffic Signals	City of Seattle	17.07
36571	01/21/2014	Street Fund	Utilities - Traffic Signals	City of Seattle	69.73
36571	01/21/2014	Street Fund	Utilities - Traffic Signals	City of Seattle	-31.05
36571	01/21/2014	General Fund	Utilities	City of Seattle	18.00
36571	01/21/2014	General Fund	Utilities	City of Seattle	66.31
36571	01/21/2014	Street Fund	Utilities - Traffic Signals	City of Seattle	8.32
36571	01/21/2014	Street Fund	Utilities - Traffic Signals	City of Seattle	256.96
36571	01/21/2014	Street Fund	Utilities - Traffic Signals	City of Seattle	154.03
Check Total:					1,744.94
36572	01/21/2014	General Fund	State Lobbying Services	Michael D. Doubleday	3,000.00
36572	01/21/2014	General Fund	Federal Lobbying Services	Michael D. Doubleday	2,050.00
Check Total:					5,050.00
36573	01/21/2014	General Fund	Office/Operating Supplies	Dell Computer Corporation	264.44
36573	01/21/2014	Equipment Reserve Fund	Machinery And Equipment	Dell Computer Corporation	7,957.58
Check Total:					8,222.02
36574	01/21/2014	Street Fund	Discover Burien	Discover Burien	4,665.00
36574	01/21/2014	Street Fund	Professional Services	Discover Burien	3,330.00
Check Total:					7,995.00
36575	01/21/2014	Surface Water Mgmt CIP	Construction-Engineering	Daily Journal of Commerce	775.20

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	775.20
36576	01/21/2014	General Fund	Economic Dev Strategic Plan	Economic Consultants Oregon Lt	11,007.69
				Check Total:	11,007.69
36577	01/21/2014	General Fund	Repairs & Maint. - Fleet	Elidrew, LLC	11.83
				Check Total:	11.83
36578	01/21/2014	General Fund	Professional Services	Eden Advanced Pests Tech.	82.13
				Check Total:	82.13
36579	01/21/2014	Surface Water Mgmt CIP	Construction-Engineering	FedEx	7.79
36579	01/21/2014	General Fund	Postage	FedEx	6.68
				Check Total:	14.47
36580	01/21/2014	General Fund	Office And Operating Supplies	Global Cleaning Inc	340.04
36580	01/21/2014	General Fund	Office And Operating Supplies	Global Cleaning Inc	242.39
				Check Total:	582.43
36581	01/21/2014	General Fund	Utilities	Glendale Heating	2,621.92
				Check Total:	2,621.92
36582	01/21/2014	General Fund	Parks Building Security	Guardian Security	302.22
				Check Total:	302.22
36583	01/21/2014	Street Fund	Office And Operating Supplies	ICON Materials	812.31
36583	01/21/2014	Street Fund	Office And Operating Supplies	ICON Materials	125.68
36583	01/21/2014	Surface Water Management Fund	Office And Operating Supplies	ICON Materials	85.96
				Check Total:	1,023.95
36584	01/21/2014	General Fund	Miscellaneous	Iron Mountain	80.85

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount	
					Check Total:	80.85
36585	01/21/2014	General Fund	Telephone	Integra Telecom	151.72	
36585	01/21/2014	General Fund	Telephone	Integra Telecom	23.34	
36585	01/21/2014	General Fund	Telephone	Integra Telecom	116.70	
36585	01/21/2014	General Fund	Telephone	Integra Telecom	35.01	
36585	01/21/2014	General Fund	Telephone	Integra Telecom	23.34	
36585	01/21/2014	General Fund	Telephone	Integra Telecom	58.35	
36585	01/21/2014	General Fund	Telephone	Integra Telecom	175.05	
36585	01/21/2014	General Fund	Telephone	Integra Telecom	140.04	
36585	01/21/2014	General Fund	Telephone	Integra Telecom	116.70	
36585	01/21/2014	General Fund	Telephone	Integra Telecom	108.88	
36585	01/21/2014	General Fund	Telephone	Integra Telecom	108.88	
36585	01/21/2014	General Fund	Telephone	Integra Telecom	109.00	
					Check Total:	1,167.01
36586	01/21/2014	General Fund	Citizens Patrol/ Crime Prevent	King County Radio Comm. Svcs	286.82	
					Check Total:	286.82
36587	01/21/2014	General Fund	Drug Seizure Proceeds KCSO	King County Sheriff's Office	4,532.03	
					Check Total:	4,532.03
36588	01/21/2014	General Fund	Professional Services	KING COUNTY FINANCE	602.00	
36588	01/21/2014	General Fund	Professional Services	KING COUNTY FINANCE	602.00	
36588	01/21/2014	General Fund	Jail Contracts	KING COUNTY FINANCE	416.49	
					Check Total:	1,620.49
36589	01/21/2014	General Fund	Plan Review Fee Fire Dist 2	King County Fire District #2	2,415.89	
					Check Total:	2,415.89
36590	01/21/2014	General Fund	King Co Pet License Trust Acct	King County Pet License	380.00	
					Check Total:	380.00
36591	01/21/2014	General Fund	Drug Seizure Proceeds KCSO	KC Sheriff Det. RCrenshaw	1,135.00	

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	1,135.00
36592	01/21/2014	General Fund	Attorney Srvc - Gen'l Matters	Kenyon Disend, PLLC	7,874.75
36592	01/21/2014	General Fund	Attorney Srvc - Gen'l Matters	Kenyon Disend, PLLC	322.34
				Check Total:	8,197.09
36593	01/21/2014	General Fund	Public Defender	Kirshenbaum & Goss, Inc., P.S	6,950.00
				Check Total:	6,950.00
36594	01/21/2014	General Fund	Mileage	CRAIG KNUTSON	114.71
36594	01/21/2014	General Fund	Other Travel	CRAIG KNUTSON	46.90
				Check Total:	161.61
36595	01/21/2014	Transportation CIP	Design	KPG Inc	2,371.96
36595	01/21/2014	Transportation CIP	Project Development	KPG Inc	16,537.32
				Check Total:	18,909.28
36596	01/21/2014	General Fund	Prof. Svcs-Instructors	Alexander Lewis	982.50
36596	01/21/2014	General Fund	Instructors Prof Svcs	Alexander Lewis	52.50
				Check Total:	1,035.00
36597	01/21/2014	General Fund	Office and Operating Supplies	Leisuremore Corporation	74.77
				Check Total:	74.77
36598	01/21/2014	Surface Water Management Fund	Repairs & Maint. - Fleet	Les Schwab	594.14
36598	01/21/2014	Street Fund	Repairs & Maint. - Fleet	Les Schwab	594.13
				Check Total:	1,188.27
36599	01/21/2014	General Fund	Subscriptions/Publications	Matthew Bender & Co., Inc.	236.63
				Check Total:	236.63
36600	01/21/2014	Street Fund	Office And Operating Supplies	McLendon Hardware Inc	37.96
36600	01/21/2014	Surface Water Management Fund	Office And Operating Supplies	McLendon Hardware Inc	5.58
36600	01/21/2014	Street Fund	Office And Operating Supplies	McLendon Hardware Inc	5.57

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
36600	01/21/2014	Street Fund	Office And Operating Supplies	McLendon Hardware Inc	21.68
36600	01/21/2014	Street Fund	Office And Operating Supplies	McLendon Hardware Inc	99.79
Check Total:					170.58
36601	01/21/2014	Surface Water Management Fund	Repairs & Maint. - Fleet	Mark's Expert Auto Service, In	66.51
36601	01/21/2014	Street Fund	Repairs & Maint. - Fleet	Mark's Expert Auto Service, In	66.51
36601	01/21/2014	General Fund	Repairs & Maint. - Fleet	Mark's Expert Auto Service, In	948.26
Check Total:					1,081.28
36602	01/21/2014	General Fund	Human Svc-Family/Youth	Matt Griffin YMCA	3,000.00
Check Total:					3,000.00
36603	01/21/2014	Street Fund	Dt Business License Svcs	Microflex Inc	3,747.12
36603	01/21/2014	General Fund	B&O Tax Collect & Audit	Microflex Inc	1,927.74
36603	01/21/2014	Street Fund	Dt Business License Svcs	Microflex Inc	23.20
36603	01/21/2014	General Fund	B&O Tax Collect & Audit	Microflex Inc	1,798.14
36603	01/21/2014	General Fund	Sales Tax Auditing Costs	Microflex Inc	63.03
Check Total:					7,559.23
36604	01/21/2014	General Fund	Office and Operating Supplies	Miller Paint Company Inc	187.79
36604	01/21/2014	Street Fund	Office And Operating Supplies	Miller Paint Company Inc	24.25
Check Total:					212.04
36605	01/21/2014	General Fund	Instructors Prof Svcs	New City Dance Company	277.50
Check Total:					277.50
36606	01/21/2014	General Fund	Computer Related Supplies	NetIG	145.03
Check Total:					145.03
36607	01/21/2014	Street Fund	Repairs And Maintenance	Nix Tree Care	19,491.00
Check Total:					19,491.00
36608	01/21/2014	Surface Water Management Fund	Repairs & Maint. - Fleet	OReilly Auto Parts	6.02
36608	01/21/2014	Street Fund	Repairs & Maint. - Fleet	OReilly Auto Parts	6.01
36608	01/21/2014	Surface Water Management Fund	Repairs & Maint. - Fleet	OReilly Auto Parts	23.72

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
36608	01/21/2014	Street Fund	Repairs & Maint. - Fleet	OReilly Auto Parts	3.23
36608	01/21/2014	Surface Water Management Fund	Repairs & Maint. - Fleet	OReilly Auto Parts	3.22
Check Total:					42.20
36609	01/21/2014	Surface Water Mgmt CIP	Design-Engineering	OTAK, Inc	1,295.00
36609	01/21/2014	Surface Water Mgmt CIP	Design-Engineering	OTAK, Inc	56,378.60
Check Total:					57,673.60
36610	01/21/2014	General Fund	Office and Operating Supplies	Jonathon R Williams	654.00
36610	01/21/2014	General Fund	Office and Operating Supplies	Jonathon R Williams	158.76
Check Total:					812.76
36611	01/21/2014	General Fund	Office And Operating Supplies	Pacific Rim Equipment Rental	328.50
Check Total:					328.50
36612	01/21/2014	Surface Water Management Fund	Office And Operating Supplies	Petty Cash Custodian	10.00
36612	01/21/2014	General Fund	Office/Operating Supplies	Petty Cash Custodian	14.99
36612	01/21/2014	General Fund	Mileage	Petty Cash Custodian	4.52
36612	01/21/2014	General Fund	Travel	Petty Cash Custodian	26.00
36612	01/21/2014	General Fund	Miscellaneous	Petty Cash Custodian	32.81
36612	01/21/2014	General Fund	Mileage	Petty Cash Custodian	10.17
36612	01/21/2014	Street Fund	Other Travel	Petty Cash Custodian	7.32
36612	01/21/2014	General Fund	Miscellaneous	Petty Cash Custodian	6.80
36612	01/21/2014	General Fund	Mileage	Petty Cash Custodian	20.12
36612	01/21/2014	General Fund	Miscellaneous	Petty Cash Custodian	10.65
36612	01/21/2014	Street Fund	Office And Operating Supplies	Petty Cash Custodian	10.00
Check Total:					153.38
36613	01/21/2014	General Fund	Senior Trips	Petty Cash Custodian	20.00
36613	01/21/2014	General Fund	Office And Operating Supplies	Petty Cash Custodian	6.71
36613	01/21/2014	General Fund	Senior Trips	Petty Cash Custodian	7.87
36613	01/21/2014	General Fund	Office And Operating Supplies	Petty Cash Custodian	9.30
36613	01/21/2014	General Fund	Office And Operating Supplies	Petty Cash Custodian	4.00
36613	01/21/2014	General Fund	Senior Trips	Petty Cash Custodian	12.90
36613	01/21/2014	General Fund	Senior Trips	Petty Cash Custodian	10.00
36613	01/21/2014	General Fund	Senior Trips	Petty Cash Custodian	17.50
36613	01/21/2014	General Fund	Senior Trips	Petty Cash Custodian	13.75
36613	01/21/2014	General Fund	Senior Trips	Petty Cash Custodian	17.45

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
Check Total:					119.48
36614	01/21/2014	General Fund	Other Travel	Petty Cash Custodian	15.82
36614	01/21/2014	General Fund	Office and Operating Supplies	Petty Cash Custodian	27.35
36614	01/21/2014	General Fund	Office And Operating Supplies	Petty Cash Custodian	1.10
36614	01/21/2014	General Fund	Office And Operating Supplies	Petty Cash Custodian	13.99
36614	01/21/2014	General Fund	Office And Operating Supplies	Petty Cash Custodian	12.93
36614	01/21/2014	General Fund	Office And Operating Supplies	Petty Cash Custodian	7.42
36614	01/21/2014	General Fund	Office And Operating Supplies	Petty Cash Custodian	3.29
36614	01/21/2014	General Fund	Office and Operating Supplies	Petty Cash Custodian	27.76
36614	01/21/2014	General Fund	Office And Operating Supplies	Petty Cash Custodian	5.46
36614	01/21/2014	General Fund	Other Travel	Petty Cash Custodian	6.78
36614	01/21/2014	General Fund	Other Travel	Petty Cash Custodian	10.00
36614	01/21/2014	General Fund	Office And Operating Supplies	Petty Cash Custodian	12.58
Check Total:					144.48
36615	01/21/2014	Surface Water Management Fund	Office And Operating Supplies	Pacific Industrial Supply	124.84
Check Total:					124.84
36616	01/21/2014	General Fund	Office and Operating Supplies	Pacific Lamp & Supply Company	479.81
36616	01/21/2014	General Fund	Office and Operating Supplies	Pacific Lamp & Supply Company	602.25
Check Total:					1,082.06
36617	01/21/2014	General Fund	Professional Services	Prime Electric Inc	1,052.30
Check Total:					1,052.30
36618	01/21/2014	General Fund	Printing/Binding/Copying	Print Place	367.65
Check Total:					367.65
36619	01/21/2014	General Fund	Online Video Streaming	Puget Sound Access	1,950.00
36619	01/21/2014	General Fund	Channel 21 Video Production	Puget Sound Access	2,552.50
Check Total:					4,502.50
36620	01/21/2014	General Fund	Utilities	PSE Pmt. Processing	35.47

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	35.47
36621	01/21/2014	General Fund	Refund Clearing Account -Parks	Diana Cacho	90.00
				Check Total:	90.00
36622	01/21/2014	Surface Water Management Fund	Office And Operating Supplies	Renton Concrete Recyclers LLC	63.00
				Check Total:	63.00
36623	01/21/2014	General Fund	Advertising	Robinson Newspapers	195.00
				Check Total:	195.00
36624	01/21/2014	General Fund	Office and Operating Supplies	Safeway Inc	59.24
36624	01/21/2014	General Fund	Office and Operating Supplies	Safeway Inc	16.33
36624	01/21/2014	General Fund	Office and Operating Supplies	Safeway Inc	36.00
36624	01/21/2014	General Fund	Office and Operating Supplies	Safeway Inc	60.54
				Check Total:	172.11
36625	01/21/2014	General Fund	Jail Contracts	SCORE	275.00
				Check Total:	275.00
36626	01/21/2014	General Fund	Advertising	Seattle Times	109.27
36626	01/21/2014	General Fund	Advertising	Seattle Times	73.59
36626	01/21/2014	General Fund	Advertising	Seattle Times	75.82
36626	01/21/2014	General Fund	Advertising	Seattle Times	73.59
36626	01/21/2014	General Fund	Advertising	Seattle Times	122.65
36626	01/21/2014	General Fund	Advertising	Seattle Times	111.50
36626	01/21/2014	Surface Water Mgmt CIP	Design-Engineering	Seattle Times	160.56
36626	01/21/2014	General Fund	Advertising	Seattle Times	115.96
36626	01/21/2014	General Fund	Advertising	Seattle Times	66.90
36626	01/21/2014	Surface Water Mgmt CIP	Design-Engineering	Seattle Times	735.90
36626	01/21/2014	General Fund	Advertising	Seattle Times	421.86
				Check Total:	2,067.60
36627	01/21/2014	General Fund	Computer Consultant Prof Svcs	SEITEL Systems, LLC	480.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	480.00
36628	01/21/2014	General Fund	Professional Services	Nancy Shattuck	1,821.00
				Check Total:	1,821.00
36629	01/21/2014	Parks & Gen Gov't CIP	Design - Engineering	Southcenter Engraving	451.69
				Check Total:	451.69
36630	01/21/2014	Surface Water Management Fund	Office And Operating Supplies	Superlon Plastics	3,545.46
				Check Total:	3,545.46
36631	01/21/2014	General Fund	SW King Co. Chamber of Comm.	SWKC Chamber of Commerce	5,500.00
36631	01/21/2014	General Fund	Registration & Training	SWKC Chamber of Commerce	22.00
36631	01/21/2014	General Fund	Registration - Trainng/Workshp	SWKC Chamber of Commerce	22.00
36631	01/21/2014	General Fund	SW King Co. Chamber of Comm.	SWKC Chamber of Commerce	5,500.00
				Check Total:	11,044.00
36632	01/21/2014	General Fund	Utilities	Southwest Suburban Sewer Dist.	441.00
36632	01/21/2014	General Fund	Utilities	Southwest Suburban Sewer Dist.	237.00
36632	01/21/2014	General Fund	Utilities	Southwest Suburban Sewer Dist.	55.00
36632	01/21/2014	General Fund	Utilities	Southwest Suburban Sewer Dist.	55.00
36632	01/21/2014	General Fund	Utilities	Southwest Suburban Sewer Dist.	55.00
36632	01/21/2014	General Fund	Utilities	Southwest Suburban Sewer Dist.	55.00
36632	01/21/2014	General Fund	Utilities	Southwest Suburban Sewer Dist.	155.00
36632	01/21/2014	General Fund	Utilities	Southwest Suburban Sewer Dist.	108.40
36632	01/21/2014	General Fund	Utilities	Southwest Suburban Sewer Dist.	55.00
				Check Total:	1,216.40
36633	01/21/2014	General Fund	Repairs and Maintenance	Tank Wise	1,057.66
				Check Total:	1,057.66
36634	01/21/2014	General Fund	Parks Maintenance	Trugreen-landcare/NW Region	9,875.42
				Check Total:	9,875.42
36635	01/21/2014	Surface Water Management Fund	Repair & Maint-Pump Stations	Utilities Service Co, Inc.	640.58

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	640.58
36636	01/21/2014	General Fund	Operating Rentals & Leases	Valley View Sewer District	1,030.00
36636	01/21/2014	General Fund	Utilities	Valley View Sewer District	51.30
				Check Total:	1,081.30
36637	01/21/2014	General Fund	Prosecution - City Atty	Walls Law Firm	13,283.98
				Check Total:	13,283.98
36638	01/21/2014	General Fund	Utilities	Water District No 20	45.89
36638	01/21/2014	General Fund	Utilities	Water District No 20	197.50
36638	01/21/2014	General Fund	Utilities	Water District No 20	59.26
36638	01/21/2014	General Fund	Utilities	Water District No 20	197.50
36638	01/21/2014	General Fund	Utilities	Water District No 20	98.74
36638	01/21/2014	General Fund	Utilities	Water District No 20	43.76
36638	01/21/2014	General Fund	Utilities	Water District No 20	41.63
36638	01/21/2014	Street Fund	Landscape Maint - Utilities	Water District No 20	118.50
36638	01/21/2014	General Fund	Utilities	Water District No 20	41.63
36638	01/21/2014	General Fund	Utilities	Water District No 20	59.26
36638	01/21/2014	Street Fund	Landscape Maint - Utilities	Water District No 20	59.26
				Check Total:	962.93
36639	01/21/2014	General Fund	Probatn/Public Defndr Screenng	Tammy Weigel	960.00
				Check Total:	960.00
36640	01/21/2014	General Fund	Subscriptions/Publications	West Payment Center	446.44
				Check Total:	446.44
36641	01/21/2014	Surface Water Management Fund	Office And Operating Supplies	Walter E Nelson Co	280.59
36641	01/21/2014	Street Fund	Office And Operating Supplies	Walter E Nelson Co	280.59
				Check Total:	561.18
36642	01/21/2014	General Fund	Professional Services	Washington State Patrol	40.00
				Check Total:	40.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
36643	01/21/2014	General Fund	Land and Land Improvements	Ace Hardware	50.24
36643	01/21/2014	Surface Water Management Fund	Office And Operating Supplies	Ace Hardware	30.40
36643	01/21/2014	Street Fund	Office And Operating Supplies	Ace Hardware	30.39
36643	01/21/2014	Surface Water Management Fund	Office And Operating Supplies	Ace Hardware	32.81
36643	01/21/2014	Street Fund	Office And Operating Supplies	Ace Hardware	32.81
Check Total:					176.65
36644	01/21/2014	General Fund	Subscriptions/Publications	Attorney's Eagle Eye Service	59.13
Check Total:					59.13
36645	01/21/2014	General Fund	Office And Operating Supplies	Aramark Uniform Services	23.65
Check Total:					23.65
36646	01/21/2014	General Fund	Memberships	Assoc. of Washington Cities	32,644.00
Check Total:					32,644.00
36647	01/21/2014	General Fund	Animal Control Services	CARES	12,916.67
Check Total:					12,916.67
36648	01/21/2014	Surface Water Management Fund	Office And Operating Supplies	CDW-G	171.19
36648	01/21/2014	Surface Water Management Fund	Office And Operating Supplies	CDW-G	46.87
36648	01/21/2014	Surface Water Management Fund	Office And Operating Supplies	CDW-G	85.60
36648	01/21/2014	Street Fund	Office And Operating Supplies	CDW-G	85.60
36648	01/21/2014	Street Fund	Office And Operating Supplies	CDW-G	23.43
36648	01/21/2014	Surface Water Management Fund	Office And Operating Supplies	CDW-G	23.42
Check Total:					436.11
36649	01/21/2014	General Fund	Code Supplement	Code Publishing Co.	219.55
Check Total:					219.55
36650	01/21/2014	General Fund	Online Video Streaming	COMCAST	45.17
36650	01/21/2014	General Fund	Utilities	COMCAST	77.35
36650	01/21/2014	General Fund	Utilities	COMCAST	85.80
36650	01/21/2014	Street Fund	Telephone	COMCAST	42.90
36650	01/21/2014	Surface Water Management Fund	Telephone	COMCAST	42.90

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	294.12
36651	01/21/2014	General Fund	Office and Operating Supplies	Dunn Lumber Co.	34.11
				Check Total:	34.11
36652	01/21/2014	General Fund	Repair/Maint-Vehicle	Elidrew, LLC	11.83
				Check Total:	11.83
36653	01/21/2014	General Fund	Parks Building Security	Guardian Security	65.00
				Check Total:	65.00
36654	01/21/2014	Street Fund	Operating Rentals And Leases	RICOH USA Inc	8.75
36654	01/21/2014	Surface Water Management Fund	Operating Rentals And Leases	RICOH USA Inc	8.76
36654	01/21/2014	General Fund	Operating Rents & Leases	RICOH USA Inc	321.93
				Check Total:	339.44
36655	01/21/2014	General Fund	Miscellaneous	Iron Mountain	268.46
				Check Total:	268.46
36656	01/21/2014	General Fund	Telephone	Integra Telecom	775.54
				Check Total:	775.54
36657	01/21/2014	General Fund	Dues/Memberships/Subscriptions	King County Clerks Association	25.00
				Check Total:	25.00
36658	01/21/2014	General Fund	Miscellaneous	King County Recorder	33.00
36658	01/21/2014	General Fund	Miscellaneous	King County Recorder	33.00
36658	01/21/2014	General Fund	Miscellaneous	King County Recorder	33.00
36658	01/21/2014	General Fund	Miscellaneous	King County Recorder	33.00
				Check Total:	132.00
36659	01/21/2014	General Fund	Parks Building Security	King County Fire District #2	50.00
36659	01/21/2014	General Fund	Professional Services	King County Fire District #2	50.00
36659	01/21/2014	General Fund	Professional Services	King County Fire District #2	160.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount	
					Check Total:	260.00
36660	01/21/2014	General Fund	Computer Related Supplies	KIM KRAUSE	332.28	
36660	01/21/2014	General Fund	Computer Related Supplies	KIM KRAUSE	19.37	
					Check Total:	351.65
36661	01/21/2014	Street Fund	Office And Operating Supplies	McLendon Hardware Inc	66.70	
36661	01/21/2014	Street Fund	Office And Operating Supplies	McLendon Hardware Inc	39.59	
36661	01/21/2014	General Fund	Land and Land Improvements	McLendon Hardware Inc	20.63	
36661	01/21/2014	Surface Water Management Fund	Office And Operating Supplies	McLendon Hardware Inc	2.10	
36661	01/21/2014	Street Fund	Office And Operating Supplies	McLendon Hardware Inc	2.10	
					Check Total:	131.12
36662	01/21/2014	Surface Water Management Fund	Repairs & Maint. - Fleet	Mark's Expert Auto Service, In	336.99	
36662	01/21/2014	Surface Water Management Fund	Repairs & Maint. - Fleet	Mark's Expert Auto Service, In	336.99	
36662	01/21/2014	Surface Water Management Fund	Repairs & Maint. - Fleet	Mark's Expert Auto Service, In	589.70	
					Check Total:	1,263.68
36663	01/21/2014	Street Fund	Office And Operating Supplies	Miller Paint Company Inc	26.97	
36663	01/21/2014	General Fund	Nuisance and Abatement Costs	Miller Paint Company Inc	34.34	
36663	01/21/2014	General Fund	Nuisance and Abatement Costs	Miller Paint Company Inc	15.57	
					Check Total:	76.88
36664	01/21/2014	Surface Water Management Fund	Office And Operating Supplies	Pacific Industrial Supply	217.60	
36664	01/21/2014	Street Fund	Office And Operating Supplies	Pacific Industrial Supply	217.61	
					Check Total:	435.21
36665	01/21/2014	General Fund	Dues/Memberships	Puget Sound Clean Air Agency	22,061.00	
					Check Total:	22,061.00
36666	01/21/2014	General Fund	Dues/Memberships	PSFOA	100.00	
					Check Total:	100.00
36667	01/21/2014	General Fund	Performance And Maint Bonds	Brad Gehring	3,770.00	

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	3,770.00
36668	01/21/2014	General Fund	Refund Clearing Account -Parks	Glendale Lutheran School	75.00
				Check Total:	75.00
36669	01/21/2014	General Fund	Memberships	Sound Cities Association	26,887.19
				Check Total:	26,887.19
36670	01/21/2014	General Fund	Memberships	KING COUNTY	100.00
				Check Total:	100.00
36671	01/21/2014	General Fund	Computer Consultant Prof Svcs	SEITEL Systems, LLC	3,000.00
				Check Total:	3,000.00
36672	01/21/2014	General Fund	Professional Services	Sesac	685.00
				Check Total:	685.00
36673	01/21/2014	General Fund	Nuisance and Abatement Costs	Sherwin-Williams Co.	46.55
36673	01/21/2014	General Fund	Nuisance and Abatement Costs	Sherwin-Williams Co.	-17.74
				Check Total:	28.81
36674	01/21/2014	Surface Water Management Fund	Professional Services	Summit Security & Sound System	60.00
36674	01/21/2014	Street Fund	Professional Services	Summit Security & Sound System	60.00
				Check Total:	120.00
36675	01/21/2014	General Fund	Operating Rentals & Leases	Valley View Sewer District	515.00
				Check Total:	515.00
36676	01/21/2014	General Fund	Office/Operating Supplies	DEBI WAGNER	17.50
				Check Total:	17.50
36677	01/21/2014	General Fund	Insurance	Washington Cities Insurance Au	208,266.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	208,266.00
36678	01/23/2014	Street Fund	Neighborhood Traffic Control	Allied Body Works Inc	355.88
				Check Total:	355.88
36679	02/03/2014	General Fund	Utility Tax Low Income Refund	Angelina Archer	23.34
				Check Total:	23.34
36680	02/03/2014	General Fund	Utility Tax Low Income Refund	Kia Archer	18.42
				Check Total:	18.42
36681	02/03/2014	General Fund	Utility Tax Low Income Refund	Lila Bergamo	59.75
				Check Total:	59.75
36682	02/03/2014	General Fund	Utility Tax Low Income Refund	Elisabeth Blum	45.32
				Check Total:	45.32
36683	02/03/2014	General Fund	Utility Tax Low Income Refund	Margaret Boyd	45.32
				Check Total:	45.32
36684	02/03/2014	General Fund	Utility Tax Low Income Refund	Norman Braxton	38.69
				Check Total:	38.69
36685	02/03/2014	General Fund	Utility Tax Low Income Refund	Sandra Drilevich	59.75
				Check Total:	59.75
36686	02/03/2014	General Fund	Utility Tax Low Income Refund	Judith Evans	41.36
				Check Total:	41.36
36687	02/03/2014	General Fund	Utility Tax Low Income Refund	Clarice Fenster	45.32

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	45.32
36688	02/03/2014	General Fund	Utility Tax Low Income Refund	Thomas Fortson	25.38
				Check Total:	25.38
36689	02/03/2014	General Fund	Utility Tax Low Income Refund	Donna Gibson	57.50
				Check Total:	57.50
36690	02/03/2014	General Fund	Utility Tax Low Income Refund	Nancy Hasten	8.96
				Check Total:	8.96
36691	02/03/2014	General Fund	Utility Tax Low Income Refund	Arthur Hill	59.75
				Check Total:	59.75
36692	02/03/2014	General Fund	Utility Tax Low Income Refund	Annette Hughes	52.11
				Check Total:	52.11
36693	02/03/2014	General Fund	Utility Tax Low Income Refund	Leo & Bonnie Lloyd	50.03
				Check Total:	50.03
36694	02/03/2014	General Fund	Utility Tax Low Income Refund	Janet McGill	22.51
				Check Total:	22.51
36695	02/03/2014	General Fund	Utility Tax Low Income Refund	Doris Moore	9.72
				Check Total:	9.72
36696	02/03/2014	General Fund	Utility Tax Low Income Refund	Colleen Phillips	59.75
				Check Total:	59.75
36697	02/03/2014	General Fund	Utility Tax Low Income Refund	Karen Pierce	59.75

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	59.75
36698	02/03/2014	General Fund	Utility Tax Low Income Refund	Allen Pike	18.68
				Check Total:	18.68
36699	02/03/2014	General Fund	Utility Tax Low Income Refund	Ann Barnes	59.75
				Check Total:	59.75
36700	02/03/2014	General Fund	Utility Tax Low Income Refund	Winona Mary Deyman	59.75
				Check Total:	59.75
36701	02/03/2014	General Fund	Utility Tax Low Income Refund	Eleanor Mannion	45.32
				Check Total:	45.32
36702	02/03/2014	General Fund	Utility Tax Low Income Refund	Beverly Pedersen	59.75
				Check Total:	59.75
36703	02/03/2014	General Fund	Utility Tax Low Income Refund	Robert H. Stoffel	55.77
				Check Total:	55.77
36704	02/03/2014	General Fund	Utility Tax Low Income Refund	Marian Desgranges	45.32
				Check Total:	45.32
36705	02/03/2014	General Fund	Utility Tax Low Income Refund	Gladys Staiger	38.51
				Check Total:	38.51
36706	02/03/2014	General Fund	Utility Tax Low Income Refund	Lorraine Phelps	59.75
				Check Total:	59.75
36707	02/03/2014	General Fund	Utility Tax Low Income Refund	Grace Kristiansen	18.68

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	18.68
36708	02/03/2014	General Fund	Utility Tax Low Income Refund	Fay Ann Alpaugh	45.32
				Check Total:	45.32
36709	02/03/2014	General Fund	Utility Tax Low Income Refund	Larry Burton	22.51
				Check Total:	22.51
36710	02/03/2014	General Fund	Utility Tax Low Income Refund	Tanya Engeset	9.72
				Check Total:	9.72
36711	02/03/2014	General Fund	Utility Tax Low Income Refund	Richard Limmer	47.61
				Check Total:	47.61
36712	02/03/2014	General Fund	Utility Tax Low Income Refund	Leistina Hans	59.75
				Check Total:	59.75
36713	02/03/2014	General Fund	Utility Tax Low Income Refund	Edith Berger	59.75
				Check Total:	59.75
36714	02/03/2014	General Fund	Utility Tax Low Income Refund	Frieda McElhinney	18.42
				Check Total:	18.42
36715	02/03/2014	General Fund	Utility Tax Low Income Refund	Geneva Goldsmith	56.07
				Check Total:	56.07
36716	02/03/2014	General Fund	Utility Tax Low Income Refund	Rudie McDaniel	59.75
				Check Total:	59.75
36717	02/03/2014	General Fund	Utility Tax Low Income Refund	Lucretia Charette	8.96

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	8.96
36718	02/03/2014	General Fund	Utility Tax Low Income Refund	Peggy Mallory	34.88
				Check Total:	34.88
36719	02/03/2014	General Fund	Utility Tax Low Income Refund	Lanette Woehl	59.75
				Check Total:	59.75
36720	02/03/2014	General Fund	Utility Tax Low Income Refund	Diane DeShayes	35.99
				Check Total:	35.99
36721	02/03/2014	General Fund	Utility Tax Low Income Refund	Faye Schwartz	9.72
				Check Total:	9.72
36722	02/03/2014	General Fund	Utility Tax Low Income Refund	Grace Smith	18.55
				Check Total:	18.55
36723	02/03/2014	General Fund	Utility Tax Low Income Refund	Lorna Toy	45.32
				Check Total:	45.32
36724	02/03/2014	General Fund	Office Supplies	Ace Hardware	5.46
36724	02/03/2014	General Fund	Office and Operating Supplies	Ace Hardware	43.76
36724	02/03/2014	General Fund	Office And Operating Supplies	Ace Hardware	19.69
36724	02/03/2014	General Fund	Office And Operating Supplies	Ace Hardware	28.43
36724	02/03/2014	General Fund	Office and Operating Supplies	Ace Hardware	27.36
36724	02/03/2014	General Fund	Office And Operating Supplies	Ace Hardware	31.73
36724	02/03/2014	General Fund	Office and Operating Supplies	Ace Hardware	26.27
36724	02/03/2014	General Fund	Office and Operating Supplies	Ace Hardware	16.57
36724	02/03/2014	General Fund	Office and Operating Supplies	Ace Hardware	33.38
36724	02/03/2014	General Fund	Office and Operating Supplies	Ace Hardware	10.93
36724	02/03/2014	General Fund	Office and Operating Supplies	Ace Hardware	7.19
36724	02/03/2014	General Fund	Office and Operating Supplies	Ace Hardware	14.22
36724	02/03/2014	General Fund	Office and Operating Supplies	Ace Hardware	22.96
36724	02/03/2014	General Fund	Office and Operating Supplies	Ace Hardware	2.73
36724	02/03/2014	General Fund	Office and Operating Supplies	Ace Hardware	17.51
36724	02/03/2014	General Fund	Office And Operating Supplies	Ace Hardware	24.57

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
36724	02/03/2014	General Fund	Office and Operating Supplies	Ace Hardware	49.25
				Check Total:	382.01
36725	02/03/2014	General Fund	Professional Services	Jeffrey Schultek	3,531.00
				Check Total:	3,531.00
36726	02/03/2014	General Fund	Professional Services	Alliance 2020 Inc	37.00
				Check Total:	37.00
36727	02/03/2014	General Fund	Office and Operating Supplies	Amerigas - Kent	246.01
				Check Total:	246.01
36728	02/03/2014	Surface Water Mgmt CIP	Project Development	Builders Exchange of WA, Inc.	147.80
				Check Total:	147.80
36729	02/03/2014	General Fund	Office and Operating Supplies	Clay Art Center Inc	859.41
				Check Total:	859.41
36730	02/03/2014	General Fund	Professional Services	CleanScapes Inc	1,244.60
36730	02/03/2014	General Fund	Professional Services	CleanScapes Inc	287.44
				Check Total:	1,532.04
36731	02/03/2014	General Fund	Professional Services	Cardmember Service	93.08
36731	02/03/2014	General Fund	Celebration	Cardmember Service	18.11
36731	02/03/2014	General Fund	Celebration	Cardmember Service	211.80
36731	02/03/2014	General Fund	Celebration	Cardmember Service	65.18
36731	02/03/2014	General Fund	Celebration	Cardmember Service	98.44
36731	02/03/2014	General Fund	Quarterly Newsletter	Cardmember Service	2,395.77
36731	02/03/2014	General Fund	Registration - Training/Workshp	Cardmember Service	185.00
36731	02/03/2014	General Fund	Registration & Training	Cardmember Service	185.00
36731	02/03/2014	General Fund	Office And Operating Supplies	Cardmember Service	328.43
36731	02/03/2014	General Fund	Registration - Training Worksh	Cardmember Service	75.00
36731	02/03/2014	General Fund	Dues & Memberships	Cardmember Service	75.00
36731	02/03/2014	General Fund	Registration - Trainng/Workshp	Cardmember Service	100.00
36731	02/03/2014	General Fund	Registration - Trainng/Workshp	Cardmember Service	125.00
36731	02/03/2014	General Fund	Office and Operating Supplies	Cardmember Service	124.21

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
36731	02/03/2014	General Fund	Admission and Entrance Fees	Cardmember Service	120.00
36731	02/03/2014	General Fund	Office and Operating Supplies	Cardmember Service	39.93
36731	02/03/2014	General Fund	Office and Operating Supplies	Cardmember Service	134.24
36731	02/03/2014	General Fund	Professional Services	Cardmember Service	113.37
36731	02/03/2014	General Fund	Office and Operating Supplies	Cardmember Service	44.56
36731	02/03/2014	General Fund	Office and Operating Supplies	Cardmember Service	17.50
36731	02/03/2014	General Fund	Office and Operating Supplies	Cardmember Service	8.75
36731	02/03/2014	General Fund	Office and Operating Supplies	Cardmember Service	18.45
36731	02/03/2014	General Fund	Senior Trips	Cardmember Service	220.00
36731	02/03/2014	General Fund	Office And Operating Supplies	Cardmember Service	-54.74
36731	02/03/2014	General Fund	Office And Operating Supplies	Cardmember Service	1.31
36731	02/03/2014	General Fund	Office And Operating Supplies	Cardmember Service	294.56
36731	02/03/2014	General Fund	Publications	Cardmember Service	163.05
36731	02/03/2014	General Fund	Other Travel	Cardmember Service	8.00
36731	02/03/2014	General Fund	Office And Operating Supplies	Cardmember Service	29.98
36731	02/03/2014	General Fund	Office and Operating Supplies	Cardmember Service	110.48
36731	02/03/2014	General Fund	Office and Operating Supplies	Cardmember Service	18.60
36731	02/03/2014	General Fund	Software Subscription Fees	Cardmember Service	59.95
Check Total:					5,428.01
36732	02/03/2014	General Fund	Jail Contracts	City of Renton	923.00
Check Total:					923.00
36733	02/03/2014	Street Fund	Utilities - Traffic Signals	City of Seattle	18.81
36733	02/03/2014	Street Fund	Utilities - Traffic Signals	City of Seattle	-139.45
36733	02/03/2014	General Fund	Utilities	City of Seattle	18.26
36733	02/03/2014	Street Fund	Utilities - Traffic Signals	City of Seattle	113.71
36733	02/03/2014	Street Fund	Utilities - Traffic Signals	City of Seattle	118.68
36733	02/03/2014	Street Fund	Utilities - Traffic Signals	City of Seattle	132.46
36733	02/03/2014	Street Fund	Utilities - Traffic Signals	City of Seattle	121.74
36733	02/03/2014	Street Fund	Utilities-Street Lighting	City of Seattle	46.18
36733	02/03/2014	Street Fund	Utilities-Street Lighting	City of Seattle	20.11
36733	02/03/2014	Street Fund	Utilities-Street Lighting	City of Seattle	10.31
36733	02/03/2014	Street Fund	Utilities - Traffic Signals	City of Seattle	556.30
36733	02/03/2014	Street Fund	Utilities-Street Lighting	City of Seattle	12.02
36733	02/03/2014	Street Fund	Utilities-Street Lighting	City of Seattle	4,924.03
36733	02/03/2014	Street Fund	Utilities - Traffic Signals	City of Seattle	298.53
Check Total:					6,251.69
36734	02/03/2014	Street Fund	Office And Operating Supplies	City of SeaTac	1,174.28

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	1,174.28
36735	02/03/2014	General Fund	Human Svc-Family/Youth	Domestic Abuse Womens Network	12,000.00
				Check Total:	12,000.00
36736	02/03/2014	Street Fund	Repairs & Maint. - Fleet	Genuine Parts Co. Seattle-DC	99.87
				Check Total:	99.87
36737	02/03/2014	General Fund	Registration - Trainng/Workshp	ROBELL FESSIHAYE GHRMAI	572.70
				Check Total:	572.70
36738	02/03/2014	Street Fund	Professional Services	Brian Gilles	300.00
				Check Total:	300.00
36739	02/03/2014	General Fund	Human Svc-Family/Youth	Highline Area Food Bank	2,500.00
36739	02/03/2014	General Fund	Human Svc-Family/Youth	Highline Area Food Bank	3,500.00
				Check Total:	6,000.00
36740	02/03/2014	General Fund	Human Svc-Family/Youth	Hospitality House	2,500.00
				Check Total:	2,500.00
36741	02/03/2014	General Fund	Office and Operating Supplies	Head-quarters	163.00
				Check Total:	163.00
36742	02/03/2014	General Fund	Miscellaneous	Iron Mountain	591.31
				Check Total:	591.31
36743	02/03/2014	General Fund	Miscellaneous	King County Recorder	74.00
36743	02/03/2014	General Fund	Miscellaneous	King County Recorder	78.00
				Check Total:	152.00
36744	02/03/2014	Street Fund	Traffic Signal/Control.Mainten	KING COUNTY FINANCE	12,525.83

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
36744	02/03/2014	Street Fund	Traffic Signal/Control.Mainten	KING COUNTY FINANCE	117.20
36744	02/03/2014	Surface Water Management Fund	SWM Maint Fees Billed by KCRD	KING COUNTY FINANCE	23,599.85
				Check Total:	36,242.88
36745	02/03/2014	General Fund	Registration - Trainng/Workshp	Lifeline Trainging LTD	209.00
				Check Total:	209.00
36746	02/03/2014	General Fund	Repairs And Maintenance	MacDonald Miller Solutions Inc	531.93
				Check Total:	531.93
36747	02/03/2014	General Fund	Human Svc-Family/Youth	Multi-Service Center	15,907.75
				Check Total:	15,907.75
36748	02/03/2014	General Fund	Human Svc-Family/Youth	New Futures	8,000.00
				Check Total:	8,000.00
36749	02/03/2014	General Fund	Operating Rents & Leases	Pacific Office Automation Inc	67.75
36749	02/03/2014	General Fund	Operating Rents & Leases	Pacific Office Automation Inc	445.96
				Check Total:	513.71
36750	02/03/2014	General Fund	Human Svc-Family/Youth	Pregnancy Aid of So. King Coun	375.00
				Check Total:	375.00
36751	02/03/2014	Transportation CIP	Construction Inspection	Perteet Inc.	27,037.15
				Check Total:	27,037.15
36752	02/03/2014	Surface Water Management Fund	TV Inspection and Vactoring	Pro-Vac	1,292.10
				Check Total:	1,292.10
36753	02/03/2014	Street Fund	Utilities-Street Lighting	PSE Pmt. Processing	1,707.53
				Check Total:	1,707.53

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
36754	02/03/2014	General Fund	Business & Occupation Tax	Steklo Holdings LLC	266.71
				Check Total:	266.71
36755	02/03/2014	General Fund	Business & Occupation Tax	Wingfoot Commercial Tire Syste	72.66
				Check Total:	72.66
36756	02/03/2014	General Fund	Jail Contracts	SCORE	11,258.23
				Check Total:	11,258.23
36757	02/03/2014	General Fund	Professional Services	Strategic Government Resources	8,922.64
				Check Total:	8,922.64
36758	02/03/2014	General Fund	Fuel/Gas Consumption	Shell Fleet Plus	42.22
36758	02/03/2014	General Fund	Fuel/Gas/Gasoline Consumption	Shell Fleet Plus	231.50
36758	02/03/2014	General Fund	Fuel/Gas/Gasoline Consumption	Shell Fleet Plus	305.51
36758	02/03/2014	General Fund	Fuel/Gas/Gasoline Consumption	Shell Fleet Plus	100.07
36758	02/03/2014	Street Fund	Fuel/Gas/Gasoline Consumption	Shell Fleet Plus	1,078.90
36758	02/03/2014	Surface Water Management Fund	Fuel/Gas/Gasoline Consumption	Shell Fleet Plus	1,129.86
				Check Total:	2,888.06
36759	02/03/2014	General Fund	Human Svc-Family/Youth	Society of St. Vincent de Paul	2,012.21
				Check Total:	2,012.21
36760	02/03/2014	Transportation CIP	Construction	Transportation Systems Inc.	6,923.50
				Check Total:	6,923.50
36761	02/03/2014	General Fund	Human Svc-Family/Youth	Tukwila Pantry	1,250.00
				Check Total:	1,250.00
36762	02/03/2014	General Fund	Office And Operating Supplies	Virco Equipment for Educators	3,336.68
				Check Total:	3,336.68
36763	02/03/2014	General Fund	Human Svc-Family/Youth	White Center Food Bank	2,500.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	2,500.00
36764	02/03/2014	General Fund	Utilities	Water District No 20	177.06
				Check Total:	177.06
36765	02/03/2014	General Fund	Utilities	King Co Water Dist 49	213.82
36765	02/03/2014	Street Fund	Landscape Maint - Utilities	King Co Water Dist 49	80.75
36765	02/03/2014	Street Fund	Landscape Maint - Utilities	King Co Water Dist 49	132.00
36765	02/03/2014	Street Fund	Landscape Maint - Utilities	King Co Water Dist 49	65.00
36765	02/03/2014	Street Fund	Landscape Maint - Utilities	King Co Water Dist 49	65.00
36765	02/03/2014	Street Fund	Landscape Maint - Utilities	King Co Water Dist 49	65.00
				Check Total:	621.57
36766	02/03/2014	Transportation CIP	Design - Engineering	Washington State D.O.T.	1,436.49
				Check Total:	1,436.49
36767	02/03/2014	General Fund	Public Defender	W. Tracy Codd	1,810.00
36767	02/03/2014	General Fund	Public Defender	W. Tracy Codd	140.00
				Check Total:	1,950.00
36768	02/03/2014	General Fund	Repairs and Maintenance	AAA All City Contracting LLC	5,754.08
				Check Total:	5,754.08
36769	02/03/2014	Surface Water Management Fund	Office And Operating Supplies	Ace Hardware	49.19
36769	02/03/2014	Surface Water Management Fund	Office And Operating Supplies	Ace Hardware	32.83
36769	02/03/2014	General Fund	Office/Operating Supplies	Ace Hardware	8.18
				Check Total:	90.20
36770	02/03/2014	General Fund	Repairs And Maintenance	Tyco Integrated Security LLC	96.58
				Check Total:	96.58
36771	02/03/2014	Street Fund	Office And Operating Supplies	Alpine Fence Company	418.25
				Check Total:	418.25

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
36772	02/03/2014	Street Fund	Office And Operating Supplies	Alpine Products Inc	512.46
36772	02/03/2014	Street Fund	Office And Operating Supplies	Alpine Products Inc	2,376.15
Check Total:					2,888.61
36773	02/03/2014	Surface Water Management Fund	Dues/Memberships	American Public Works Associat	624.00
36773	02/03/2014	Street Fund	Dues/Memberships	American Public Works Associat	624.00
Check Total:					1,248.00
36774	02/03/2014	General Fund	Office And Operating Supplies	Aramark Uniform Services	15.90
Check Total:					15.90
36775	02/03/2014	General Fund	Professional Services	Kenneth Barger	45.00
Check Total:					45.00
36776	02/03/2014	General Fund	Telephone	LAUREN BERKOWITZ	57.99
Check Total:					57.99
36777	02/03/2014	General Fund	Professional Services	BMI	330.00
Check Total:					330.00
36778	02/03/2014	General Fund	Professional Services	Cary E Bozeman	3,000.00
Check Total:					3,000.00
36779	02/03/2014	General Fund	Printing/Binding/Copying	Brim Press LLC	210.24
Check Total:					210.24
36780	02/03/2014	General Fund	Drug Seizure Proceeds KCSO	COMCAST	69.95
Check Total:					69.95
36781	02/03/2014	Street Fund	Operating Rentals And Leases	City of SeaTac	287.50
36781	02/03/2014	Surface Water Management Fund	Operating Rentals And Leases	City of SeaTac	287.50
36781	02/03/2014	Street Fund	Operating Rentals And Leases	City of SeaTac	287.50
36781	02/03/2014	Surface Water Management Fund	Operating Rentals And Leases	City of SeaTac	287.50

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	1,150.00
36782	02/03/2014	Street Fund	Office And Operating Supplies	WaterCo of Pac.NW Inc	17.79
36782	02/03/2014	Surface Water Management Fund	Office And Operating Supplies	WaterCo of Pac.NW Inc	17.80
				Check Total:	35.59
36783	02/03/2014	General Fund	Office and Operating Supplies	Dunn Lumber Co.	39.83
36783	02/03/2014	General Fund	Office and Operating Supplies	Dunn Lumber Co.	39.75
36783	02/03/2014	General Fund	Office and Operating Supplies	Dunn Lumber Co.	176.21
				Check Total:	255.79
36784	02/03/2014	General Fund	Repair/Maint-Vehicle	Elidrew, LLC	11.83
				Check Total:	11.83
36785	02/03/2014	General Fund	Telephone	ROBERT EDGAR	71.95
				Check Total:	71.95
36786	02/03/2014	General Fund	City Hall Custodial	Global Cleaning Inc	1,308.83
				Check Total:	1,308.83
36787	02/03/2014	Surface Water Management Fund	Repairs & Maint. - Fleet	Genuine Parts Co. Seattle-DC	144.77
36787	02/03/2014	Street Fund	Repairs & Maint. - Fleet	Genuine Parts Co. Seattle-DC	144.78
36787	02/03/2014	Street Fund	Repairs & Maint. - Fleet	Genuine Parts Co. Seattle-DC	4.37
36787	02/03/2014	Surface Water Management Fund	Repairs & Maint. - Fleet	Genuine Parts Co. Seattle-DC	4.38
				Check Total:	298.30
36788	02/03/2014	General Fund	Utilities	Glendale Heating	1,623.43
36788	02/03/2014	General Fund	Utilities	Glendale Heating	510.97
				Check Total:	2,134.40
36789	02/03/2014	General Fund	Sftwre Subscript & Licensing	Harris Computer Systems	12,561.03
				Check Total:	12,561.03
36790	02/03/2014	General Fund	Small Business Dev. Center	Highline Community College	10,000.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	10,000.00
36791	02/03/2014	Surface Water Management Fund	Office And Operating Supplies	HD Fowler Company	732.35
				Check Total:	732.35
36792	02/03/2014	Street Fund	Office And Operating Supplies	ICON Materials	2,262.21
36792	02/03/2014	Surface Water Management Fund	Office And Operating Supplies	ICON Materials	85.96
				Check Total:	2,348.17
36793	02/03/2014	General Fund	Operating Rentals And Leases	RICOH USA Inc	608.72
				Check Total:	608.72
36794	02/03/2014	General Fund	Repairs And Maintenance	Interstate Tire & Automotive	159.38
36794	02/03/2014	General Fund	Repair/Maint-Vehicle	Interstate Tire & Automotive	66.48
				Check Total:	225.86
36795	02/03/2014	General Fund	Sftwre Subscript & Licensing	ImageSource, Inc.	12,383.59
				Check Total:	12,383.59
36796	02/03/2014	General Fund	Telephone	LUCY KRAKOWIAK	54.99
				Check Total:	54.99
36797	02/03/2014	General Fund	Miscellaneous	King County Recorder	10.00
				Check Total:	10.00
36798	02/03/2014	Street Fund	Office And Operating Supplies	LTI Inc	4,230.82
				Check Total:	4,230.82
36799	02/03/2014	General Fund	Miscellaneous	MBI Systems, Inc.	33.61
				Check Total:	33.61
36800	02/03/2014	Surface Water Management Fund	Office And Operating Supplies	McLendon Hardware Inc	24.79

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
36800	02/03/2014	Surface Water Management Fund	Office And Operating Supplies	McLendon Hardware Inc	16.55
36800	02/03/2014	Street Fund	Office And Operating Supplies	McLendon Hardware Inc	16.55
36800	02/03/2014	Surface Water Management Fund	Repairs & Maint. - Fleet	McLendon Hardware Inc	7.58
36800	02/03/2014	Street Fund	Repairs & Maint. - Fleet	McLendon Hardware Inc	7.59
36800	02/03/2014	Street Fund	Office And Operating Supplies	McLendon Hardware Inc	88.96
Check Total:					162.02
36801	02/03/2014	General Fund	Repairs And Maintenance	Mark's Expert Auto Service, In	520.11
Check Total:					520.11
36802	02/03/2014	General Fund	Nuisance and Abatement Costs	Miller Paint Company Inc	34.34
36802	02/03/2014	General Fund	Nuisance and Abatement Costs	Miller Paint Company Inc	15.57
Check Total:					49.91
36803	02/03/2014	General Fund	City Hall Bldg Maintenance	N C Power Systems Co	1,782.11
Check Total:					1,782.11
36804	02/03/2014	Surface Water Management Fund	Repairs And Maintenance	National Safety Inc	131.40
36804	02/03/2014	Surface Water Management Fund	Office And Operating Supplies	National Safety Inc	319.03
Check Total:					450.43
36805	02/03/2014	General Fund	Repairs And Maintenance	Northwest Bus Sales, Inc.	330.71
Check Total:					330.71
36806	02/03/2014	General Fund	Building Maintenance	OpenWorks-Billing Agent	1,003.00
36806	02/03/2014	General Fund	Building Maintenance	OpenWorks-Billing Agent	605.00
Check Total:					1,608.00
36807	02/03/2014	Street Fund	Repairs & Maint. - Fleet	OReilly Auto Parts	6.23
36807	02/03/2014	Surface Water Management Fund	Repairs & Maint. - Fleet	OReilly Auto Parts	6.22
36807	02/03/2014	Street Fund	Repairs & Maint. - Fleet	OReilly Auto Parts	-1.43
36807	02/03/2014	Surface Water Management Fund	Repairs & Maint. - Fleet	OReilly Auto Parts	-1.44
36807	02/03/2014	Street Fund	Repairs & Maint. - Fleet	OReilly Auto Parts	22.86
36807	02/03/2014	Surface Water Management Fund	Repairs & Maint. - Fleet	OReilly Auto Parts	22.85

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	55.29
36808	02/03/2014	General Fund	Operating Rentals And Leases	Park Place Professional Bldg	490.00
				Check Total:	490.00
36809	02/03/2014	General Fund	Postage	Reserve Account	5,000.00
				Check Total:	5,000.00
36810	02/03/2014	General Fund	Office and Operating Supplies	Pacific Lamp & Supply Company	100.10
36810	02/03/2014	General Fund	Office And Operating Supplies	Pacific Lamp & Supply Company	327.73
				Check Total:	427.83
36811	02/03/2014	General Fund	Operating Rentals And Leases	PRG Investment Company, LLC	2,000.00
				Check Total:	2,000.00
36812	02/03/2014	General Fund	Bldg Security	Protection One Alarm Monitorin	47.38
36812	02/03/2014	General Fund	Parks Building Security	Protection One Alarm Monitorin	110.70
				Check Total:	158.08
36813	02/03/2014	Surface Water Management Fund	TV Inspection and Vactoring	Pipeline Video&Cleaning North	4,689.26
				Check Total:	4,689.26
36814	02/03/2014	General Fund	Registration - Trainng/Workshp	RAMCO Software Training	418.00
				Check Total:	418.00
36815	02/03/2014	General Fund	Printing/Binding/Copying	Ramlyn Engraving & Sign Co.	49.28
				Check Total:	49.28
36816	02/03/2014	General Fund	Refund Clearing Account -Parks	Marilyn Condon	125.00
				Check Total:	125.00
36817	02/03/2014	General Fund	Jail Contracts	SCORE	38,703.58

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount	
					Check Total:	38,703.58
36818	02/03/2014	General Fund	Nuisance and Abatement Costs	Sherwin-Williams Co.	41.49	
36818	02/03/2014	General Fund	Nuisance and Abatement Costs	Sherwin-Williams Co.	41.49	
36818	02/03/2014	General Fund	Nuisance and Abatement Costs	Sherwin-Williams Co.	41.49	
					Check Total:	124.47
36819	02/03/2014	Street Fund	Neighborhood Traffic Control	Six Robbles' Inc.	34.57	
					Check Total:	34.57
36820	02/03/2014	Street Fund	Office And Operating Supplies	STAPLES- Credit Plan	65.69	
					Check Total:	65.69
36821	02/03/2014	General Fund	Registration & Training	SWKC Chamber of Commerce	22.00	
36821	02/03/2014	General Fund	Registration - Trainng/Workshp	SWKC Chamber of Commerce	22.00	
					Check Total:	44.00
36822	02/03/2014	Surface Water Management Fund	Telephone	Verizon Wireless	396.04	
36822	02/03/2014	General Fund	Telephone	Verizon Wireless	153.93	
36822	02/03/2014	General Fund	Telephone	Verizon Wireless	40.01	
36822	02/03/2014	General Fund	Telephone	Verizon Wireless	72.65	
36822	02/03/2014	General Fund	Telephone	Verizon Wireless	188.60	
36822	02/03/2014	General Fund	Drug Seizure Proceeds KCSO	Verizon Wireless	200.05	
36822	02/03/2014	General Fund	Telephone	Verizon Wireless	201.18	
36822	02/03/2014	Street Fund	Telephone	Verizon Wireless	262.84	
					Check Total:	1,515.30
36823	02/03/2014	General Fund	Telephone	DEBI WAGNER	32.48	
					Check Total:	32.48
36824	02/03/2014	Street Fund	Operating Rentals And Leases	Wilken Properties, LLC	2,783.16	
36824	02/03/2014	Surface Water Management Fund	Operating Rentals And Leases	Wilken Properties, LLC	2,783.17	
					Check Total:	5,566.33

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
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Report Total:

935,065.42

DRAFT



CITY COUNCIL REGULAR MEETING MINUTES

January 6, 2014

7:00 p.m.

400 SW 152nd Street, 1st Floor

Burien, Washington 98166

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

- Watch the video-stream available on the City website, www.burienwa.gov
- Check out a DVD of the Council Meeting from the Burien Library

CALL TO ORDER

Monica Lusk, City Clerk, called the Regular Meeting of the Burien City Council to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Ms. Lusk led the Pledge of Allegiance.

OATH OF OFFICE

Oath of Office Administered by the Honorable Mark Eide, King County District Court Judge to Councilmembers Stephen Armstrong, Lauren Berkowitz, Nancy Tosta and Debi Wagner

The Honorable Mark Eide, King County District Court Judge, administered the oath of office to Councilmembers Stephen Armstrong, Lauren Berkowitz, Nancy Tosta and Debi Wagner.

ROLL CALL

Present: Councilmembers Stephen Armstrong, Lauren Berkowitz, Bob Edgar, Lucy Krakowiak, Gerald F. Robison, Nancy Tosta and Debi Wagner

Administrative staff present: Craig Knutson, Interim City Manager; Dan Trimble, Economic Development Manager; Angie Chaufty, Human Resources Manager; Chip Davis, Community Development Director; and, Monica Lusk, City Clerk.

ELECTION OF MAYOR AND DEPUTY MAYOR

Election of Mayor.

Ms. Lusk opened the floor to nominations for Mayor.

Councilmember Edgar nominated Councilmember Krakowiak.

Councilmember Robison nominated Councilmember Tosta.

There being no additional nominations, Ms. Lusk closed the nominations.

Councilmember Krakowiak was elected Mayor on a vote of 7-0.

Election of Deputy Mayor.

Mayor Krakowiak opened the floor to nominations for Deputy Mayor.

Mayor Krakowiak nominated Councilmember Edgar for Deputy Mayor.

Councilmember Robison nominated Councilmember Tosta for Deputy Mayor.

There being no additional nominations, Mayor Krakowiak closed the nominations.

Councilmember Edgar was elected Deputy Mayor on a vote of 7-0.

AGENDA CONFIRMATION

Direction/Action

Motion was made by Deputy Mayor Edgar, seconded by Councilmember Robison, and passed unanimously to affirm the January 6, 2014, Agenda.

PUBLIC COMMENT

Andrea Reay, Discover Burien Executive Director
Goodspaceguy, 10219 Ninth Avenue South, Boulevard Park
John E. Unbehend, Burien Arts Vice President, 2828 SW 171st Street, Burien
Maggie Larrick & Eric Dickman, Burien Actors Theatre
William R. Elliott, Jr., 33306 17th Avenue South, Apt. A-104, Federal Way
Chuck Rangel, 15226 9th Avenue SW, Burien
Quinton Thompson, 179 South 182nd Street, Burien

CORRESPONDENCE FOR THE RECORD

- a. Ninety-two Emails Dated December 18, 2013, through December 29, 2013, Regarding Burien Actors Theatre from the following: Eileen McCann; Carol Stanley; Nathaniel Jones; Roy A. Arauz; Darren Olson; Elana Bryan; Diane Adams; Dixie Marincovich; Miryam Gordon; Mary O'Malley; Benita Buchanan; Marga NewComb; Elizabeth Heath; Eileen and Mark; George and Ann Counts; Craig Orsinger; Stevie VanBronkhorst; Sarah Finney; Karyne Pesho; Maggie; Ashley Coates; Sara Schweid; Geni Hawkins; Christine Schofield; Timothy Kelly; Alexandra Novotny; Lance Zielinski; Becky Zucati; Kelli Zielinski; Shari Wear; Jill Doepel; Rachel Jones; Taimi Sepulveda; Elizabeth Bender; Ken Holmes; Lisa Pedersen; Russ Kay; Linda G. Harris; Fernando Luna; Adam Hegg; Kaylie Rainer; Tori Forbes; Victoria Carvajal-Forbes; E. Joe Sharp; Stephen Feldman; Yaya Limon; Arlene Martinez-Vazquez; Cynthia Baumgardner; Adrian Cerrato; Michelle Brot; Emily Elkins Cochran; Mary McDowell; Troy Lund; Lisa Harrington; Buddy Mahoney; Lauren Scoville; Amber Nichol; Brynne Garman; Steven Smith; Chris Stephan; George Counts; Kathy Ruston; Emily Dumarán; SallieTierney; Zachariah Robinson; Patricia Price; Mandy Nelson; Susan Echols-Orton; Sue Woolworth; Lauren Urban; Diane Gaskill; Grace Reamer; Mindy Whitfield; Sarah Bixler; Marie-Anne Harkness; Greg McCorkle; Lance Bowman and Kathy McNeill; Marilyn Redmond; Jon Hartley; Constance Walker; Rev. Sherry Brandt; Marilyn Domes; Sharon Skinner; Johnny Patchamatla; Susan C. Smith; Mack Van Wyk; Kevin Hiniker; Sara Halpin; Michael Webb; Barbara G. Reamer; Ani O'Leary; Ronda O'Brien; Jeri Hein.
- b. Email Dated December 23, 2013, from Lydai Albert.
- c. Email Dated December 31, 2013, from R. DeLorm.

CONSENT AGENDA

- a. Approval of Check Register: Numbers 36417 - 36556 in the Amounts of \$489,256.65 for Payment on January 6, 2014, and Payroll Salaries and Benefits Numbers 6015 -

6024 for Direct Deposits and Wire Transfers in the Amount of \$217,407.98 for December 1 – 15, 2013, Paid on December 20, 2013.

b. Approval of Minutes: Regular Meeting, December 16, 2013.

Direction/Action

Motion was made by Deputy Mayor Edgar, seconded by Councilmember Robison, and passed unanimously to approve the January 6, 2014, Consent Agenda.

BUSINESS AGENDA

Discussion on and Possible Motion to Approve City Council Appointments to Local Government Organizations for 2014

Follow-up

Staff will provide for the Council Retreat the description of the local and regional government organizations to include what it does, what it influences and what decisions it makes.

Update on Economic Development Strategic Plan Process

Economic Development Manager, Dan Trimble, provided a background on the Economic Development Strategic Plan. It was noted that input from individual Councilmembers on the working draft should be forwarded to Craig Knutson and himself prior to February 13, 2014. Staff anticipates distributing the final recommended Plan to the Council in mid-February with a presentation to the Council at its meeting on March 3, 2014.

Update on City Manager Recruitment Process

Direction/Action

Councilmember Armstrong proposed conducting an interim review of the city manager's performance during the year in addition to the review at the end of the year.

Review of Council Proposed Agenda Schedule

No items were added, moved or deleted from the Council Proposed Agenda Schedule.

City Manager's Report

Chip Davis, Community Development Department Director, spoke to the process for reviewing the sign code which is part of the Department's work plan for 2014.

Craig Knutson, Interim City Manager, provided an update on the annex building which was damaged by a fire.

Mr. Knutson provided the Council with copies and a brief summary of the October 17, 2013, Burien Northeast Redevelopment Area (NERA) Regional Stormwater Facilities PowerPoint.

Deputy Mayor Edgar noted that the Department of Ecology is seeking comments on two projects: Construction Stormwater National Pollutant Discharge Elimination System (NPDES) and State Waste Discharge General Permit; and the proposed cleanup actions for the Lora Lake site located south of SR 518 in NERA.

COUNCIL BUSINESS

Deputy Mayor Edgar noted that he would be attending the 42nd Annual Economic Forecast Conference on January 16, 2014, with Economic Development Manager Dan Trimble.

Councilmember Tosta noted that the Sound Cities Association (SCA) and the Puget Sound Regional Council (PSRC) will be holding trainings for newly electeds next week.

In the interest of communications, Councilmember Tosta offered to be at a particular coffee shop one Saturday a month to converse with the public on matters that they would like to discuss. The first occasion will be on January 25, 2014, at 10:00 a.m. at Burien Press with future occurrences rotated around the community.

ADJOURNMENT

Direction/Action

MOTION was made by Deputy Mayor Edgar, seconded by Councilmember Robison and passed unanimously to adjourn the January 6, 2014, Regular Council meeting at 8:32 p.m.

Lucy Krakowiak, Mayor

Monica Lusk, City Clerk

DRAFT



**CITY COUNCIL
RETREAT MINUTES**

January 11, 2014

9:00 a.m.

400 SW 152nd Street, Suite 300

Council Present: Mayor Lucy Krakowiak, Deputy Mayor Bob Edgar, Councilmembers Stephen Armstrong, Lauren Berkowitz, Gerald F. Robison, Nancy Tosta and Debi Wagner.

Staff present: Cary Bozeman, Facilitator; Craig Knutson, Interim City Manager.

Public present: Chestine Edgar, Patrick Lemoine, Robert Howell, Robbie Howell.

Opening Remarks and Discussion on Values, Leadership and Change and Roles of the City Council, Mayor & Manager

Facilitator Cary Bozeman stated his expectation that during the retreat all Councilmembers would participate in discussing: how to work best together; how to improve Council meetings and other operational issues; and what goals and priorities the Council could agree on for the next two years.

All Councilmembers and the Interim City Manager participated in a lengthy discussion about communication and the roles of the Council, Mayor, and City Manager.

The Council agreed on a set of core values, which included the following: honesty, acceptance, respect, willingness to give and receive feedback, trust, integrity, forgiveness, listening to each other, collaboration, celebration, inclusiveness, and openness.

Operational Issues Discussion

The Facilitator, Councilmembers, and Interim City Manager participated in a lengthy discussion about how to improve Council meetings and other operational issues.

The Council reached consensus on the following operational changes:

- General public comment (non-agenda items) will be for a total of 20 minutes near the beginning of each regular meeting with 2 minutes per individual or group.
- Public comment on agenda items will be taken during the Business Agenda with 3 minutes per individual or group.
- Agenda topics can be added by 3 Councilmembers (rather than a majority).
- Study sessions will be in a conference table setting.
- There will be a written statement on the agenda and an oral statement by the Mayor that questions/concerns from the public will be addressed by staff; and the City Manager Report will document that questions/concerns have been addressed.
- Councilmember committee reports will be given at the end of each regular meeting.
- Staff will report back to Council on the cost of reverting to more detailed minutes.

- There will be another retreat with the new City Manager and the Leadership Team.
- The Council will have a joint meeting with the Highline School Board.

The Council did not reach consensus on the following operational changes:

- Adding a second study session each month.
- Re-establishing Council committees.
- Conducting neighborhood town hall meetings.
- Changing the format of quarterly financial reports.

Presentation on Economic Development

There was a very brief presentation by Cary Bozeman about Bremerton's economic development success.

Setting the Priorities for 2014-15

The Council worked through lunch and had a lengthy discussion about a number of issues, including customer service, communication with citizens, and the Council's goals and priorities for the next two years.

The Council agreed that the most important priorities for the coming year are to:

1. Hire an outstanding City Manager
2. Enhance the City's financial stability in adopting the next biennial budget.

The Council also reached consensus on the following goals and priorities for the next two years:

1. Economic development & jobs.
 - Downtown redevelopment
 - NERA
 - Attract hotel & theater
 - Job retention and recruitment
 - Height limits, density downtown
2. Citizen communication & engagement
 - Social media
 - Appreciation of volunteers
 - Cultural diversity task force
3. Arts & culture
 - Community Center
 - Performing arts center
 - Parks bond issue
4. Improve image of Burien
 - Branding/marketing
 - International city
5. Promote sustainability
 - Walkability
 - Parks & trails
 - Public transit
 - Light rail to airport
 - Health & food policy
6. Building partnerships
 - Port of Seattle & Highline School District
 - Federal and state,
 - County and neighboring cities
 - Grants

7. Public safety
 - Speeding enforcement
 - Fireworks enforcement
 - Tagging, homelessness, crime.
8. Animal issues.

Concluding Remarks

Each Councilmember and the Interim City Manager stated what they had gotten out of the retreat and what they were committed to doing as a result of the retreat.

Adjournment

The meeting was adjourned at 3:30pm.

Lucy Krakowiak, Mayor

Craig D. Knutson, Interim City Manager

DRAFT



CITY COUNCIL SPECIAL MEETINGS MINUTES

January 23, 2014

6:30 p.m. - Executive Session to discuss a personnel matter per RCW 42.30.110(1g) to evaluate qualifications of applicants for public employment

7:00 p.m. – Open Session to discuss the city manager selection process

**400 SW 152nd Street, Ste. 300
Burien, Washington 98166**

SPECIAL MEETING TO HOLD EXECUTIVE SESSION

Mayor Krakowiak called the Special Meeting of the Burien City Council to order at 6:05 p.m. for the purpose holding an Executive Session to discuss a personnel matter per RCW 42.30.110(1g) to evaluate qualifications of applicants for public employment.

Present: Mayor Lusk Krakowiak, Deputy Mayor Bob Edgar, Councilmembers Stephen Armstrong, Lauren Berkowitz, Nancy Tosta and Debi Wagner. Councilmember Gerald F. Robison arrived at 6:35 p.m.

Administrative staff present: Craig Knutson, Interim City Manager, Angie Chaufy, Human Resources Manager, and Tom Muehlenbeck, Consultant.

Interim City Manager Craig Knutson extended the Executive Session to 7:20 p.m., to 7:45 p.m., and to 7:55 p.m.

No action was taken.

The Special Meeting adjourned to a Special Meeting at 7:52 p.m.

SPECIAL MEETING TO DISCUSS THE CITY MANAGER SELECTION PROCESS

Mayor Krakowiak called the Special Meeting to discuss the city manager selection process to order at 7:55 p.m.

Direction/Action

Council will meet in Executive Session on February 10, 2014 at 7 p.m. for the purpose of discussing a personnel matter per RCW 42.30.110(1g) to evaluate qualifications of applicants for public employment.

Councilmembers reached consensus for the following interview process:

Friday, February 28

- Afternoon: Staff led tour of city and city facilities with brief introduction to staff. (One tour with all finalists present.)
- 4-5 pm: Staff Reception with comment box.
- 5:30-7:30 pm: Community Reception with comment box.

Saturday, March 1

- Council Interview Panel
- Leadership Team Interview Panel (to include Police representative)
- Advisory Committee Interview Panel (2 people per committee as determined by Committee).

ADJOURNMENT

The Special Meeting was adjourned at 9:15 p.m.

Lucy Krakowiak , Mayor

Angela M. Chafty, Human Resources Manager

DRAFT



CITY COUNCIL STUDY SESSION MINUTES

January 27, 2014

7:00 p.m.

**400 SW 152nd Street, 1st Floor
Burien, Washington 98166**

CALL TO ORDER

Mayor Krakowiak called the Study Session of the Burien City Council to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Mayor Krakowiak led the Pledge of Allegiance.

ROLL CALL

Present: Mayor Lucy Krakowiak; Deputy Mayor Bob Edgar; Councilmembers Stephen Armstrong, Lauren Berkowitz, Gerald F. Robison, Nancy Tosta and Debi Wagner.

Administrative staff present: Craig Knutson, Interim City Manager; Chip Davis, Community Development Director; and, Monica Lusk, City Clerk.

CORRESPONDENCE FOR THE RECORD

- a. Email Dated January 3, 2014, from Andy Jensen, Director of Programming, Theatre Puget Sound, with Response from Carol Allread, Executive Assistant Regarding the Burien Annex Theatre.
- b. Email Dated January 6, 2014, from Lance McIntosh with Response from Carol Allread, Executive Assistant, Regarding the Annex.
- c. Email Dated January 7, 2014, from Cal Browning with Response from Carol Allread, Executive Assistant, Regarding the Future of the Burien Arts Theatre.
- d. Email Dated January 9, 2014, from Nanette Feeney with Response from Carol Allread, Executive Assistant, Regarding the Burien Annex Fire.
- e. Email Dated January 9, 2014, from Elaine Puderbaugh with Response from Carol Allread, Executive Assistant, Regarding Rebuilding the Annex Gymnasium.
- f. Email Dated January 9, 2014, from Marga NewComb with Response from Carol Allread, Executive Assistant, Regarding the Theatre Fire.
- g. Email Dated January 10, 2014, from Grace Xie with Response from Carol Allread, Executive Assistant, Regarding the Burien Actors Theatre.
- h. Email Dated January 12, 2014, from Tim Mahoney with Response from Carol Allread, Executive Assistant, Regarding the Burien Actors Theatre.
- i. Email Dated January 16, 2014, from Kristine Wallace with Response from Carol Allread, Executive Assistant, Regarding the Burien Actors Theatre.

DISCUSSION ITEMS

Presentation on Recreation Center Master Plan

This item will be rescheduled to February 24, 2014.

Interim City Manager Craig Knutson provided a status on the restoration to the Burien Community Center Annex that displaced the Burien Actors Theatre and the Hi-Liners Musical Theatre due to a fire.

Introduction to Permanent Marijuana Related Business Zoning Regulations Pursuant to Washington State Initiative 502

Direction/Action

Councilmember Robison requested a correction to proposed Ordinance No. 599 to change “non-conforming” to “conforming” so it reads “State licensed marijuana production and processing will only be allowed as a use or as a conforming use in the Industrial or Airport Industrial zones (more specifically only in a portion of the Northeast Redevelopment Area) and all activities must occur within an enclosed structure.”

Councilmember Robison asked staff to confirm if definitions were needed for both “marijuana” and “usable marijuana” and to confirm if “leaves” should be included.

Follow-up

Staff will verify if the recreational marijuana businesses will pay Business and Occupational (B&O) and sales taxes; provide information on the status of existing uses in NERA; and, provide for the February 3 discussion the ordinance as proposed, an ordinance that continues the interim zoning, and an ordinance that allows retail in the Commercial Zone and not production and processing in the Industrial Zone.

The following spoke for marijuana producers, processors and retailers:

Goodspaceguy, 10219 Ninth Avenue South, Boulevard Park

Toby Fry, 8111 8th Avenue South, Seattle

Sarah Hurley, 13705 10th Avenue SW, Burien

Chris Cody

Quinton Thompson, 179 South 182nd Street, Burien

Ed Dacy, 2016 SW 146th Street, Burien

The following spoke against marijuana producers, processors and retailers:

Ron Berry, 12022 14th Avenue South, Burien

The following spoke against marijuana producers and processors:

Carmelo Zappala, 1043 South 140th Street, Burien

Cheryl Zappala, 1043 South 140th Street, Burien

Jack Bathra, 1244 South 140th Street, Burien

Jim Hellums, 140 SW 143rd Street, Burien

Review of Council Proposed Agenda Schedule

Follow-up

Staff will change the start time to 7 p.m. for the February 10 Special Meeting, and put a placeholder for a discussion on an Economic Development Forum on the April 28 Study Session agenda.

COUNCIL BUSINESS

Direction/Action

MOTION was made by Councilmember Tosta, seconded by Councilmember Edgar, and passed unanimously to approve the 2014 City of Burien Representation to Local and Regional Governmental Organizations as distributed by Interim City Manager Craig Knutson and read by Councilmember Tosta.

Highline Communities Coalition: Member, Nancy Tosta;

Alternate, Lauren Berkowitz

Highline Forum: Member, Lucy Krakowiak; Alternate, Debi Wagner

KC Metropolitan Solid Waste Management Advisory Committee (MSWMAC):

Member, Lucy Krakowiak; Alternate, Maiya Andrews/Brian Roberts

Sound Cities Association (SCA) Public Issues Committee: Member, Nancy Tosta;

Alternate, Stephen Armstrong

Soundside Alliance Executive Committee: Member, Lucy Krakowiak;

Alternate, Stephen Armstrong

South Correctional Entity (SCORE): Member, Jerry Robison;

Alternate, Interim City Manager Craig Knutson

South County Area Transportation Board (SCATBd): Member, Jerry Robison;

Alternate, Maiya Andrews

Water Resource Inventory Area (WRIA) 9: Member, Bob Edgar;

Alternate, Nancy Tosta

Councilmember Tosta stated that she and Councilmember Robison attended the Sound Cities Association (SCA) Public Issues Committee (PIC) meeting at which it is seeking support for a King County proposal to place a measure on the April 14 ballot to create a King County Transportation Benefit District (TBD) to address the critical transportation needs in King County.

Follow-up

Staff will provide information on the proposed King County TBD ballot measure in a future City Manager's Report noting the Council's support and that Councilmember Tosta will be representing that position at an upcoming PIC meeting, and staff will reconfigure the Study Session seating to an arc shape.

Councilmember Robison reported on the South Correctional Entity (SCORE) Board meeting which he attended.

Councilmember Berkowitz noted that she and Councilmember Tosta attended a Highline Levy Forum at Evergreen High School.

Councilmember Tosta reported on the success of the community coffee held on January 18. The next community coffee will be held on February 15 at 10 a.m. at Transform Burien located at the Burien Community Center Annex.

Councilmember Tosta stated that she will be attending the Association of Washington Cities' (AWC) City Actions Days on January 29-30, 2014 in Olympia.

Deputy Mayor Edgar noted that he and Councilmember Wagner visited small businesses to get a sense of some of the barriers they maybe encountering and ways the City could help them prosper.

ADJOURNMENT

Direction/Action

MOTION was made by Deputy Mayor Edgar, seconded by Councilmember Robison, and passed unanimously to adjourn the meeting at 9:32 p.m.

Lucy Krakowiak, Mayor

Monica Lusk, City Clerk

**CITY OF BURIEN
AGENDA BILL**

Agenda Subject: Discussion and Possible Action on Permanent Marijuana Related Business Zoning Regulations Pursuant to Washington State Initiative 502.		Meeting Date: February 3, 2014
Department: Community Development Department	Attachments: 1. Recommended Draft Ordinance No. 599 (Option 1) 2. Alternative 1 Draft Ordinance No. 599 (Option 2) 3. Interim Regulation Extension Ordinance No. 600 (Option 3) 4. January 22, 2014 PC Meeting Minutes	Fund Source: N/A Activity Cost: N/A Amount Budgeted: N/A Unencumbered Budget Authority: N/A
Contact: Charles W. "Chip" Davis, Community Development Director		
Telephone: (206) 248-5501		
Adopted Initiative: Yes No X	Initiative Description: N/A	
<p>PURPOSE/REQUIRED ACTION:</p> <p>The purpose of this agenda item is for Council discussion and possible action on proposed amendments to the Burien Zoning Ordinance (BMC Title 19) for marijuana related businesses (MRB) which are based on the interim zoning regulations which were adopted by the Burien City Council on August 19, 2013.</p> <p>BACKGROUND (Include prior Council action & discussion):</p> <p>On August 19, 2013 the Burien City Council adopted Ordinance No. 586 establishing a six-month interim zoning ordinance on the establishment, location, operation, licensing, maintenance or continuation of marijuana producers, processors, and retailers. The ordinance was adopted as an emergency and as such took effect immediately upon passage. The Planning Commission conducted a public hearing on the interim zoning regulations on September 25, 2013.</p> <p>The production, growth, processing and retailing of marijuana may present land use and public safety issues for the licensed location, as well as surrounding properties, so enacting permanent local zoning regulations to ensure proper placement and operation of these uses is both necessary and appropriate. The proposed regulations are consistent with Burien's Comprehensive Plan, bear a substantial relationship to public health, safety and welfare and are in the best interests of the community as a whole.</p> <p>Under the proposed permanent regulations, State licensed marijuana producers and processors are only allowed in Industrial zones and marijuana retailers are only allowed in Commercial zones following a Type 1 Administrative Review. The Type 1 review process shall include a determination and finding that the proposed use is compatible with adjacent uses, is designed, located, constructed and buffered to blend in with surroundings and mitigates significant adverse impacts on adjoining properties. Public notice is provided for all Type 1 Review applications and the decision of the Director is appealable to the Burien Hearing Examiner.</p> <p>The proposed amendments were initially presented to the Planning Commission on December 11, 2013 and on January 8, 2014 the Commission conducted a public hearing. Public testimony received at this hearing and minutes of that meeting as well as one written comment which was received following the hearing were included in the January 27th City Council packet. At the January 22nd Planning Commission meeting, the Commission recommended that the City Council adopt the proposed zoning code amendments. Draft minutes from the Planning Commission's January 22nd meeting are included in the packet as Attachment 4.</p> <p>A draft copy of Ordinance No. 599 which reflects the Planning Commission recommendation to the City Council and which the staff is recommending for your adoption is included in the packet as Attachment 1.</p> <p>At the January 27th City Council meeting additional public testimony was received and staff was requested to provide responses to a number of questions or issues surrounding the proposed marijuana related business regulations.</p>		

BACKGROUND (cont'd.)

1. *On Page 74 of the January 27th Council packet under Key Points, the words “or as a non-conforming use” have been removed. Marijuana related businesses are not allowed as a non-conforming use in any zone.*
2. *Is a definition required for marijuana leaves in addition to the proposed definition for usable marijuana? No, the definition for “usable marijuana” only includes flowers because they require no further processing prior to use. Other portions of the plant, including leaves, which require further processing prior to use, are included under the “marijuana-infused products” definition.*
3. *Verify if Burien can charge B&O tax and sales tax for recreational marijuana businesses. Marijuana related businesses will be subject to all municipal taxes such as B&O tax and business license fees. There is no authorization at the present time for municipal option on the state sales tax for marijuana related businesses.*
4. *Provide additional information on the status of existing uses in NERA, for example residences and the Adorable Pet Lodge. Per the zoning code, existing residential uses in NERA may continue to exist pursuant to the non-conforming use standards located in BMC 19.55 and new residences are prohibited. The Adorable Pet Lodge is a use that was legally established prior to the adoption of the Burien Zoning Code and as such may continue, may be transferred to a new tenant or owner and need not be brought into conformance with the Zoning Code. Expansion of the use will be subject to the non-conforming use standards located in BMC 19.55.*
5. *Further discussion of excluding marijuana production and processing in the City. In addition to current draft ordinance, staff was asked to provide a draft ordinance to extend the Interim Zoning Regulations and a draft ordinance allowing only marijuana retailing in commercial zones and excluding production and processing in industrial zones. An ordinance extending the Interim Zoning Regulations for an additional three month period is included in the packet as Attachment 3 in the event that the City Council requires addition time in order to decide this issue beyond the February 19th expiration date for the Interim Regulations.*

An alternative ordinance allowing only retail marijuana related businesses in Burien is included in the packet as Attachment 2. The alternative ordinance would not allow marijuana production and/or processing in Burien’s industrial zones and is not being recommended by staff for the following reasons: Given the limited area available for locating these uses, in NERA in particular, and given the small size of existing lots and structures, staff is not anticipating large scale production and/or processing uses to locate there. Other small scale businesses, such as small nursery operations, small bakeries, candy manufactures, breweries or distilleries are already allowed in the industrial zone, have very similar operating characteristics and have comparable impacts to those exhibited by small scale marijuana related businesses. Under the proposed regulations, marijuana related businesses would be subject to an additional Type 1 Review to ensure that any potential impacts over and above those anticipated for similar type uses are mitigated by conditions of approval. Additional protection for both adjacent properties and the community are provided by RCW 69.50 provisions relating to chronic illegal activity associated with licensed operations and on-premises security requirements.

OPTIONS (Including fiscal impacts):

1. Adopt Ordinance No. 599 establishing permanent zoning regulations for all marijuana related businesses pursuant to Washington State Initiative 502.
2. Adopt Alternative 1 Ordinance 599 establishing permanent zoning regulations for retail marijuana related businesses only pursuant to Washington State Initiative 502.
3. Adopt Ordinance No. 600 extending the interim zoning regulations for an additional three month period.

Administrative Recommendation: Staff recommends Option 1, approval of the zoning code amendments as set forth in Ordinance No. 599.

Advisory Board Recommendation: The Planning Commission unanimously recommended the City Council approve the zoning code amendment as set forth in Ordinance No. 599 (Option 1).

Suggested Motion: Move to Adopt Ordinance No. 599, Adopting Permanent Marijuana Related Business Zoning Regulations Pursuant to Washington State Initiative 502.

Submitted by: Charles W. “Chip” Davis

Administration _____

Interim City Manager _____

Today’s Date: January 29, 2014

File Code: \\File\records\CC\Agenda Bill 2014\020314cd-1 MRB Zoning Code Amend.docx

CITY OF BURIEN, WASHINGTON

ORDINANCE NO. 599

AN ORDINANCE OF THE CITY OF BURIEN, WASHINGTON, AMENDING TITLE 19 OF THE BURIEN MUNICIPAL CODE RELATED TO THE ESTABLISHMENT, LOCATION, OPERATION, LICENSING, MAINTENANCE OR CONTINUATION OF MARIJUANA PRODUCERS, PROCESSORS, AND RETAILERS AS REGULATED PURSUANT TO WASHINGTON STATE INITIATIVE 502; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, on November 6, 2012, Initiative 502 was passed by the voters of the State of Washington, providing a framework under which marijuana producers, processors, and retailers can become licensed by the State of Washington; and

WHEREAS, Initiative 502 directed the Washington State Liquor Control Board (LCB) to develop rules and regulations to:

1. Determine the number of producers, processors and retailers of marijuana by county;
2. Develop licensing and other regulatory measures;
3. Issue licenses to producers, processors, and retailers at locations which comply with the Initiative's distancing requirements prohibiting such uses within one thousand feet of schools and other designated public facilities; and
4. Establish a process for the City to comment prior to the issuance of such licenses; and

WHEREAS, the LCB adopted final rules in mid-October 2013 and opened the application period for the issuance of marijuana producer, processor and retail licenses to qualified applicants in December, 2013; and

WHEREAS, the LCB rules prohibit marijuana-related uses within 1,000 feet of the perimeter of certain uses and buildings, such as child care centers, public parks and recreation centers or facilities; and

WHEREAS, pursuant to WAC 314-55-020(11), approval of a marijuana license application by the LCB "shall not be construed as a license for, or approval of, any violations of local rules or ordinances including, but not limited to: Building and fire codes, zoning ordinances, and business licensing requirements"; and

WHEREAS, the adoption of land use and zoning regulations is a valid exercise of the City's police power and is specifically authorized by RCW 35A.63.100; and

WHEREAS, Section 69.51A.140 RCW, enacted as part of Washington's medical cannabis act, delegates authority to cities and towns to adopt and enforce zoning requirements, business licensing requirements, health and safety requirements, and business taxes related to marijuana production, processing and dispensing as exercises of the City's police powers and not necessarily limited to medical marijuana-related uses; and

WHEREAS, the Burien Municipal Code does not currently have specific provisions addressing licensing, producing, processing or retailing of recreational marijuana; and

WHEREAS, on August 19, 2013, the City adopted Ordinance 586 establishing interim zoning regulations on the establishment, location, operation, licensing, maintenance or continuation of marijuana producers, processors, and retailers as regulated pursuant to I-502 in order to investigate this issue further and obtain regulatory clarity and guidance from the LCB's rules and Burien's citizens; and

WHEREAS, the Planning Commission held a duly noticed public hearing to receive public comments on January 8, 2014 and subsequently recommended approval of the proposed amendments on January 22, 2014; and

WHEREAS, the SEPA responsible official issued a determination of non-significance on December 9, 2013; and

WHEREAS, the City provided the proposed zoning amendments to the Washington State Department of Commerce as required by chapter 36.70A RCW; and

WHEREAS, the City Council held public meetings on January 27, 2014 and February 3, 2014 to review and discuss the proposed amendments; and

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

Section 1. Amendments to BMC Title 19. The City Council of the City of Burien hereby amends Title 19 BMC by adopting new Sections 19.10.333, 19.10.333.2, 19.10.333.3, 19.10.333.4, 19.10.333.5, 19.10.467, 19.10.549, 19.15.015.11, 19.15.020.11, 19.15.025.13, 19.15.035.16, 19.15.040.17, 19.15.050.23, 19.15.055.14, 19.15.065.16, and 19.15.070.13 and also by amending Section 19.17.090.4.A, as set forth in Exhibit A and as summarized in Exhibit B, which are attached hereto and are incorporated herein by this reference.

Section 2. Findings and Criteria. In accordance with the criteria set forth in BMC 19.65.100, the City Council finds that the amendments adopted herein are consistent with the Comprehensive Plan, bear a substantial relation to the public health, safety and welfare, and are in the best interest of the community as a whole.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or

federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4. Effective Date. This Ordinance shall be published by summary in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE __ DAY OF _____ 2014, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS __ DAY OF _____ 2014.

CITY OF BURIEN
Lucy Krakowiak, Mayor

ATTEST/AUTHENTICATED:
Monica Lusk, City Clerk

Approved as to form:
Ann Marie Soto, Acting City Attorney

Filed with the City Clerk:
Passed by the City Council:
Ordinance No. 599
Date of Publication:

DRAFT

Ordinance 599
Exhibit A

19.10 Definitions amended as follows:

19.10.005	User Guide.	19.10.080	Convenience retail
19.10.010	Accessory	19.10.081	Cornice
19.10.012	Accessory living quarters	19.10.083	Courtyard
19.10.015	Adjoining	19.10.084	Critical aquifer recharge areas
19.10.017	Adult entertainment facilities	19.10.085	Critical areas
19.10.018	Airplane unit load device	19.10.090	Critical facility
19.10.019	Alley	19.10.095	Cultural facility
19.10.020	Alteration	19.10.100	Day care center
19.10.025	Amusement arcade	19.10.105	Day care operation
19.10.026	Animal, small	19.10.107	Deciduous
19.10.027	Antenna	19.10.108	Deck
19.10.030	Applicant	19.10.109	Department
19.10.031	Aquifer	19.10.109.3	Development proposal
19.10.032	Architectural scale	19.10.109.5	Development proposal site
19.10.035	Arterial street	19.10.109.7	Development standards
19.10.036	Articulation	19.10.109.8	Direct traffic impact
19.10.037	Artwork	19.10.110	Director
19.10.038	Balcony	19.10.111	Ditches
19.10.038.2	Base flood	19.10.112	Domestic fowl
19.10.038.3	Base flood elevation	19.10.115	Dwelling unit
19.10.038.5	Bed and breakfast establishment	19.10.120	Dwelling unit, accessory
19.10.038.6	Beehive	19.10.123	Dwelling unit, apartment
19.10.038.7	Best available science	19.10.124	Dwelling unit, primary
19.10.038.8	Best management practices (BMPs)	19.10.125	Dwelling unit, townhouse
19.10.039	Blank walls	19.10.130	Dwelling unit, senior citizen assisted
19.10.040	Buffer	19.10.135	Dwelling unit, single detached
19.10.045	Building	19.10.140	Eating and drinking establishment
19.10.050	Building coverage	19.10.141	Endangered Species Act
19.10.051	Building Modulation	19.10.142	Enhancement
19.10.051.5	Calculated LOS	19.10.143	Equipment enclosure
19.10.052	Camouflaged	19.10.144	Equipment, heavy
19.10.053	Capital facilities plan	19.10.145	Erosion
19.10.054	Cargo container	19.10.150	Erosion hazard areas
19.10.055	Cemetery	19.10.155	Essential public facility
19.10.056	Class A pedestrian-oriented street	19.10.157	Evergreen
19.10.057	Class B pedestrian-oriented street	19.10.158	FAA
19.10.058	Collocation	19.10.159	Facade
19.10.060	Community facility	19.10.160	Family
19.10.062	Community Garden	19.10.165	Family day care home I
19.10.065	Community residential facility	19.10.170	Family day care home II
19.10.067	Compensatory mitigation	19.10.173	FCC
19.10.068	Confinement area	19.10.174	Federal Emergency Management Agency (FEMA) floodway
19.10.070	Construction code	19.10.174.2	Fee-In-Lieu
19.10.073	Continuing use	19.10.175	Fence
19.10.075	Convenience auto service	19.10.177	Fish Habitat

19.10.179.1	Flood fringe	19.10.300	Landslide
19.10.179.2	Flood hazard areas	19.10.305	Landslide hazard areas
19.10.179.3	Flood Insurance Rate Map	19.10.310	Light industry
19.10.179.4	Flood Insurance Study for King County	19.10.312	Livestock
19.10.179.5	Flood protection elevation	19.10.313	Loading space
19.10.179.6	Floodplain	19.10.315	Lodging facility
19.10.179.7	Floodproofing	19.10.320	Lot
19.10.179.8	Floodway, zero-rise	19.10.325	Lot area
19.10.180	Footprint	19.10.327	Lot Averaging
19.10.181	Forest practice	19.10.329	Lot, corner
19.10.183	Frontage	19.10.330	Repealed
19.10.184	Functions and values	19.10.331	Major new construction or modification
19.10.185	Garage, detached single-family	<u>19.10.333</u>	<u>Marijuana</u>
19.10.190	Geologically hazardous areas	<u>19.10.333.2</u>	<u>Marijuana processor</u>
19.10.195	Geologist	<u>19.10.333.3</u>	<u>Marijuana producer</u>
19.10.200	Geotechnical engineer	<u>19.10.333.4</u>	<u>Marijuana retailer</u>
19.10.205	Golf course	<u>19.10.333.5</u>	<u>Marijuana-infused products</u>
19.10.210	Government facility	19.10.335	Master plan
19.10.215	Grade	19.10.340	Repealed
19.10.217	Grade, finished	19.10.345	Mitigation
19.10.220	Grade, natural	19.10.350	Mixed use
19.10.225	Grading	19.10.355	Mobile home
19.10.227	Grazing area	19.10.360	Mobile home park
19.10.230	Gross floor area	19.10.362	Modulation
19.10.232	Groundcover	19.10.365	Monitoring
19.10.233	Groundwater	19.10.367	Monopole
19.10.235	Hatchery/fish preserve	19.10.367.5	Native vegetation
19.10.240	Hazardous household substance	19.10.368	Nonconformance
19.10.242	Hazardous materials or substances	19.10.368.3	Noxious weed
19.10.243	Hazardous materials questionnaire	19.10.368.7	Net floor area
19.10.245	Hazardous substance	19.10.369	Non-Residential Zone
19.10.250	Hazardous waste	19.10.370	Nursing home
19.10.255	Hazardous waste storage	19.10.373	Off-site commercial parking
19.10.260	Hazardous waste treatment	19.10.375	Off-site hazardous waste treatment and storage facility
19.10.265	Height	19.10.380	On-site hazardous waste treatment and storage facility
19.10.270	High technology industry	19.10.385	Office
19.10.273	Home occupation	19.10.387	Open-work fence
19.10.275	Hospital	19.10.390	Ordinary high water mark
19.10.278	Human scale	19.10.390.5	Owner Occupied
19.10.280	Impervious surface	19.10.391	Panoram device
19.10.285	Impervious surface coverage	19.10.392	Panoram premises
19.10.286	Improved public roadways	19.10.393	Parking lot aisle
19.10.287	Injection well	19.10.394	Parking space
19.10.288	In-kind	19.10.394.5	Patio
19.10.290	Interim zoning code	19.10.395	Pawn shop
19.10.295	Kennel	19.10.395.3	Peak hour
19.10.298	Landscaping	19.10.395.5	Pedestrian-oriented façade
		19.10.396	Pedestrian-oriented space

19.10.397	Personal wireless service facility (<i>PW/SF</i>)	19.10.511	Species
19.10.398	Personal wireless services	19.10.512	Specified anatomical areas
19.10.399	Primary façade	19.10.513	Specified sexual activities
19.10.399.5	Primary Structure	19.10.515	Steep slope
19.10.400	Primary use	19.10.516	Storefront
19.10.403	Private	19.10.517	Stream
19.10.405	Private club	19.10.518	Stream, Intermittent
19.10.410	Property line	19.10.519	Stream, Perennial
19.10.415	Public agency training facility	19.10.520	Street
19.10.420	Public park and recreation facilities	19.10.525	Structure
19.10.425	Public agency	19.10.529	Sub-drainage basin
19.10.430	Public utility	19.10.530	Submerged land
19.10.435	Reasonable use	19.10.535	Substantial improvement
19.10.440	Recreational facility	19.10.537	Support structure
19.10.443	Recyclable material	19.10.540	Theater
19.10.445	Recycling center	19.10.543	Topographic map
19.10.446	Regional utility corridor	19.10.545	Trail
19.10.447	Regulated facility or activities	19.10.547	Ultimate roadway section
19.10.450	Religious facility	19.10.550	Use
19.10.455	Residential zone	<u>19.10.552</u>	<u>Usable marijuana</u>
19.10.460	Restoration	19.10.555	Vehicular access easement or tract
19.10.465	Retail	19.10.557	Vegetation
<u>19.10.467</u>	<u>Retail marijuana outlet</u>	19.10.560	Vendor cart
19.10.470	Right-of-way	19.10.562	Vernacular
19.10.472	Riparian habitat	19.10.565	Warehousing and wholesale trade
19.10.474	Salmonid	19.10.570	Water table
19.10.474.5	Scale (architectural)	19.10.575	Wellhead protection areas
19.10.475	School	19.10.580	Wetlands
19.10.477	Screen/screening	19.10.585	Wetlands, associated
19.10.479	Secure community transition facility	19.10.590	Wetland classes, classes of wetlands, or wetland types
19.10.480	Seismic hazard areas	19.10.595	Wetland edge
19.10.485	Setback	19.10.600	Wildlife habitat
19.10.490	Self service storage facility		
19.10.492	Shorelines of the State		
19.10.493	Significant tree		
19.10.495	Site		
19.10.500	Site improvements		
19.10.505	Slope		
19.10.510	Social card game		

6. Any area potentially unstable as a result of rapid stream incision, stream bank erosion or undercutting by wave action;
7. Any area located on an alluvial fan, presently subject to or potentially subject to inundation by debris flows or deposition of stream-transported sediments.

19.10.310 Light industry – A *use* that involves the manufacturing, production, processing, fabrication, assembly, treatment, repair and/or packaging of finished products, predominantly from previously prepared and/or refined materials (or from raw materials that do not need refining). *Warehousing, wholesaling* and distribution of the finished products produced at the *site* is allowed as part of this use.

19.10.312 Livestock - Grazing animals kept either in open fields or *structures* for training, boarding, home use, sales, or breeding and production, including but not limited to: cattle, riding and draft horses, hogs, sheep, goats, miniature horses, llamas, and alpacas. [Ord. 355 § 1, 2002]

19.10.313 Loading space - A space for the temporary parking of a vehicle while loading or unloading cargo or passengers. [Ord. 292 § 2, 2000]

19.10.315 Lodging facility – A *building* or portion thereof designed or used for the transient rental of rooms for sleeping. *Accessory* shops and services catering to the general public may be provided. Not included are institutions housing persons under legal restraint or requiring medical attention or care.

19.10.320 Lot – A physically separate and distinct parcel of property, which has been created pursuant to the City of Burien subdivision regulations, or was legally created prior to February 28, 1993.

19.10.325 Lot area – The total land area, excluding submerged land, contained within the *property lines* of a *lot*.

19.10.327 Lot Averaging - The numerical averaging of *lot areas* to determine compliance with the minimum *lot area* requirements of this title. [Ord. 428 § 3, 2005]

19.10.329 Lot, corner--A *lot* abutting upon two or more streets at their intersections, or upon two parts of the same street, such streets or parts of same street forming an interior angle of less than 135 degrees within the lines. Corner lots have two street frontages, primary and secondary. The primary street shall be the one that the building is primarily oriented to. [Ord. 545 § 1, 2010, Ord. 103 § 1, 1994; Ord. 28 § 1(40), 1993]

M

19.10.330 Major communication facility – [Repealed, Ord. 265 § 34, 1999]

19.10.331 Major new construction or modification – Construction from the bare ground or an enlargement or modification of an existing *structure* in excess of 50% of the current King County assessment value for the existing *structure* (excluding tenant improvements), as determined by BMC Title 15. [Ord. 273 § 1, 1999]

19.10.333 Marijuana – All parts of the plant Cannabis, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted there from), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. [Ord. 599 § 2, 2014]

19.10.333.2 Marijuana processor – A facility licensed by the state liquor control board to process marijuana into useable marijuana and marijuana-infused products, package and label useable marijuana and marijuana-infused products for sale in retail outlets, and sell useable marijuana and marijuana-infused products at wholesale to marijuana retailers. [Ord. 599 § 2, 2014]

19.10.333.3 Marijuana producer – A facility licensed by the state liquor control board for the production and sale at wholesale of marijuana to marijuana processors and other marijuana producers. [Ord. 599 § 2, 2014]

19.10.333.4 Marijuana retailer – A facility licensed by the state liquor control board where useable marijuana and marijuana-infused products may be sold at retail. [Ord. 599 § 2, 2014]

19.10.333.5 Marijuana-infused products – Products that contain marijuana or marijuana extracts and are intended for human use. The term “marijuana-infused products” does not include usable marijuana. [Ord. 599 § 2, 2014]

19.10.335 Master plan – A complete development plan for the *site* showing: placement, dimensions and uses of all *structures* as well as *streets* and other areas used for vehicular circulation.

19.10.340 Minor communication facility – [Repealed, Ord. 265 § 34, 1999]

19.10.345 Mitigation -- The use of any or all of the following actions listed in descending order of preference:

1. Avoiding the impact by not taking a certain action;
2. Minimizing the impact by limiting the degree or magnitude of the action by using appropriate technology or by taking affirmative steps to avoid or reduce the impact;
3. Rectifying the impact by repairing, rehabilitating or *restoring* the affected *critical area* or *buffer*;
4. Reducing or eliminating the impact over time by preservation or maintenance operations during the life of the *development proposal*;
5. Compensating for the impact by replacing, enhancing or providing substitute *critical areas* and environments; and
6. Monitoring the impact and taking appropriate corrective measures.

19.10.350 Mixed use – A project or *building* that combines non-residential *use* with *dwelling units*, either in the same *building*, or in different *buildings* located on the same *site*.

R

19.10.435 Reasonable use -- A legal concept articulated by federal and state courts in regulatory taking cases. Within the context of these cases and for the purposes of this title, reasonable use shall mean any *use* allowed by Chapter 19.15 BMC and shall not mean the subdivision of property.

19.10.440 Recreational facility – A place designed and equipped for the conduct of sports, leisure time activities and other customary and usual recreational activities. Includes, but is not limited to: health club, sports instruction, and bowling alley.

19.10.443 Recyclable material--A nontoxic, recoverable substance that can be re-processed for the manufacture of new products. [Ord. 545 § 1, 2010, Ord. 28 § 1(40), 1993]

19.10.445 Recycling center – An establishment for the processing (separation and/or recovery) or collection of *recyclable materials* from solid wastes. Recycling of oil or other liquids may also occur.

19.10.446 Regional utility corridor – A right-of-way tract or easement which contains transmission lines or pipelines for utility companies, excluding distribution lines contain within striate rights-of-way or lines serving individual *lot* or developments. [Ord. 428 § 3, 2005]

19.10.447 Regulated facility or activities -- A facility or activity that lies or occurs within the boundaries of a *critical aquifer recharge area*, and in which quantities of *hazardous materials* or substances in excess of twenty (20) gallons or two hundred (200) pounds are or will be present on the premises at any one time, unless otherwise exempted under this ordinance. [Ord. 394 § 1, 2003]

19.10.450 Religious facility – An establishment, the principal purpose of which is religious worship, and for which the principal *building* or other *structure* contains the sanctuary or principal place of worship, and which includes related *accessory uses*.

19.10.455 Residential zone – Any RS or RM zone.

19.10.460 Restoration -- Returning a *critical area* and/or its *buffer* to a state in which its stability and functions approach its unaltered state as closely as possible.

19.10.465 Retail – A commercial enterprise which: provides goods and/or services directly to the consumer; and, whose goods are available for immediate purchase and/or rental; and, whose goods are available for immediate removal from the premises by the purchaser and/or whose services are traditionally not permitted within an *office use*. The sale and consumption of food are included if: a) the seating and associated circulation area does not exceed ten percent of the *gross floor area* of the *use*, and b) it can be demonstrated to the City that the floor plan is designed to preclude the seating area from being expanded. Goods and services offered include, but are not limited to: *convenience retail uses*.

19.10.467 Retail marijuana outlet – A location licensed by the State Liquor Control Board for the retail sale of usable marijuana and marijuana-infused products. [Ord. 599 § 2, 2014]

19.10.470 Right-of-way – Land dedicated primarily to the movement of vehicles and providing for primary access to adjacent *lots*. The land may also provide space for pedestrian movement, utility lines and appurtenances and other publicly owned devices.

and Volume 16, page 25, book of plats; all public accesses to, from and across the Indian Trail shall be considered as part of the Indian Trail System, including public *rights-of-way* from existing or future roadway to the Trail and public *rights-of-way* from the Trail to the waterfront, which are not designated as *street*; and any future identified or developed trail included in the Comprehensive Parks Plan for the City of Burien.

U

19.10.547 Ultimate roadway section--A designation by the city of Burien that the maximum roadway or intersection capacity has been reached and further right-of-way acquisition and/or improvements are not feasible to increase *peak hour* vehicle capacity. [Ord. 545 § 1, 2010, Ord. 28 § 1(40), 1993]

19.10.549 Usable marijuana – Dried marijuana flowers. The term “useable marijuana” does not include marijuana-infused products. [Ord. 599 § 2, 2014]

19.10.550 Use – The nature of the activities taking place on public or private property. Each separate listing under the “Use” column in Chapter 19.15 of this Code is a separate use. [Ord. 523 § 1, 2009]

V

19.10.555 Vehicular access easement or tract – A privately owned *right-of-way*.

19.10.557 Vegetation--Any and all plant life growing at, below or above the soil surface. [Ord. 545 § 1, 2010, Ord. 28 § 1(40), 1993]

19.10.560 Vendor cart - An *accessory use* consisting of a portable stand and any related *accessory* appurtenances such as an awning, canopy or seating, used for the *retail* sales of goods including but not limited to beverages, food and flowers.

19.10.562 Vernacular - A *building* or complex of *buildings* that relate to, or are characteristic of a period, place or group; especially relating to or being the common *building* style of a period or place. [Ord. 273 § 1, 1999]

W

19.10.565 Warehousing and wholesale trade -- Establishments involved in the storage and/or sale of bulk goods for resale or assembly, excluding establishments offering the sale of bulk goods to the general public which is classified as a *retail use*.

19.10.570 Water table -- The upper limit of the *groundwater* body marking the boundary between the saturated zone, where soil and rock is completely saturated with water, and the unsaturated zone. It is defined by the levels at which water stands in wells that penetrate the *aquifer* just far enough to hold standing water. [Ord. 394 § 1, 2003]

19.10.575 Wellhead protection areas -- Wellhead protection areas may be defined by the boundaries of the ten (10) year time of *groundwater* travel, or boundaries established using alternate criteria approved by the Department of Health in those settings where *groundwater* time of travel is not a reasonable delineation criterion, in accordance with WAC 246-290-135. [Ord. 394 § 1, 2003]



Section 19.15.070—AIRPORT INDUSTRIAL ZONES

PURPOSE AND INTENT: The Airport Industrial (AI) zone implements the Airport Industrial Comprehensive Plan designation within the Northeast Redevelopment Area. The purpose and intent 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.

ONLY THOSE USES LISTED ON THE FOLLOWING USE ZONE CHARTS MAY BE ALLOWED IN THE AI ZONE, SUBJECT TO MEETING ALL APPLICABLE REQUIREMENTS OF THE ZONING CODE. THE FOLLOWING SPECIAL REGULATIONS APPLY TO ALL USES IN THE AI ZONE. BE SURE TO CHECK THE APPLICABLE USE ZONE CHART FOR ADDITIONAL REQUIREMENTS THAT PERTAIN TO SPECIFIC USES. WHERE A SPECIAL REGULATION BELOW CONFLICTS WITH A SPECIAL REGULATION IN A USE ZONE CHART FOR A SPECIFIC USE, THE USE ZONE CHART SHALL APPLY.

19.15.070.1: SPECIAL REGULATIONS:

A. GENERAL.

- i. Use and development within this zone may be affected by *FAA* regulations associated with SeaTac Airport operations.
- ii. Uses shall conform with the following requirements (excluding reasonable construction activity):
 - a. Does not emit significant quantities of dust, dirt, cinders, smoke, gases, fumes, odors or vapors into the atmosphere.
 - b. Does not emit any liquid or solid wastes or other matter into any stream, wetland, or other waterway.
 - c. Does not emit radiation or discharges glare or heat, or emits electromagnetic, microwave, ultrasonic, laser or other radiation levels over what is considered safe by the *FCC*.
 - d. Does not emit radiation or discharges glare or heat, or emits electromagnetic, microwave, ultrasonic, laser or other radiation levels that would adversely impact electronic equipment of residences or businesses outside of the boundaries of the property the business is located.
 - e. Does not use heavy trucking as a principal use, such as truck terminals or heavy truck repair.
 - f. Does not produce excessive noise or ground vibration perceptible without instruments at any point exterior to any *lot*.
 - g. Is not considered an aviation hazard as defined in State and Federal law.

- h. Does not use high intensity lighting or make it difficult for pilots to distinguish between airport lights and others; create electrical interference with navigational signals or radio communication between the airport and aircraft; result in glare in the eyes of pilots using the airport; create reflectivity that interferes with airport radar function; create smoke, dust or other particulates that would impair visibility for aircraft; allow the storage of highly flammable or explosive materials, create bird-strike hazards; or otherwise create a hazard which may in any way endanger the landing, takeoff, or maneuvering of aircraft intending to use the airport.

B. DESIGN STANDARDS. Development within the AI zone is subject to compliance with the design standards in BMC 19.48.

C. BUILDING HEIGHT. No *structure* shall be permitted to be erected, altered or maintained that would constitute a hazard to air navigation, encroach into the limits of the *FAA* Part 77 imaginary surfaces, or cause an increase in minimum flight or approach procedure altitudes as determined by the *FAA*. An additional 12 feet of *height* is allowed for *under-building* or underground parking. A written certification of *height* compliance from the *FAA* may be required.

D. TRANSPORTATION IMPACT MITIGATION. In addition to providing *street* improvements on adjacent *streets* pursuant to BMC 12.05, the City may require *off-site improvements* necessary to mitigate transportation impacts of the proposal as part of the Final Supplemental Environmental Impact Statement for the Northeast Redevelopment Area dated November 23, 2009, SEPA planned action or other SEPA review under BMC Title 14. Transportation impact fees also apply pursuant to BMC 19.35.

E. IMPERVIOUS SURFACE COVERAGE.

- i. The maximum allowable impervious surface coverage is 95%.
- ii. Public pedestrian and non-motorized facilities are excluded from *impervious surface coverage*.
- iii. The City will give credit for low impact development techniques such as but not limited to pervious pavement and green roofs. The amount of credit shall be determined by the Public Works Director.

F. RESIDENTIAL USES. Existing residential uses may continue to exist pursuant to the standards located in BMC 19.55. New residential uses are prohibited.

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center;"> AI Zone </div> USE ↓	↓ REGULATIONS	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.070.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)		
		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage				Building Height	
				Front Setback	Interior Setback	Building Coverage					Impervious Surface Coverage
19.15.070.2 Air Cargo Facility Distribution <i>Eating and Drinking Establishment</i> <i>Flex-Industrial</i> <i>Flex-Tech</i> Flight Kitchen <i>Light Industry</i> Office <i>Off-Site Commercial Parking</i> Plant Nursery <i>Retail</i> <i>Warehousing and Wholesale Trade</i>	None	None	10'	10'	None	See BMC 19.15.070. 1.E.	45' See BMC 19.15.070.1	F	See Section 19.20.030.2.	1. In the AI-1 zone, <i>retail</i> uses are allowed as <i>primary</i> or <i>accessory</i> uses. In the AI-2 zone, <i>retail</i> uses are allowed only as <i>accessory</i> uses related to or supporting the <i>primary</i> use of the <i>site</i> .	

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; display: inline-block; text-align: center;"> AI Zone </div> USE ↓	↓ REGULATIONS	DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS							Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.070.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)
		MINIMUMS				MAXIMUMS					
		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage		Building Height			
Front Setback	Interior Setback			Building Coverage	Impervious Surface Coverage						
19.15.070.3 New Car Auto Dealer Auto Rental	None	None	10'	10'	None	See BMC 19.15.070. 1.E.	45' See BMC 19.15.070.1	F	See Section 19.20.030.2	1 This use is only allowed in the AI-1 zone. Sales of used vehicles and service facilities are only allowed as an accessory use.	
19.15.070.4 Community Facility Government Facility Public Park and Recreation Facilities Recreational Facility Religious Facility	None	None	10'	10'	None	See BMC 19.15.070. 1.E.	45' See BMC 19.15.070.1	F	See Section 19.20.030.2		
19.15.070.5 Public Utility	Type 1	None	10'	10'	None	See BMC 19.15.070. 1.E.	45' See BMC 19.15.070.1	F	See Section 19.20.030.2	1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts.	
19.15.070.6 On-site hazardous waste treatment and storage facility Off-site hazardous waste treatment and storage facility	Type 2	None	10'	10'	None	See BMC 19.15.070. 1.E.	45' See BMC 19.15.070.1	F	See Section 19.20.030.2	1. These uses are required to conduct an environmental review and mitigate all impacts. 2. Must comply with the state siting criteria adopted in accordance with RCW 70.105.210.	
19.15.070.7 Essential Public Facility	Type 1	None	10'	10'	None	See BMC 19.15.070. 1.E.	45' See BMC 19.15.070.1	F	See Section 19.20.030.2	1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts. 2. Shall comply with criteria for siting found in the Burien Comprehensive Plan.	

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center;"> AI Zone </div> USE ↓	↓ REGULATIONS	MINIMUMS		MAXIMUMS				Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.070.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)	
		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage					Building Height
				Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage				
19.15.070.8 Any use not listed in the use column of any use zone chart	Type 2	Development standards shall be determined on a case-by-case basis through the Type 2 review process.						1. The proposed use shall be compatible with <i>adjoining</i> uses. 2. The facility shall be designed, located, constructed and buffered to blend in with its surroundings and mitigate all adverse impacts on <i>adjoining</i> properties and the community. Special attention shall be given to minimizing noise, light, and glare impacts.			
19.15.070.9 Adult Entertainment Facility	Type 2	None	10'	10'	None	See BMC 19.15.070. 1.E.	45' See BMC 19.15.070.1	F	See Section 19.20.030.2	1. See Sec. 19.17.030 for additional requirements.	
19.15.070.10 Secure Community Transition Facility	Type 2	See Section 19.17.110									

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS											
<div style="border: 1px solid black; padding: 5px; text-align: center;"> AI Zone </div> USE ↓	↓ REGULATIONS	Special Review Process (See Ch. 19.65)	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.070.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)	
			<i>Lot Area</i>	SETBACKS		Lot Coverage					<i>Building Height</i>
				<i>Front Setback</i>	<i>Interior Setback</i>	<i>Building Coverage</i>	<i>Impervious Surface Coverage</i>				

19.15.070.11 <i>Personal Wireless Service Facility</i>	See BMC 19.50 for specific requirements.									
19.15.070.12 <i>Community Garden</i> [Ord. 560 § 3, 2012]	None	None	10'	10'	15%	25%	12'	A	See Section 19.20.030.2	1. A land use agreement approved by the <i>Director</i> shall be executed between the landowner and those who are interested in gardening on private land. The agreement shall include Community Garden Rules to maintain the property safely and prevent disturbances to neighboring property owners and residents.

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center; width: 40px; margin: 0 auto;"> AI Zone </div> USE ↓	↓ REGULATIONS	Special Review Process (See Ch. 19.65)	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.070.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)	
			Lot Area	SETBACKS		Lot Coverage					Building Height
				Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage				
19.15.070.13 <u>Marijuana Producers</u> <u>Marijuana Processors</u> <u>[Ord. 599 § 2, 2014]</u>	Type 1	None	10'	10'	None	See BMC 19.15.070.1.E.	45' See BMC 19.15.070.1	F	See Section 19.20.030.2	<ol style="list-style-type: none"> 1. <u>The facility shall be designed, located, constructed and buffered to blend in with its surroundings and mitigate significant adverse impacts on adjoining properties and the community. Special attention shall be given to minimizing odor, noise, light, glare and traffic impacts.</u> 2. <u>Must comply with all requirements of State law and Washington State Liquor Control Board's regulations.</u> 3. <u>Marijuana producers and processors shall not locate on a site or in a building in which non-conforming production or processing uses have been established in any zone other than I or AI zones.</u> 4. <u>Marijuana producers and processors shall not operate as an accessory to a primary use or as a home occupation.</u> 5. <u>Marijuana producers and processors may locate in the same building and all production and processing activities shall occur within an enclosed structure.</u> 6. <u>Marijuana producers and processors shall not locate within one thousand feet (1,000') as measured by the shortest straight line distance from the property line of the licensed premises to the property line of an elementary or secondary school, playground, recreational center or facility, child care center, public park, public transit center, library or arcade where admission is not restricted to those age 21 and older.</u> 	

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Section 19.15.050—INDUSTRIAL ZONE

PURPOSE AND INTENT: The Industrial (I) zone implements the Industrial Comprehensive Plan designation. The purpose of this zone is to establish a concentrated employment area for heavy commercial or industrial uses which are not likely to have adverse impacts on nearby residential or commercial properties. The intent is to provide for areas where primarily industrial activities and support services can be concentrated and where traffic congestion, visual and other impacts on the surrounding environment can be minimized. Large retail uses and office buildings that are not associated with an industrial use are inappropriate in the I zone.

ONLY THOSE USES LISTED ON THE FOLLOWING USE ZONE CHARTS MAY BE ALLOWED IN THE I ZONE, SUBJECT TO MEETING ALL APPLICABLE REQUIREMENTS OF THE ZONING CODE. THE FOLLOWING SPECIAL REGULATIONS APPLY TO ALL USES IN THE INDUSTRIAL ZONE. BE SURE TO CHECK THE APPLICABLE USE ZONE CHART FOR ADDITIONAL REQUIREMENTS THAT PERTAIN TO SPECIFIC USES. WHERE A SPECIAL REGULATION BELOW CONFLICTS WITH A SPECIAL REGULATION IN A USE ZONE CHART FOR A SPECIFIC USE, THE USE ZONE CHART SHALL APPLY.

19.15.050.1: SPECIAL REGULATIONS:

- A. Up to 25% of *gross floor area* may be used for the following *accessory uses* that are related to or support the *primary use*: *retail, office, eating & drinking establishment, recreational facility, or warehousing and wholesale trade*. For *high technology industry*, up to 75% of *gross floor area* for an *accessory office use* is allowed. A higher percentage of *accessory use* may be allowed through a Type 1 review. Required parking for *accessory uses* shall be as follows: *retail, office and recreational facility*: 1.5 stalls per 1,000 s.f. *net floor area*; *eating and drinking establishment*: 7 stalls per 1,000 s.f. *net floor area*; *warehousing and wholesale trade*: 0.5 stalls per 1,000 s.f. *net floor area*. More or less parking for *accessory uses* may be allowed through a Type 1 review process. [Ord. 313 §1, 2000]
- B. The minimum *lot area* for new *lots* is 2 acres.
- C. The outer 15 feet of the *front setback* must be landscaped with Type I landscaping (as prescribed in BMC 19.25.050.1). [Ord. 523 § 1, 2009]
- D. All *uses* must be located within *buildings* or approved outdoor *use, activity* or storage areas.
- E. Repealed, Ord. 529, 2009

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center; width: 40px; margin: 0 auto;"> I Zone </div> <p align="center">USE ↓</p>	<p align="center">REGULATIONS ↓</p>	MINIMUMS		MAXIMUMS			<p align="center">Landscape Category (See Ch. 19.25)</p>	<p align="center">Minimum Required Parking Spaces (See Ch. 19.20)</p>	<p align="center">Special Regulations (See also Section 19.15.050.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)</p>		
		<p align="center">Special Review Process (See Ch. 19.65)</p>	<p align="center">Lot Area</p>	SETBACKS		Lot Coverage				<p align="center">Building Height</p>	
				<p align="center">Front Setback</p>	<p align="center">Interior Setback</p>	<p align="center">Building Coverage</p>					<p align="center">Impervious Surface Coverage</p>
19.15.050.2 <i>High Technology Industry</i>	None	None	25'	See Spec. Reg. 1	70%	75%	See Spec. Reg. 2	D Also see Spec. Reg. 1	3 spaces per 1,000 s.f. of <i>net floor area</i> . Also see Sec. 19.15.050.1.A. [Ord. 313 §1, 2000]	1. Fifty (50) feet if <i>adjoining a residential zone</i> , otherwise, none. The outer 25 feet of the <i>setback</i> must be landscaped with Type I landscaping (as prescribed in BMC 19.25.050.1). [Ord. 523 § 1, 2009]. 2. Maximum <i>building height</i> is 35 feet. If at least 50% of the required parking stalls are located under or within the <i>building</i> , maximum <i>building height</i> is increased to 60 feet.	
19.15.050.3 <i>Light Industry</i>	None	None	25'	See Spec. Reg. 1	70%	75%	See Spec. Reg. 2	D Also see Spec. Reg. 1	1 space per 1,000 s.f. of <i>net floor area</i> . Also see Sec. 19.15.050.1.A. [Ord. 313 §1, 2000]	1. Fifty (50) feet if <i>adjoining a residential zone</i> , otherwise, none. The outer 25 feet of the <i>setback</i> must be landscaped with Type I landscaping (as prescribed in BMC 19.25.050.1). [Ord. 523 § 1, 2009]. 2. Maximum <i>building height</i> is 35 feet. If at least 50% of the required parking stalls are located under or within the <i>building</i> , maximum <i>building height</i> is increased to 60 feet.	
19.15.050.4 <i>Family Day Care Home I and II</i>	None	See Special Regulation 1								1. Must comply with requirements of the <i>primary use</i> . 2. <i>Family Day Care Home II</i> : Must provide State certification of safe passenger loading area.	
19.15.050.5: <i>Day Care Center</i>	None	None	25'	0'	70%	75%	35'	B	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Must provide State certification of safe passenger loading area.	
19.15.050.6: Auto, boat or heavy equipment repair, services or washing	Type 1	None	25'	See Spec. Reg. 1	70%	75%	35'	C Also see Spec. Reg. 1	1 space per 1,000 s.f. of <i>net floor area</i> . Also see Sec. 19.15.050.1.A. [Ord. 313 §1, 2000]	1. Fifty (50) feet if <i>adjoining a residential zone</i> , otherwise, none. The outer 25 feet of the <i>setback</i> must be landscaped with Type I landscaping (as prescribed in BMC 19.25.050.1). [Ord. 523 § 1, 2009].	

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center;"> I Zone </div> <p align="center">USE ↓</p>	REGULATIONS ↓	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.050.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)		
		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage				Building Height	
				Front Setback	Interior Setback	Building Coverage					Impervious Surface Coverage

19.15.050.7: <i>Community or Religious Facility</i> [Ord. 479 § 1, 2007]	Type 1	None	25'	0'	70%	75%	35'	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	
19.15.050.8 <i>Government Facility</i>	Type 1	None	25'	0'	70%	75%	See Spec. Reg. 1	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Maximum <i>building height</i> is 35 feet. If at least 50% of the required parking stalls are located under or within the <i>building</i> , maximum <i>building height</i> is increased to 60 feet.
19.15.050.9 <i>On-site hazardous waste treatment and storage facility</i>	Type 1	None	25'	See Spec. Reg. 1	70%	75%	35'	D Also see Spec. Reg. 1	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Fifty (50) feet if <i>adjoining a residential zone</i> , otherwise, none. The outer 25 feet of the <i>setback</i> must be landscaped with Type I landscaping (as prescribed in BMC 19.25.050.1). [Ord. 523 § 1, 2009]. 2. Must comply with the state siting criteria adopted in accordance with RCW 70.105.210.
19.15.050.10 <i>Public Park and Recreation Facilities</i>	None. See Spec. Reg. 2 [Ord. 560 § 3, 2012]	None.	25'	0'	70%	75%	35'	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Lighting for <i>structures</i> and fields shall be directed away from residential areas. 2. No special review process if project design is approved by the City Council through a public review process that includes posting a notice board at the site and notification to neighbors; otherwise a Type 2 review process is required. [Ord. 560 § 3, 2012]
19.15.050.11 <i>Public Utility</i>	Type 1	None	30'	30'	70%	75%	35'	D	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center;"> I Zone </div> USE ↓	↓ REGULATIONS	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS							Special Regulations (See also Section 19.15.050.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)	
		MINIMUMS				MAXIMUMS				
		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage		Building Height		
Front Setback	Interior Setback			Building Coverage	Impervious Surface Coverage	Landscape Category (See Ch. 19.25)				
19.15.050.12 <i>Self Service Storage Facility</i>	Type 1	None	25'	See Spec. Reg. 1	70%	75%	35'	D Also see Spec. Reg. 1	1 space per 3,500 s.f. of storage area, plus 2 for any caretaker's unit. Also see Sec. 19.15.050.1.A.	1. Fifty (50) feet if <i>adjoining a residential zone</i> , otherwise, none. The outer 25 feet of the <i>setback</i> must be landscaped with Type I landscaping (as prescribed in BMC 19.25.050.1). [Ord. 523 § 1, 2009]. 2. May include one (1) <i>accessory dwelling unit</i> for resident security manager.
19.15.050.13 <i>Indoor Shooting Range</i>	Type 2	None	30'	30'	70%	75%	35'	D	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to mitigating noise impacts and designing the facility to protect non-users outside of the <i>building</i> from bullets that may penetrate the outer walls and ceiling of the <i>use</i> .
19.15.050.14 <i>Kennel</i>	Type 2	None	25' See Spec. Reg. 1	0' See Spec. Reg. 1	70%	75%	35'	D	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Outside runs and other outside facilities must be <i>setback</i> at least 25 feet from each <i>property line</i> (50 feet from a <i>residential zone</i>) and must be surrounded by a <i>fence</i> or wall sufficient to enclose the animals. 2. Must provide suitable shelter and a clean, healthful environment for the animals.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center;"> I Zone </div> USE ↓	↓ REGULATIONS	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.050.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)		
		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage				Building Height	
				Front Setback	Interior Setback	Building Coverage					Impervious Surface Coverage
19.15.050.15 <i>Recycling Center</i>	Type 2	None	25'	See Spec. Reg. 1	70%	75%	35'	D Also see Spec. Reg. 1	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Fifty (50) feet if <i>adjoining a residential zone</i> , otherwise, none. The outer 25 feet of the <i>setback</i> must be landscaped with Type I landscaping (as prescribed in BMC 19.25.050.1). [Ord. 523 § 1, 2009]. 2. Shall mitigate all operational impacts, including noise, odor, visual and health and sanitary impacts. 3. May deal only in metal cans, glass, plastic and paper. Other materials may be recycled if the Hearing Examiner determines that the impacts are no greater than those associated with recycling metal cans, glass, plastic or paper. The applicant will have the burden of proof in demonstrating similar impacts.	
19.15.050.16 Any <i>use</i> not listed in the use column of any use zone chart	Type 2	Development standards shall be determined on a case-by-case basis through the Type 2 review process.							1. The proposed <i>use</i> shall be compatible with <i>adjoining uses</i> . The facility shall be designed, located, constructed and buffered to blend in with its surroundings and mitigate all adverse impacts on <i>adjoining</i> properties and the community. Special attention shall be given to minimizing noise, light, glare and traffic impacts. 2. <i>Social card games</i> are prohibited.		
19.15.050.17 Essential Public Facility	Type 2 [Ord. 560 § 3, 2012]	Development standards shall be determined on a case-by-case basis through the Type 2 review process. [Ord. 560 § 3, 2012]							1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts. 2. Shall comply with criteria for siting found in the Burien Comprehensive Plan.		

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center;"> I Zone </div> USE ↓	↓ REGULATIONS	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.050.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)		
		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage				Building Height	
				Front Setback	Interior Setback	Building Coverage					Impervious Surface Coverage
19.15.050.18 <i>Off-site hazardous waste treatment and storage facility</i>	Type 2 [Ord. 560 § 3, 2012]	None	50'	50'	70%	75%	35'	D Also see Spec. Reg. 1	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. The outer 25 feet of the <i>setback</i> must be landscaped with Type I landscaping (as prescribed in BMC 19.25.050.1). [Ord. 523 § 1, 2009]. 2. Must comply with the state siting criteria adopted in accordance with RCW 70.105.210.	
19.15.050.19 <i>Personal Wireless Service Facility⁽¹⁾</i>	See Chapter 19.50										
19.15.050.20 <i>Adult Entertainment Facility⁽²⁾</i>	None	None	25'	0'	70%	75%	35'	C	See Sec. 19.20.030.2	1. See Sec. 19.17.030 for additional requirements.	
19.15.050.21 <i>Secure Community Transition Facility</i> [Ord. 363 § 1, 2002]	Type 2 [Ord. 560 § 3, 2012]	See Section 19.17.110									
19.15.050.22 <i>Community Garden</i> [Ord. 560 § 3, 2012]	None	None	10'	0'	15%	25%	12'	A	See Sec. 19.20.030.2	1. A land use agreement approved by the <i>Director</i> shall be executed between the landowner and those who are interested in gardening on private land. The agreement shall include Community Garden Rules to maintain the property safely and prevent disturbances to neighboring property owners and residents.	

(1) Amended, Ord. 265, 1999

Note: All landscape categories added by Ord. 293, 2000

(2) Amended, Ord. 291, 2000

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center;"> I Zone </div> USE ↓	↓ REGULATIONS	Special Review Process (See Ch. 19.65)	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.050.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)	
			Lot Area	SETBACKS		Lot Coverage					Building Height
				Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage				
19.15.050.23 <u>Marijuana Producers</u> <u>Marijuana Processors</u> [Ord. 599 § 2, 2014]	Type 1	None	25'	See Spec. Reg. 1	70%	75%	35'	D Also see Spec. Reg. 1	See Sec. 19.20.030.2	<ol style="list-style-type: none"> 1. <u>Fifty (50) feet if adjoining a residential zone, otherwise, none. The outer 25 feet of the setback must be landscaped with Type I landscaping (as prescribed in BMC 19.25.050.1).</u> 2. <u>The facility shall be designed, located, constructed and buffered to blend in with its surroundings and mitigate significant adverse impacts on adjoining properties and the community. Special attention shall be given to minimizing odor, noise, light, glare and traffic impacts.</u> 3. <u>Must comply with all requirements of State law and Washington State Liquor Control Board's regulations.</u> 4. <u>Marijuana producers and processors shall not locate on a site or in a building in which non-conforming production or processing uses have been established in any zone other than I or AI zones.</u> 5. <u>Marijuana producers and processors shall not operate as an accessory to a primary use or as a home occupation.</u> 6. <u>Marijuana producers and processors may locate in the same building and all production and processing activities shall occur within an enclosed structure.</u> 7. <u>Marijuana producers and processors shall not locate within one thousand feet (1,000') as measured by the shortest straight line distance from the property line of the licensed premises to the property line of an elementary or secondary school, playground, recreational center or facility, child care center, public park, public transit center, library or arcade where admission is not restricted to those age 21 and older.</u> 	



Section 19.15.015--NEIGHBORHOOD CENTER ZONE

PURPOSE AND INTENT: The Neighborhood Center (CN) zone implements the Neighborhood Center Comprehensive Plan designation. The purpose of this zone is to establish relatively small areas to provide convenience goods and services to meet the everyday needs of the surrounding residential neighborhoods, while protecting neighborhood character. The intent is to provide for limited retail stores, services, offices and mixed use buildings that serve the immediate neighborhood (as well as other markets or service areas), located in neighborhood focal points which are designed to encourage pedestrian and transit access, be compatible with adjacent residential neighborhoods, and be consistent with road and utility capacity.

ONLY THOSE USES LISTED ON THE FOLLOWING USE ZONE CHARTS MAY BE ALLOWED IN THE CN ZONE, SUBJECT TO MEETING ALL APPLICABLE REQUIREMENTS OF THE ZONING CODE. THE FOLLOWING SPECIAL REGULATIONS APPLY TO ALL USES IN THE NEIGHBORHOOD CENTER ZONE. BE SURE TO CHECK THE APPLICABLE USE ZONE CHART FOR ADDITIONAL REQUIREMENTS THAT PERTAIN TO SPECIFIC USES. WHERE A SPECIAL REGULATION BELOW CONFLICTS WITH A SPECIAL REGULATION IN A USE ZONE CHART FOR A SPECIFIC USE, THE USE ZONE CHART SHALL APPLY.

19.15.015.1: SPECIAL REGULATIONS:

- A. Maximum *gross floor area* per *building* is 4,000 s.f. Up to 8,000 s.f. may be approved through a Type 1 review process. Greater than 8,000 s.f may be approved through a Type 2 review process.
- B. *Front setback* shall be 10 feet. Greater or lesser *setback* shall be reviewed through a Type 1 process. The area between the *building* and the *front property line* shall be used for pedestrian-oriented features, such as outdoor displays, benches, tables, gardens or similar features. The main pedestrian access shall be located in the front of the *building* with direct access onto a sidewalk. *Buildings* may be *setback* greater than 10 feet from the *front property line* if the area between the *front property line* and *building* is used for pedestrian-oriented features, or, if the area is an alcove in front of the pedestrian entrance. *Buildings* may be *setback* less than 10 feet if *building* wall design and finishes relate to the pedestrian scale (i.e., use of color, texture, windows), and pedestrian needs are otherwise accommodated.
- C. The following are not permitted: Auto repair, *convenience auto service*, auto sales, *pawn shop*, veterinarian, and drive-through facilities.
- D. *Site* design shall include at least one pedestrian amenity for each 2,000 s.f. of *gross floor area* or portion thereof. The amenity shall be approved by the *Director*, shall be located in an area accessible to pedestrians, and shall not be located on a sidewalk in the public *right-of-way*, unless approved through a Type 1 review. The following are examples of possible pedestrian amenities: awning over public sidewalk; bench; outdoor table and chairs for minimum of four people.
- E. Outdoor storage is limited to *accessory* storage of goods sold at *retail* on the premises. Outdoor storage areas shall be limited to five feet in *height* and shall not be located in any required landscape area.
- F. Parking and loading areas shall not be located between the *building* and the *right-of-way*.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; display: inline-block; text-align: center;"> CN Zone </div> USE ↓	↓REGULATIONS	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.015.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)		
		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage				Building Height	
				Front Setback	Interior Setback	Building Coverage					Impervious Surface Coverage
19.15.015.2 <i>Convenience Retail</i> <i>Office</i> <i>Eating & Drinking Establishment</i>	None	None	10'	0'	70%	85%	35'	C	1.5 spaces per 1,000 s.f. of <i>net floor area</i> . May be reduced to 1 space per 1,000 s.f. of <i>net floor area</i> if on- <i>street</i> parking is available. <i>Eating & Drinking Establishment</i> : 7 spaces per 1,000 s.f. of <i>net floor area</i> . May be reduced to 5 spaces per 1,000 s.f. of <i>net floor area</i> if on- <i>street</i> parking is available. [Ord. 313 §1, 2000]		
19.15.015.3 <i>Family Day Care Home I and II</i>	None	See Special Regulation 1							1. Must comply with requirements of the <i>primary use</i> . 2. <i>Family Day Care Home II</i> : Must provide State certification of safe passenger loading area.		
19.15.015.4 <i>Day Care Center</i>	None	None	10'	0'	70%	85%	35'	B	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. <i>Day Care Center</i> : Must provide State certification of safe passenger loading area.	

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; display: inline-block; text-align: center;"> CN Zone </div> USE ↓	↓REGULATIONS	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.015.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)		
		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage				Building Height	
				Front Setback	Interior Setback	Building Coverage					Impervious Surface Coverage
19.15.015.5 <i>Mixed Use</i> Senior Citizen Assisted Dwelling Unit Community Residential Facility	Type 1	None	10'	0'	70%	85%	35'	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. <i>Mixed use</i> not allowed in CN zone located on Maplewild Avenue SW. 2. Shall provide <i>retail convenience, office, or eating & drinking establishment uses</i> on floor adjacent to public street, or if property does not abut a public street, on floor adjacent to parking lot. <i>Eating & drinking establishment</i> may be located on any floor. 3. Maximum residential density is 12 <i>dwelling units</i> per acre. 4. <i>Senior citizen assisted dwelling unit or community residential facility</i> only allowed as part of a <i>mixed use</i> project.	
19.15.015.6 Public Park and Recreation Facilities	None See Spec. Reg. 3 [Ord. 560 § 3, 2012]	None	10' See Spec. Reg. 2	0' See Spec Reg. 2	60%	85%	35'	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Lighting for <i>structures</i> and fields shall be directed away from <i>dwelling units</i> . 2. <i>Structures</i> shall maintain a 50-foot <i>setback</i> from <i>adjoining lots</i> containing <i>single detached dwelling units</i> . The Director may allow <i>structures</i> such as playground equipment, ball field backstops and tennis court <i>fences</i> closer than 50' if compatible with the surrounding neighborhood and traffic safety considerations. 3. No special review process if project design is approved by the City Council through a public review process that includes posting a notice board at the site and notification to neighbors; otherwise a Type 2 review process is required. [Ord. 560 § 3, 2012]	

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 2px solid black; padding: 5px; width: fit-content; margin: 0 auto;"> <p>CN Zone</p> </div> <p style="text-align: center;">USE ↓</p>	<p>↓REGULATIONS</p>	MINIMUMS		MAXIMUMS			<p>Special Review Process (See Ch. 19.65)</p>	<p>Lot Area</p>	SETBACKS		Lot Coverage		<p>Building Height</p>	<p>Landscape Category (See Ch. 19.25)</p>	<p>Minimum Required Parking Spaces (See Ch. 19.20)</p>	<p>Special Regulations (See also Section 19.15.015.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)</p>
		<p>Front Setback</p>	<p>Interior Setback</p>	<p>Building Coverage</p>	<p>Impervious Surface Coverage</p>											

19.15.015.7 <i>Community, Cultural, Religious or Government Facility</i> [Ord. 479 § 1, 2007]	Type 2 [Ord. 560 § 3, 2012]	None	10'	0'	60%	85%	35'	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	
19.15.015.8 <i>Public Utility</i>	Type 2 [Ord. 560 § 3, 2012]	None	30'	30'	60%	85%	35'	D	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts.
19.15.015.9 <i>Personal Wireless Service Facility</i> ⁽¹⁾	See Chapter 19.50									
19.15.015.10 <i>Community Garden</i> [Ord. 560 § 3, 2012]	None	None	10'	0'	15%	25%	12'	A	See Sec. 19.20.030.2	1. A land use agreement approved by the <i>Director</i> shall be executed between the landowner and those who are interested in gardening on private land. The agreement shall include Community Garden Rules to maintain the property safely and prevent disturbances to neighboring property owners and residents.

(1) Amended, Ord. 265, 1999

Note: All landscape categories added by Ord. 293, 2000

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center; width: 60px; margin: 0 auto;"> CN Zone </div> <p align="center">USE ↓</p>	REGULATIONS	Special Review Process (See Ch. 19.65)	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.015.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)	
			Lot Area	SETBACKS		Lot Coverage					Building Height
				Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage				
<u>19.15.015.11</u> <u>Marijuana Retailers</u> <u>[Ord. 599 § 2, 2014]</u>		Type 1	None	10'	0'	70%	85%	35'	C	<u>See Sec. 19.20.030.2</u> 1. <u>The facility shall be designed, located, constructed and buffered to blend in with its surroundings and mitigate significant adverse impacts on adjoining properties and the community. Special attention shall be given to minimizing odor, noise, light, glare and traffic impacts.</u> 2. <u>Must comply with all requirements of State law and Washington State Liquor Control Board's regulations.</u> 3. <u>Marijuana retailers shall not locate in the Single-Family Residential (RS), Multi-Family Residential (RM), Professional Residential (PR), Office (O) or Ruth Dykeman Children's Center zones.</u> 4. <u>Marijuana retailers shall not locate in a building in which non-conforming retail uses have been established in any residential or office zone.</u> 5. <u>Marijuana retailers shall not operate as an accessory to a primary use or as a home occupation.</u> 6. <u>Marijuana retailers shall not locate within one thousand feet (1,000') as measured by the shortest straight line distance from the property line of the licensed premises to the property line of an elementary or secondary school, playground, recreational center or facility, child care center, public park, public transit center, library or arcade where admission is not restricted to those age 21 and older.</u>	



Section 19.15.020—INTERSECTION COMMERCIAL ZONE

PURPOSE AND INTENT: The Intersection Commercial (IC) zone implements the Intersection Commercial Comprehensive Plan designation. The purpose of this zone is to establish areas (in otherwise residential areas) for low to moderate intensity convenience commercial uses to serve customers travelling to and from their nearby homes. The intent is to provide a diverse mix of uses which serve multiple residential areas, designed to encourage pedestrian and transit access, be compatible with adjacent residential neighborhoods, and be consistent with road and utility capacity.

ONLY THOSE USES LISTED ON THE FOLLOWING USE ZONE CHARTS MAY BE ALLOWED IN THE CI ZONE, SUBJECT TO MEETING ALL APPLICABLE REQUIREMENTS OF THE ZONING CODE. THE FOLLOWING SPECIAL REGULATIONS APPLY TO ALL USES IN THE INTERSECTION COMMERCIAL ZONE. BE SURE TO CHECK THE APPLICABLE USE ZONE CHART FOR ADDITIONAL REQUIREMENTS THAT PERTAIN TO SPECIFIC USES. WHERE A SPECIAL REGULATION BELOW CONFLICTS WITH A SPECIAL REGULATION IN A USE ZONE CHART FOR A SPECIFIC USE, THE USE ZONE CHART SHALL APPLY.

19.15.020.1: SPECIAL REGULATIONS:

- A. Primary vehicular access shall be from an *arterial street*.
- B. The property owner shall record access easements and shared parking agreements between the *site* and abutting CI-zoned properties. This regulation applies whenever there is a change in tenant or a *substantial improvement* on a *lot*. This regulation may be waived or modified through a Type 1 review, if complying with the requirement is infeasible or an alternative solution would better meet the goals of providing shared access and parking.
- C. Repealed, Ord. 529, 2009

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center; width: 40px; margin: 0 auto;"> CI Zone </div> USE ↓	REGULATIONS	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.020.1 and Chapter 19.17, Miscellaneous Use, Development and Performance Standards)		
		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage				Building Height	
				Front Setback	Interior Setback	Building Coverage					Impervious Surface Coverage
19.15.020.2 <i>Convenience Retail</i> <i>Office</i> <i>Eating and Drinking Establishment</i> <i>Convenience Auto Service</i>	See Spec. Reg. 1	None	10'	0'	70%	85%	35'	C	3 spaces per 1,000 s.f. of <i>net floor area</i> <i>Eating and Drinking Establishment-13</i> spaces per 1,000 s.f. of dining or lounge area. [Ord. 313 § 1, 2000]	1. Maximum <i>gross floor area per building</i> is 5,000 s.f. Up to 10,000 s.f. may be approved through a Type 1 review process. Greater than 10,000 s.f may be approved through a Type 2 review process. 2. The following are not permitted: auto sales, <i>pawn shop</i> and veterinarian. 3. Outdoor <i>use</i> and storage is limited to <i>accessory</i> display and/or storage of goods sold at <i>retail</i> on the premises. Outdoor <i>use</i> and storage areas shall be limited to five feet in <i>height</i> and shall not be located in any required landscape area. 4. Auto service activities shall occur inside a building.	
19.15.020.3 <i>Family Day Care Home I and II</i>	None	See Special Regulation 1							1. Must comply with requirements of the <i>primary use</i> . 2. <i>Family Day Care Home II</i> : Must provide State certification of safe passenger loading area.		
19.15.020.4 <i>Day Care Center</i>	None	None	10'	0'	70%	85%	35'	B	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Must provide State certification of safe passenger loading area.	

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center; width: 40px; margin: 0 auto;"> CI Zone </div> USE ↓	REGULATIONS ↓	Special Review Process (See Ch. 19.65)	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.020.1 and Chapter 19.17, Miscellaneous Use, Development and Performance Standards)	
			Lot Area	SETBACKS		Lot Coverage					Building Height
				Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage				
19.15.020.5 <i>Mixed Use</i> <i>Senior Citizen Assisted Dwelling Unit</i> <i>Community Residential Facility</i>		None	None	10'	0'	70%	85%	45'	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000] <ol style="list-style-type: none"> 1. Shall provide <i>convenience retail, office or eating and drinking establishment uses</i> on the floor adjacent to a <i>street</i>, or if the <i>site</i> does not abut a <i>street</i>, on floor adjacent to parking lot. <i>Eating and drinking establishment</i> is permitted on any floor. 2. Maximum residential density shall not exceed the highest density allowed by the zoning of an abutting residentially zoned <i>lot</i>. If more than one residentially zoned <i>lot</i> abuts the subject lot, the highest residential zoning density may be used to calculate the maximum residential density. In cases where there is no residentially zoned <i>lot</i> abutting the subject <i>lot</i>, the maximum allowed residential density shall be established by the zoning of the closest residentially zone lot. [Ord. 484 § 1, 2008] 3. The following are not permitted: auto repair shop, auto sales, <i>convenience auto service</i>, drive-through facilities, <i>pawn shop</i>, or veterinarian. 4. Outdoor <i>use</i> and storage is limited to <i>accessory display and/or storage of goods sold at retail</i> on the premises. Outdoor <i>use</i> and storage areas shall be limited to five feet in <i>height</i> and shall not be located in any required landscape area. 5. <i>Senior citizen assisted dwelling unit or community residential facility</i> only allowed as part of a <i>mixed use</i> project. 6. At least 25% of the <i>gross floor area</i> must be designed and used for <i>retail, office or eating and drinking establishment uses</i>. [Ord. 560 § 3, 2012] 	

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center; width: 40px; margin: 0 auto;"> CI Zone </div> <p align="center">USE ↓</p>	REGULATIONS	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.020.1 and Chapter 19.17, Miscellaneous Use, Development and Performance Standards)		
		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage				Building Height	
				Front Setback	Interior Setback	Building Coverage					Impervious Surface Coverage
19.15.020.6 <i>Public Park and Recreation Facilities</i>	None See Spec. Reg. 3 [Ord. 560 § 3, 2012]	None	10' See Spec. Reg. 2	0' See Spec Reg. 2	60%	85%	35'	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	<ol style="list-style-type: none"> 1. Lighting for structures and fields shall be directed away from residential areas. 2. Structures shall maintain a 50-foot <i>setback</i> from <i>adjoining lots</i> zoned RS. The <i>Director</i> may allow structures such as playground equipment, ball field backstops and tennis court <i>fences</i> closer than 50' if compatible with the surrounding neighborhood and traffic safety considerations. 3. No special review process if project design is approved by the City Council through a public review process that includes posting a notice board at the site and notification to neighbors; otherwise a Type 2 review process is required. [Ord. 560 § 3, 2012] 	
19.15.020.7 <i>Community, Cultural, Religious or Government Facility</i> [Ord. 479 § 1, 2007]	Type 2 [Ord. 560 § 3, 2012]	None	10'	0'	60%	85%	35'	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]		

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
<div style="border: 1px solid black; padding: 5px; text-align: center;"> CI Zone </div> USE ↓	↓REGULATIONS	Special Review Process (See Ch. 19.65)	MINIMUMS			MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.020.1 and Chapter 19.17, Miscellaneous Use, Development and Performance Standards)
			<i>Lot Area</i>	SETBACKS		Lot Coverage		<i>Building Height</i>			
				<i>Front Setback</i>	<i>Interior Setback</i>	<i>Building Coverage</i>	<i>Impervious Surface Coverage</i>				

19.15.020.8 <i>Public Utility</i>	Type 2 [Ord. 560 § 3, 2012]	None	30'	30'	60%	85%	35'	D	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts.
19.15.020.9 <i>Personal Wireless Service Facility</i> ⁽¹⁾	See Chapter 19.50									
19.15.020.10 <i>Community Garden</i> [Ord. 560 § 3, 2012]	None	None	10'	0'	15%	25%	12'	A	See Sec. 19.20.030.2	1. A land use agreement approved by the <i>Director</i> shall be executed between the landowner and those who are interested in gardening on private land. The agreement shall include Community Garden Rules to maintain the property safely and prevent disturbances to neighboring property owners and residents.

(1) Amended, Ord. 265, 1999

Note: All landscape categories added by Ord. 293, 2000

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center; width: 40px; margin: 0 auto;"> CI Zone </div> USE ↓	REGULATIONS	Special Review Process (See Ch. 19.65)	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.020.1 and Chapter 19.17, Miscellaneous Use, Development and Performance Standards)	
			Lot Area	SETBACKS		Lot Coverage					Building Height
				Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage				
19.15.020.11 <u>Marijuana Retailers</u> [Ord. 599 § 2, 2014]		Type 1	None	10'	0'	70%	85%	35'	C	See Sec. 19.20.030.2	1. The facility shall be designed, located, constructed and buffered to blend in with its surroundings and mitigate significant adverse impacts on adjoining properties and the community. Special attention shall be given to minimizing odor, noise, light, glare and traffic impacts. 2. Must comply with all requirements of State law and Washington State Liquor Control Board's regulations. 3. <u>Marijuana retailers shall not locate in the Single-Family Residential (RS), Multi-Family Residential (RM), Professional Residential (PR), Office (O) or Ruth Dykeman Children's Center zones.</u> 4. <u>Marijuana retailers shall not locate in a building in which non-conforming retail uses have been established in any residential or office zone.</u> 5. <u>Marijuana retailers shall not operate as an accessory to a primary use or as a home occupation.</u> 6. <u>Marijuana retailers shall not locate within one thousand feet (1,000') as measured by the shortest straight line distance from the property line of the licensed premises to the property line of an elementary or secondary school, playground, recreational center or facility, child care center, public park, public transit center, library or arcade where admission is not restricted to those age 21 and older.</u>

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Section 19.15.025—DOWNTOWN COMMERCIAL ZONE

PURPOSE AND INTENT: The Downtown Commercial (DC) zone implements the Downtown Commercial Comprehensive Plan designation. The purpose of the DC zone is to foster a vibrant, compact, pedestrian oriented area by allowing high density residential development in combination with 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 downtown a community focal point and center, as well as a lively place in the evening and on the weekends. Residential densities re 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.

The community’s vision for downtown is an attractive, clean, safe and vibrant place that is welcoming to people of all ages. A friendly place where you can walk between the good mix of shops. Downtown will have a special look, created by a cohesive physical theme and design guidelines that emphasize quality, permanence, individuality and uniqueness within the overall urban fabric. Overall, downtown Burien will be a destination—the comfortable and welcoming, fun and lively heart of a great small town.

To help achieve these goals, desired uses and public amenities are achieved through a public benefit incentive program. This program allows increased building height and bulk in exchange for the provision of streetscape improvements, design elements, civic contributions and provision of land uses that are highly desired by the community.

ONLY THOSE USES LISTED ON THE FOLLOWING USE ZONE CHARTS MAY BE ALLOWED IN THE DC ZONE, SUBJECT TO MEETING ALL APPLICABLE REQUIREMENTS OF THE ZONING CODE. THE FOLLOWING SPECIAL REGULATIONS APPLY TO ALL USES IN THE DOWNTOWN COMMERCIAL ZONE. BE SURE TO CHECK THE APPLICABLE USE ZONE CHART FOR ADDITIONAL REQUIREMENTS THAT PERTAIN TO SPECIFIC USES. WHERE A SPECIAL REGULATION BELOW CONFLICTS WITH A SPECIAL REGULATION IN A USE ZONE CHART FOR A SPECIFIC USE, THE USE ZONE CHART SHALL APPLY.

19.15.025.1: SPECIAL REGULATIONS:

- A. Outdoor use and storage is limited to *accessory* storage of goods sold at *retail* on the premises. All outdoor storage must be located to the side or the rear of buildings, and may not exceed 200 square feet in size.
- B. Distribution, wholesaling, or manufacturing that support the primary use are allowed as an accessory use. [Ord. 484 § 1, 2008]
- C. Drive-through facilities are prohibited adjacent to *Class A Pedestrian-Oriented Streets*. This prohibition does not apply to drive-through banks.
- D. Temporary seasonal uses (such as Christmas tree lots or farmers markets) and community festivals may be approved by the City Manager or his/her designee.
- E. All utilities on-site shall be located underground. Undergrounding of utilities in public *rights-of-way* or *alleys* is encouraged through the Public Benefit Incentive System (BMC 19.15.025.1.J).
- F. **MAXIMUM BUILDING HEIGHT:** Maximum *building heights* in the DC zone shown on Figure 19.15.025-1. The first number listed is the base *building height*. The second number listed is the maximum allowable *building height* that can only be achieved by using the Public Benefit Incentive System in Section 19.15.025.1.J below. In the 5-8 story height area, the City Council may increase the height limit on a case-by-case basis to 12 stories through a Type 3 review. The maximum allowable *building height* may be increased by no more than 10 percent or 15 feet, whichever is greater, if the applicant demonstrates that the increase is necessary for reasonable development of the *building* and will be used to provide interesting roof forms such as pitched or sloped elements, pyramidal, spire or dome shapes, cupolas, or other such decorative architectural features.

- G. MAXIMUM GROSS FLOOR AREA: The maximum *gross floor area* allowed on a *site* is determined by multiplying the *lot area* of the *site* (prior to any required *right-of-way* dedication) by the first number in the floor area ratio (FAR). The base FAR is 3.5:1. Using the Public Benefit Incentive System in Section 19.15.025.1.J below, the maximum *gross floor area* allowed on a *site* can be increased up to an FAR of 7:1. For the purposes of this section, *gross floor area* does not include any area designed and used for parking.
- H. DESIGN GUIDELINES: See BMC 19.47 for downtown design standards and BMC 19.65.105 for information on the Administrative Design Review process.
- I. On-site pedestrian pathways and amenities and *pedestrian-oriented space* do not count toward the maximum allowable *impervious surface coverage*.
- J. PUBLIC BENEFIT INCENTIVE SYSTEM: A *building* may exceed the *gross floor area* and/or *building height* limits as allowed in Sections 19.15.025.1.F and G above, only if the requirements of this section are met.
- i. After a project uses the maximum area of public benefit feature eligible for bonus, additional bonus floor area for that public benefit will not be awarded.
 - ii. The applicant shall dedicate *right-of-way* to the City (if additional *right-of-way* is needed, based on an adopted City street or *right-of-way* plan) in order to participate in the Public Benefit Incentive System. Dedication of *right-of-way* is eligible for bonus floor area as described in Table 19.15.025.1.

The *Director* may approve any public benefit feature not listed in Table 19.15.025.1 if a public benefit will be derived from development of the proposed public benefit feature in the proposed location.

Table 19.15.025.1

PUBLIC BENEFIT FEATURE	BONUS GROSS FLOOR AREA PER UNIT OF PUBLIC BENEFIT FEATURE	MAXIMUM BONUS GROSS FLOOR AREA ALLOWED PER PUBLIC BENEFIT FEATURE
1. Streetscape		
1 sq.ft. of right-of-way dedication	5 square feet	No limit
1 linear foot to underground utilities within <i>public right-of-way</i> or alley	5 square feet	No limit
2. Design Elements		
1 sq.ft. of underground parking	5 square feet	No limit
1 sq. ft. of well-designed above-ground parking structure ¹	2.5 square foot	No limit
1 sq.ft. of shared parking (for other <i>sites</i>)	0.5 square feet	No limit
Unique Architectural Design ¹	10% of site area	10% of site area
1 sq.ft. of Rooftop Garden	2 square feet	No limit
1 sq. ft. of rooftop beautification	2 square feet	No limit
3. Civic Contributions		
1 sq.ft. of public parking area	0.5 square feet	15,000 square feet
1 sq. ft. of public meeting/conference facilities	1 square foot	No limit
Each \$1,000 spent on public art	100 square feet	No limit
4. Uses		
1 sq.ft. restaurant (not fast-food or take-out)	1 square foot	No limit
1 sq.ft. rooftop or top floor restaurant (not fast-food or take-out)	4 square feet	No limit
1 sq.ft. market rate or higher dwelling unit ²	2 square feet	No limit
1 sq.ft. condominium dwelling unit ⁴	2 square feet	No limit
1 sq.ft. of day-care facilities	6 square feet	2,000 square feet
1 sq.ft. of public restroom	4 square feet	1,000 square feet
1 sq.ft. of public open space	4 square feet	No limit
1 sq. ft. of retail use on ground floor	2 square feet	No limit
1 sq.ft. of theater or performing arts venue	5 square feet	No limit
Transfer of development rights	To be determined	To be determined

¹ Director determination.

² Areas devoted to service cores and community facilities may be used to obtain bonus floor area. No area devoted to parking or circulation may be used for this purpose.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center;"> DC Zone </div> USE ↓	↓ REGULATIONS	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.030.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)		
		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage				Building Height	
				Front Setback	Interior Setback	Building Coverage					Impervious Surface Coverage
19.15.025.2 <i>Mixed Use</i>	None	None	0'	0'	85%	95%	See Sec. 19.15.025.1.F	E	See Sec. 19.20.040.3.B [Ord. 531 § 1, 2010]	1. Must have at least two <i>uses</i> listed in Sec. 19.15.025. 2. At least 75% of the <i>gross floor area</i> located at <i>street level</i> must be devoted to non-residential <i>uses</i> . 3. The following are not permitted: motor vehicle sales and rental; boat sales and rental; <i>recycling center</i> ; pawn shops and <i>self-service storage facility</i> .	
19.15.025.3 <i>Retail</i>	None	None	0'	0'	85%	95%	See Sec. 19.15.025.1.F	E	See Sec. 19.20.040.3.B [Ord. 531 § 1, 2010]	1. The following are not permitted: motor vehicle sales and rental; boat sales and rental; <i>recycling center</i> ; pawn shops and <i>self-service storage facility</i> . 2. Repair uses are permitted subject to the following conditions: <ol style="list-style-type: none"> a. All activities shall be conducted indoors; and b. Patrons wishing services must be able to carry item(s) in by hand (examples include watch, shoe, jewelry and small hand tool repair); and c. The Director has the final determination on what constitutes small-scale repair uses consistent with the purpose and intent of the zone and all applicable comprehensive plan policies. [Ord. 484 § 1, 2008] 	

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center; width: 40px; margin: 0 auto;"> DC Zone </div> USE ↓	↓ REGULATIONS	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.030.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)		
		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage				Building Height	
				Front Setback	Interior Setback	Building Coverage					Impervious Surface Coverage
19.15.025.4 <i>Dwelling Units</i>	None	None	0'	0'	85%	95%	See Sec. 19.15.025.1.F	E	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Not permitted at <i>street</i> level abutting a <i>Class A Pedestrian-Oriented Street</i> . 2. All resident parking must be in structured parking (such as garages or under- <i>building</i> or underground parking). Carports are not considered structured parking. 3. Exterior hallways and corridors are not allowed.	
19.15.025.5 <i>Community Facility</i> <i>Cultural Facility</i> <i>Eating and Drinking Establishment</i> <i>Government Facility</i> <i>Lodging Facility</i> <i>Office</i> <i>Private Club</i> <i>Public Park and Recreation Facilities</i> <i>Recreational Facility</i> <i>School</i> <i>Theater</i>	None	None	0'	0'	85%	95%	See Sec. 19.15.025.1.F	E	See Sec. 19.20.040.3.B [Ord. 531 § 1, 2010]	1. Auto rental is permitted as an <i>accessory use</i> to a <i>lodging facility</i> . The maximum number of cars allowed is the lesser of 30 cars or 5% of the total number of parking spaces on the <i>site</i> . The rental desk must be inside the <i>lodging facility building</i> . 2. Repair uses are permitted subject to the following conditions: a. All activities shall be conducted indoors; and b. Patrons wishing services must be able to carry item(s) in by hand (examples include watch, shoe, jewelry and small hand tool repair); and c. The Director has the final determination on what constitutes small-scale repair uses consistent with the purpose and intent of the zone and all applicable comprehensive plan policies. [Ord. 484 § 1, 2008]	

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

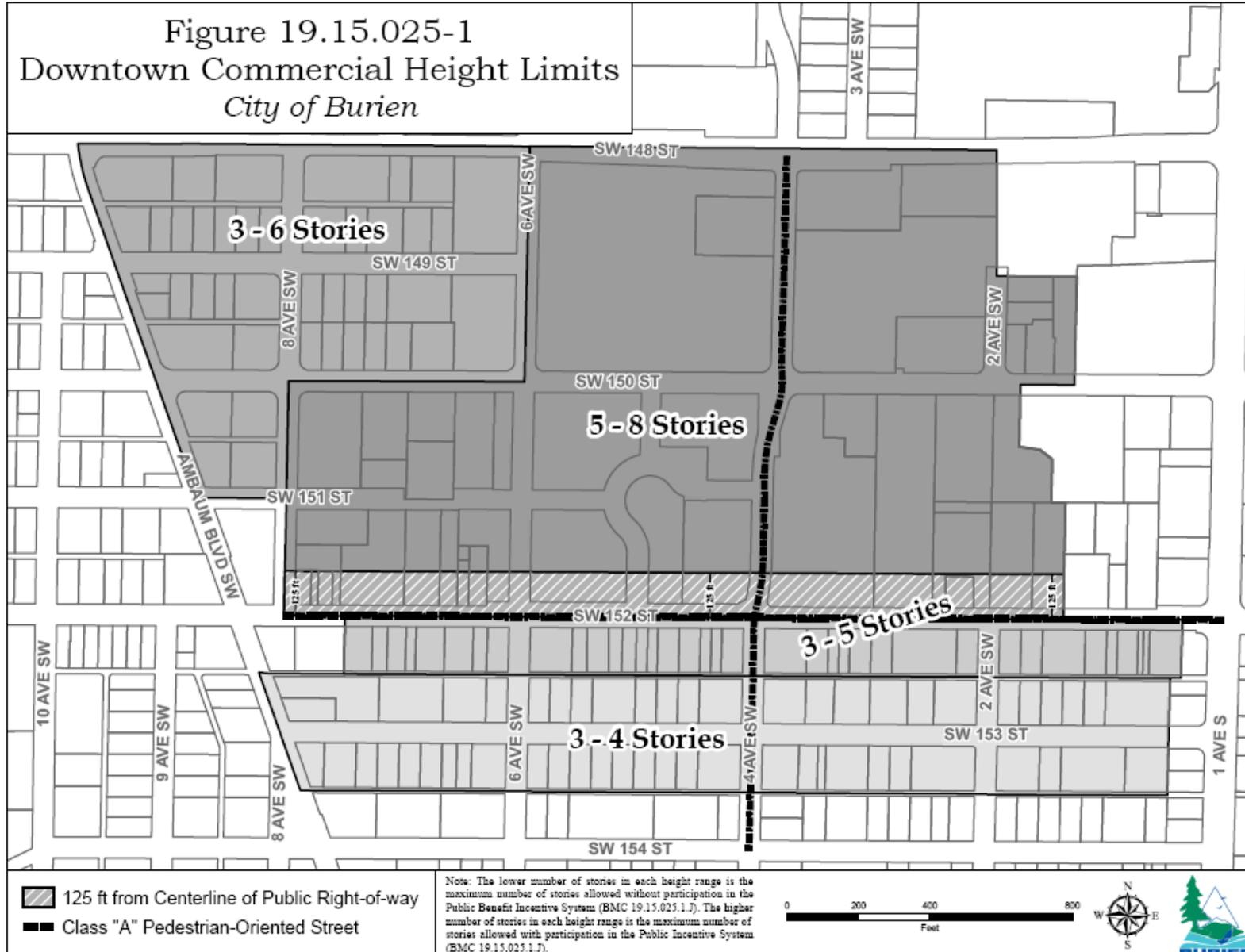
<div style="border: 1px solid black; padding: 5px; text-align: center;"> DC Zone </div> USE ↓	↓ REGULATIONS	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS								Special Regulations (See also Section 19.15.030.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)	
		Special Review Process (See Ch. 19.65)	MINIMUMS			MAXIMUMS			Landscape Category (See Ch. 19.25)		Minimum Required Parking Spaces (See Ch. 19.20)
			Lot Area	SETBACKS		Lot Coverage		Building Height			
		Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage						
19.15.025.6 <i>Family Day Care Home I and II</i>	None	See Special Regulation 1								1. Must comply with requirements of the <i>primary use</i> . 2. <i>Family Day Care Home II</i> : Must provide State certification of safe passenger loading area. 3. Use of the <i>Fee-In-Lieu</i> of Parking Program in BMC 19.20.040.3.B is an option for this use.	
19.15.025.7 <i>Day Care Center</i>	None	None	0'	0'	85%	95%	See Sec. 19.15.025.1.F	E	See Sec. 19.20.040.3.B [Ord. 531 § 1, 2010]	1. Must provide State certification of safe passenger loading area.	
19.15.025.8 <i>Religious Facility</i> [Ord. 479 § 1, 2007]	None	None	0'	0'	85%	95%	See Sec. 19.15.025.1.F	E	See Sec. 19.20.040.3.B [Ord. 531 § 1, 2010]		
19.15.025.9 <i>Public Utility</i>	Type 1	None	0'	0'	85%	95%	35'	E	See Sec. 19.20.040.3.B [Ord. 531 § 1, 2010]	1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts.	
19.15.025.10 <i>Essential Public Facility</i>	Type 2 [Ord. 560 § 3, 2012]										1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts. 2. Shall comply with criteria for siting found in the Burien Comprehensive Plan.
19.15.025.11 <i>Personal Wireless Service Facility</i>	See Chapter 19.50										
19.15.025.12 <i>Community Garden</i> [Ord. 560 § 3, 2012]	None	None	0'	0'	15%	25%	12'	A	See Sec. 19.20.040.3.B	1. A land use agreement approved by the <i>Director</i> shall be executed between the landowner and those who are interested in gardening on private land. The agreement shall include Community Garden Rules to maintain the property safely and prevent disturbances to neighboring property owners and residents.	

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

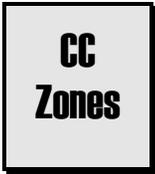
<div style="border: 1px solid black; padding: 5px; text-align: center;"> DC Zone </div> USE ↓	↓ REGULATIONS	Special Review Process (See Ch. 19.65)	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.030.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)	
			Lot Area	SETBACKS		Lot Coverage					Building Height
				Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage				
19.15.025.13 Marijuana Retailers [Ord. 599 § 2, 2014]	Type 1	None	0'	0'	85%	95%	See Sec. 19.15.025.1.F	E	See Sec. 19.20.040.3.B	<ol style="list-style-type: none"> 1. <u>The facility shall be designed, located, constructed and buffered to blend in with its surroundings and mitigate significant adverse impacts on adjoining properties and the community. Special attention shall be given to minimizing odor, noise, light, glare and traffic impacts.</u> 2. <u>Must comply with all requirements of State law and Washington State Liquor Control Board's regulations.</u> 3. <u>Marijuana retailers shall not locate in the Single-Family Residential (RS), Multi-Family Residential (RM), Professional Residential (PR), Office (O) or Ruth Dykeman Children's Center zones.</u> 4. <u>Marijuana retailers shall not locate in a building in which non-conforming retail uses have been established in any residential or office zone.</u> 5. <u>Marijuana retailers shall not operate as an accessory to a primary use or as a home occupation.</u> 6. <u>Marijuana retailers shall not locate within one thousand feet (1,000') as measured by the shortest straight line distance from the property line of the licensed premises to the property line of an elementary or secondary school, playground, recreational center or facility, child care center, public park, public transit center, library or arcade where admission is not restricted to those age 21 and older.</u> 	

Note: All landscape categories added by Ord. 293, 2000

Figure 19.15.025-1
 Downtown Commercial Height Limits
 City of Burien



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Section 19.15.035—COMMUNITY COMMERCIAL ZONES

PURPOSE AND INTENT: The Community Commercial (CC) zones implement the Community Commercial Comprehensive Plan designation. To recognize the differences in surrounding neighborhood character and intensity between the designated Community Commercial areas, two CC zones have been established: CC-1 and CC-2. The purpose of these zones are to establish areas for moderate intensity commercial uses that serve the community. The intent is to provide for a variety of goods and services in areas which are designed to encourage pedestrian and transit access, be compatible with adjacent residential neighborhoods, and be consistent with road and utility capacity. The CC-1 zone allows for lower-intensity uses in the Community Commercial-designated areas that are near downtown Burien and along 1st Avenue So. near S. 176th St., that could be compatible with the adjacent single-family and low density multi-family areas. The CC-2 zone allows for higher-intensity uses in the Community Commercial-designated area at Five Corners that could be compatible with the adjacent regional commercial, office, high density multi-family, and single-family areas.

ONLY THOSE USES LISTED ON THE FOLLOWING USE ZONE CHARTS MAY BE ALLOWED IN THE CC ZONE, SUBJECT TO MEETING ALL APPLICABLE REQUIREMENTS OF THE ZONING CODE. THE FOLLOWING SPECIAL REGULATIONS APPLY TO ALL USES IN THE COMMUNITY COMMERCIAL ZONE. BE SURE TO CHECK THE APPLICABLE USE ZONE CHART FOR ADDITIONAL REQUIREMENTS THAT PERTAIN TO SPECIFIC USES. WHERE A SPECIAL REGULATION BELOW CONFLICTS WITH A SPECIAL REGULATION IN A USE ZONE CHART FOR A SPECIFIC USE, THE USE ZONE CHART SHALL APPLY.

19.15.035.1: SPECIAL REGULATIONS:

- A. Outdoor storage is limited to *accessory* storage of goods sold at retail on the premises. Outdoor storage areas shall be limited to five feet in *height* and shall not be located in any required landscape area.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center; width: 40px; margin: 0 auto;"> CC Zones </div> USE ↓	↓REGULATIONS	Special Review Process (See Ch. 19.65)	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.035.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)	
			Lot Area	SETBACKS		Lot Coverage					Building Height
				Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage				
19.15.035.2 <i>Retail</i> <i>Office</i> <i>Recreational Facility</i>	None	None	10'	0'	80%	85%	35'	C	3 spaces per 1,000 s.f. of net floor area. [Ord. 313 §1, 2000]	<ol style="list-style-type: none"> 1. The following are not permitted: motor vehicle sales and rental; boat sales and rental; <i>theater, recycling center, and self-service storage facility.</i> 2. Vehicle repair activities must occur inside a building. [Ord. 560 § 3, 2012] 3. For <i>retail use</i> in the CC-1 zone, maximum <i>gross floor area</i> per <i>building</i> is 25,000 s.f. Up to 30,000 s.f. may be approved through a Type 1 review process. 4. A <i>kennel</i> is allowed as an indoor <i>accessory use</i> to a veterinarian, provided that noise and odor impacts are adequately mitigated. 5. Distribution, wholesaling, repair or manufacturing that support the <i>primary use</i> are allowed as an <i>accessory use</i>. 6. An <i>amusement arcade</i> is allowed as an <i>accessory use</i>. 7. Development of <i>retail use</i> on parcel numbers 302304-9037, 302304-9089, 302304-9117, 302304-9271 and 302304-9376 (located east of Sylvester Middle School) must be part of a master site plan that includes property to the east of these lots. The master site plan shall include at least the following elements: coordinated access, site and building design, and signing. Through a Type 1 review the <i>Director</i> may approve a master site plan involving two or more parcels that does not include property to the east of these parcels, if the elements above are included in the plan. 	
19.15.035.3 Eating and Drinking Establishment	None	None	10'	0'	80%	85%	35'	C	13 spaces per 1,000 s.f. of dining or lounge area	<ol style="list-style-type: none"> 1. Distribution, wholesaling or manufacturing that support the <i>primary use</i> are allowed as an <i>accessory use</i>. 2. An <i>amusement arcade</i> is allowed as an <i>accessory use</i>. 	

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS

<div style="border: 2px solid black; padding: 5px; text-align: center; width: 60px; margin: 0 auto;"> CC Zones </div> <p align="center">USE ↓</p>	↓REGULATIONS	Special Review Process (See Ch. 19.65)	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.035.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)	
			Lot Area	SETBACKS		Lot Coverage					Building Height
				Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage				

19.15.035.4 <i>Lodging Facility</i> <i>Cultural Facility</i> <i>Community Facility</i> <i>School</i>	None	None	10'	0'	80%	85%	35'	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	
19.15.035.5 <i>Family Day Care Home I and II</i>	None	See Special Regulation 1								1. Must comply with requirements of the <i>primary use</i> . 2. <i>Family Day Care Home II</i> : Must provide State certification of safe passenger loading area.
19.15.035.6 <i>Day Care Center</i>	None	None	10'	0'	80%	85%	35'	B	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Must provide State certification of safe passenger loading area.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center;"> CC Zones </div> USE ↓	↓REGULATIONS	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.035.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)		
		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage				Building Height	
				Front Setback	Interior Setback	Building Coverage					Impervious Surface Coverage
19.15.035.7 <i>Mixed Use</i> <i>Senior Citizen Assisted Dwelling Unit</i> <i>Community Residential Facility</i>	None	None	10'	0'	80%	85%	35'	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Maximum residential density in the CC-1 zone is: 18 <i>dwelling units</i> per acre in the CC-1 areas north of SW 152 nd St. and around So. 176 th St; and, 24 <i>dwelling units</i> per acre in the area south of SW 153 rd St. 2. Maximum residential density in the CC-2 zone is 24 <i>dwelling units</i> per acre. 3. Shall provide <i>retail, office or eating and drinking establishment uses</i> on the floor adjacent to a <i>street</i> , or if the <i>site</i> does not abut a <i>street</i> , on floor adjacent to parking lot. <i>Eating and drinking establishment</i> is permitted on any floor. 4. At least 25% of the <i>gross floor area</i> must be designed and used for <i>retail, office or eating and drinking establishment uses</i> . 5. <i>Senior citizen assisted dwelling unit or community residential facility</i> only allowed as part of a <i>mixed use</i> project.	
19.15.035.8 <i>Public Park and Recreation Facilities</i>	None	None.	10'	0'	80%	85%	35'	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Lighting for structures and fields shall be directed away from residential areas.	
19.15.035.9 Nursing Home	None	None	10'	0'	80%	85%	35'	B	1 space for every 4 beds		
19.15.035.10 Government Facility Private Club Religious Facility Funeral Home	Type 1	None	10'	0'	80%	85%	35'	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]		

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center;"> CC Zones </div> USE ↓	↓REGULATIONS	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.035.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)		
		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage				Building Height	
				Front Setback	Interior Setback	Building Coverage					Impervious Surface Coverage
19.15.035.11 <i>Public Utility</i>	Type 1	None	30'	30'	80%	85%	35'	D	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts.	
19.15.035.12 <i>Essential Public Facility</i>	Type 2 [Ord. 560 § 3, 2012]	Development standards shall be determined on a case-by-case basis through the Type 2 review process. [Ord. 560 § 3, 2012]								1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts. 2. Shall comply with criteria for siting found in the Burien Comprehensive Plan.	
19.15.035.13 <i>Personal Wireless Service Facility</i> ⁽¹⁾	See Chapter 19.50										
19.15.035.14 Uses permitted in King County Code (KCC) 21A.38.100 Special Overlay District – Commercial/Industrial, In Effect on 4/1/2010 with exception of Adult Entertainment [Ord. 533 § 1, 2010]	None	None	10'	0'	80%	85%	35'	C	See Sec. 19.20.030.2	1. Uses are only permitted in the CC-2 zoned area located on both sides of 16 th Avenue SW between SW 112 th Street and SW 116 th Street.	
19.15.035.15 <i>Community Garden</i> [Ord. 560 § 3, 2012]	None	None	10'	0'	15%	25%	12'	A	See Sec. 19.20.030.2	1. A land use agreement approved by the <i>Director</i> shall be executed between the landowner and those who are interested in gardening on private land. The agreement shall include Community Garden Rules to maintain the property safely and prevent disturbances to neighboring property owners and residents.	

(1) Amended, Ord. 265, 1999

Note: All landscape categories added by Ord. 293, 2000

<p>19.15.035.16 <u>Marijuana Retailers</u> <u>[Ord. 599 § 2, 2014]</u></p>	<p><u>Type 1</u></p>	<p><u>None</u></p>	<p><u>10'</u></p>	<p><u>0'</u></p>	<p><u>80%</u></p>	<p><u>85%</u></p>	<p><u>35'</u></p>	<p><u>C</u></p>	<p><u>See Sec. 19.20.030.2</u></p>	<ol style="list-style-type: none"> 1. <u>The facility shall be designed, located, constructed and buffered to blend in with its surroundings and mitigate significant adverse impacts on adjoining properties and the community. Special attention shall be given to minimizing odor, noise, light, glare and traffic impacts.</u> 2. <u>Must comply with all requirements of State law and Washington State Liquor Control Board's regulations.</u> 3. <u>Marijuana retailers shall not locate in the Single-Family Residential (RS), Multi-Family Residential (RM), Professional Residential (PR), Office (O) or Ruth Dykeman Children's Center zones.</u> 4. <u>Marijuana retailers shall not locate in a building in which non-conforming retail uses have been established in any residential or office zone.</u> 5. <u>Marijuana retailers shall not operate as an accessory to a primary use or as a home occupation.</u> 6. <u>Marijuana retailers shall not locate within one thousand feet (1,000') as measured by the shortest straight line distance from the property line of the licensed premises to the property line of an elementary or secondary school, playground, recreational center or facility, child care center, public park, public transit center, library or arcade where admission is not restricted to those age 21 and older.</u>
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Section 19.15.040—REGIONAL COMMERCIAL ZONE

PURPOSE AND INTENT: The Regional Commercial (CR) zone implements the Regional Commercial Comprehensive Plan designation. The purpose of this zone is to establish areas for commercial uses that serve the community, the region and the travelling public. The intent is to provide for larger scaled commercial uses that are typically land intensive and are not well-suited to being located downtown, which are designed to encourage pedestrian and transit access, be compatible with adjacent residential neighborhoods, and be consistent with road and utility capacity.

ONLY THOSE USES LISTED ON THE FOLLOWING USE ZONE CHARTS MAY BE ALLOWED IN THE CR ZONE, SUBJECT TO MEETING ALL APPLICABLE REQUIREMENTS OF THE ZONING CODE. THE FOLLOWING SPECIAL REGULATIONS APPLY TO ALL USES IN THE REGIONAL COMMERCIAL ZONE. BE SURE TO CHECK THE APPLICABLE USE ZONE CHART FOR ADDITIONAL REQUIREMENTS THAT PERTAIN TO SPECIFIC USES. WHERE A SPECIAL REGULATION BELOW CONFLICTS WITH A SPECIAL REGULATION IN A USE ZONE CHART FOR A SPECIFIC USE, THE USE ZONE CHART SHALL APPLY.

19.15.040.1: SPECIAL REGULATIONS:

A. SETBACKS

- i. The required *front setback* shall be landscaped with Type III landscaping as described in Chapter 19.25. The depth of the landscaped area shall be increased 2 feet for each 10 feet (or portion thereof) *building setback* greater than 10 feet. The *Director* may allow or require installation of pedestrian-oriented features or amenities in the *setback*. [Ord. 313 §1, 2000]
- ii. Parking and vehicular circulation areas are not allowed in the required *front setback*. One driveway or parking entrance per *site* is allowed in the *front setback*. For a *site* with a *street* frontage of 240 feet or less, the maximum width for a driveway or parking entrance within the *front setback* is 24 feet. For a *site* with a *street* frontage exceeding 240 feet, the maximum width for a driveway or parking entrance within the *front setback* is 30 feet. The *Director* may modify these requirements if additional landscaping area that exceeds the requirements of this Code is provided on or off-site.
- iii. Outdoor use, activity or storage is not allowed in any required *setback* or required landscape area. The *Director* may approve use of a *setback* or landscaped area for vehicle display and sales, provided that such use will not create a public safety hazard and the remaining landscape areas are either expanded in area or planted with more vegetation.

B. PARKING

- i. Parking lots shall not be located between the *street* and the *building(s)* on the site. The *Director* may waive or modify this requirement through a Type 1 review if no other feasible alternative exists, or if the proposed site plan provides adequate screening of the majority of the parking area from the *street*.
- ii. The maximum width of a parking lot within 20 feet of a *street* shall not exceed the lesser of 63 feet or 75% of the frontage of the *site*.



Section 19.15.040—REGIONAL COMMERCIAL ZONE

PURPOSE AND INTENT: The Regional Commercial (CR) zone implements the Regional Commercial Comprehensive Plan designation. The purpose of this zone is to establish areas for commercial uses that serve the community, the region and the travelling public. The intent is to provide for larger scaled commercial uses that are typically land intensive and are not well-suited to being located downtown, which are designed to encourage pedestrian and transit access, be compatible with adjacent residential neighborhoods, and be consistent with road and utility capacity.

C. BUILDING DESIGN

- i. Each *building* wall or portion of a wall that is closer than 50 feet to any *property line* of the *site* must be screened or treated in at least one of the ways listed in Section 19.15.040.1.C.ii below if it meets either of the following criteria:
 - a. The wall or portion of the wall has a surface area of at least 400 square feet and has a length and a width of at least 10 feet without a window, door, facade *modulation* at least 4 feet in depth or other architectural feature; or,
 - b. The wall or portion of the wall is between 4 feet and 13 feet above finished grade level directly adjacent to the wall and has a horizontal dimension longer than 15 feet without a window, door, facade *modulation* at least 4 feet in depth or other architectural feature.
- ii. At least one of the following techniques must be used to treat or screen *building* walls or portions of walls that meet either of the criteria in Section 19.15.040.1.C.i:
 - a. Installation of a vertical trellis with climbing vines or plant material in front of the wall. The trellis and its mounting system shall be of sufficient strength to support mature vegetation.
 - b. Providing a landscaped planting bed at least 5 feet wide or a raised planter bed at least 2 feet high and 3 feet wide in front of the wall and planted with materials that will obscure or screen at least 50% of the wall within 2 years. The planting bed is in addition to any landscaping required by other sections of this Code.
 - c. Use of alternative techniques to screen the wall, as approved through a Type 1 review process.
- iii. The first floor walls of a *building* which are within 50 feet of and face toward a *street* shall include at least one public entrance to the *building* or window to provide visual access to the activity within the *building*, for each 50 feet of wall length. Alternative techniques to provide visual access to the activity within the *building* may be used, if approved through a Type 1 review process.

D. The following special regulations apply to property along the west side of Occidental Ave. So. between So. 136th St. and So. 138th St.:

- i. Non-residential *uses* shall not use Occidental Av. So. for primary access.
- ii. Type 1 *landscaping* shall be provided within the unused portion of the west half of the Occidental Av. So. *right-of-way*.
- iii. Lighting shall be directed away from the adjacent *residential zone*.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 2px solid black; padding: 5px; text-align: center; width: 60px; margin: 0 auto;"> CR Zone </div> <p align="center">USE ↓</p>	↓REGULATIONS	Special Review Process (See Ch. 19.65)	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.040.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)	
			Lot Area	SETBACKS		Lot Coverage					Building Height
				Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage				

19.15.040.2 <i>Retail</i> <i>Office</i> <i>Recreational Facility</i> <i>Theater</i> <i>Kennel</i>	None	None	10'	0'	85%	90%	35'	C	3 spaces per 1,000 s.f. of net floor area. [Ord. 313 §1, 2000]	1. The following are not permitted: <i>recycling center</i> , and <i>self-service storage facility</i> . 2. Distribution, wholesaling, or manufacturing that support the <i>primary use</i> are allowed as an <i>accessory use</i> . 3. An <i>amusement arcade</i> is allowed as an <i>accessory use</i> .
19.15.040.3 <i>Eating and Drinking Establishment</i>	None	None	10'	0'	85%	90%	35'	C	13 spaces per 1,000 s.f. of dining or lounge area	1. Distribution, wholesaling or manufacturing that support the <i>primary use</i> are allowed as an <i>accessory use</i> . 2. An <i>amusement arcade</i> is allowed as an <i>accessory use</i> .
19.15.040.4 <i>Lodging Facility</i>	None	None	10'	0'	85%	90%	45'	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	
19.15.040.5 <i>Community Facility</i> <i>School</i> <i>Day Care Center</i>	None	None	10'	0'	85%	90%	35'	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. <i>Day Care Center</i> : Must provide State certification of safe passenger loading area.
19.15.040.6 <i>Family Day Care Home I and II</i>	None	See Special Regulation 1						B		1. Must comply with requirements of the primary use. 2. <i>Family Day Care Home II</i> : Must provide State certification of safe passenger loading area.

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center; width: 40px; margin: 0 auto;"> CR Zone </div> USE ↓	↓REGULATIONS	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.040.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)		
		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage				Building Height	
				Front Setback	Interior Setback	Building Coverage					Impervious Surface Coverage
19.15.040.7 <i>Mixed Use</i>	None	None	10'	0'	85%	90%	35'	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Maximum residential density is 24 <i>dwelling units</i> per acre. 2. Shall provide <i>retail, office or eating and drinking establishment uses</i> on the floor adjacent to a <i>street</i> , or if the <i>site</i> does not abut a <i>street</i> , on floor adjacent to parking lot. <i>Eating and drinking establishment</i> is permitted on any floor. 3. At least 25% of the <i>gross floor area</i> must be designed and used for <i>retail, office or eating and drinking establishment uses</i> .	
19.15.040.8 <i>Public Park and Recreation Facilities</i>	None	None.	10'	0'	85%	90%	35'	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Lighting for <i>structures</i> and fields shall be directed away from residential areas.	
19.15.040.9 <i>Nursing Home</i>	None	None	10'	0'	85%	90%	35'	B	1 space for every 4 beds		
19.15.040.10 <i>Government Facility</i> <i>Private Club</i> <i>Religious Facility</i> <i>Funeral Home</i>	Type 1	None	10'	0'	85%	90%	35'	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]		

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 2px solid black; padding: 5px; text-align: center; width: 60px; margin: 0 auto;"> CR Zone </div> <p align="center">USE ↓</p>	REGULATIONS ↓	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.040.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)		
		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage				Building Height	
				Front Setback	Interior Setback	Building Coverage					Impervious Surface Coverage

19.15.040.11 Public Utility	Type 1	None	30'	30'	85%	90%	35'	D	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts.
19.15.040.12 Indoor Shooting Range	Type 2	None	30'	30'	85%	90%	35'	D	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to mitigating noise impacts and designing the facility to protect non-users outside of the <i>building</i> from bullets that may penetrate the outer walls and ceiling of the <i>use</i> .
19.15.040.13 Essential Public Facility	Type 2 [Ord. 560 § 3, 2012]	Development standards shall be determined on a case-by-case basis through the Type 2 review process. [Ord. 560 § 3, 2012]								1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts. 2. Shall comply with criteria for siting found in the Burien Comprehensive Plan.
19.15.040.14 Personal Wireless Service Facility ⁽¹⁾	See Chapter 19.50									
19.15.040.15 Off-Site Commercial Parking	None. See Special Regulations 1 and 2.	None	10'	0'	85%	90%	35'	C	See Sec. 19.20.030.2	1. This <i>use</i> is limited to property used for new and/or used automotive sales currently or in the twelve (12) month period preceding application. 2. This <i>use</i> is allowed only until July 12, 2012. After this date, the <i>use</i> is illegal and must be removed.
19.15.040.16 Community Garden [Ord. 560 § 3, 2012]	None	None	10'	0'	15%	25%	12'	A	See Sec. 19.20.030.2	1. A land use agreement approved by the <i>Director</i> shall be executed between the landowner and those who are interested in gardening on private land. The agreement shall include Community Garden Rules to maintain the property safely and prevent disturbances to neighboring property owners and residents.

(1) Amended, Ord. 265, 1999

Note: All landscape categories added by Ord. 293, 2000

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center; width: 40px; margin: 0 auto;"> CR Zone </div> USE ↓	REGULATIONS	Special Review Process (See Ch. 19.65)	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.040.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)	
			Lot Area	SETBACKS		Lot Coverage					Building Height
				Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage				
19.15.040.17 Marijuana Retailers [Ord. 599 § 2, 2014]		Type 1	None	10'	0'	85%	90%	35'	C	See Sec. 19.20.030.2 1. <u>The facility shall be designed, located, constructed and buffered to blend in with its surroundings and mitigate significant adverse impacts on adjoining properties and the community. Special attention shall be given to minimizing odor, noise, light, glare and traffic impacts.</u> 2. <u>Must comply with all requirements of State law and Washington State Liquor Control Board's regulations.</u> 3. <u>Marijuana retailers shall not locate in the Single-Family Residential (RS), Multi-Family Residential (RM), Professional Residential (PR), Office (O) or Ruth Dykeman Children's Center zones.</u> 4. <u>Marijuana retailers shall not locate in a building in which non-conforming retail uses have been established in any residential or office zone.</u> 5. <u>Marijuana retailers shall not operate as an accessory to a primary use or as a home occupation.</u> 6. <u>Marijuana retailers shall not locate within one thousand feet (1,000') as measured by the shortest straight line distance from the property line of the licensed premises to the property line of an elementary or secondary school, playground, recreational center or facility, child care center, public park, public transit center, library or arcade where admission is not restricted to those age 21 and older.</u>	

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Section 19.15.055—Special Planning Area 1: Old Burien

PURPOSE AND INTENT: Old Burien has served as the historic commercial gateway to this unique residential and farming community, which was established over a century ago by enterprising pioneers. The SPA-1 zone implements the SPA-1: Old Burien Comprehensive Plan designation. To recognize the unique historic character of Old Burien, and to provide a transition between the Downtown zones and residential areas, the SPA-1 zone was created. The purpose of this zone is to establish areas for retail, restaurants, commercial, and office uses that serve the community. The intent is to enhance and expand the pedestrian-oriented character of Old Burien, and develop a gateway both to and from the downtown at the intersection of Ambaum Boulevard and SW 152nd Street. The SPA-1 zone is immediately adjacent to the DC Zone.

ONLY THOSE USES LISTED ON THE FOLLOWING USE ZONE CHARTS MAY BE ALLOWED IN SPECIAL PLANNING AREA 1, SUBJECT TO MEETING ALL APPLICABLE REQUIREMENTS OF THE ZONING CODE. THE FOLLOWING SPECIAL REGULATIONS APPLY TO ALL USES IN SPECIAL PLANNING AREA 1. BE SURE TO CHECK THE APPLICABLE USE ZONE CHART FOR ADDITIONAL REQUIREMENTS THAT PERTAIN TO SPECIFIC USES. WHERE A SPECIAL REGULATION BELOW CONFLICTS WITH A SPECIAL REGULATION IN A USE ZONE CHART FOR A SPECIFIC USE, THE USE ZONE CHART SHALL APPLY.

19.15.055.1: SPECIAL REGULATIONS:

- A. Outdoor storage is limited to *accessory* storage of goods sold at *retail* on the premises. Outdoor storage areas shall be limited to five feet in *height* and shall not be located in any required landscape area.
- B. DESIGN GUIDELINES: See BMC 19.49 for SPA-1 design standards and BMC 19.65.105 for information on the Administrative Design Review Process.

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS											
<div style="border: 2px solid black; padding: 5px; display: inline-block;"> SPA-1: Old Burien </div> USE ↓	↓REGULATIONS	Special Review Process (See Ch. 19.65)	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.055.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)	
			<i>Lot Area</i>	SETBACKS		Lot Coverage					<i>Building Height</i>
				<i>Front Setback</i>	<i>Interior Setback</i>	<i>Building Coverage</i>	<i>Impervious Surface Coverage</i>				
19.15.055.2 <i>Retail</i> <i>Office</i> <i>Recreational Facility</i>	None	None	0'	0'	85%	85%	3 stories	E	See Sec. 19.20.040.3. B [Ord. 531 §1, 2010]	<ol style="list-style-type: none"> 1. The following are not permitted: motor vehicle sales and rental; boat sales and rental; <i>recycling center</i>; and <i>self-service storage facility</i>. 2. For <i>retail use</i>, maximum <i>gross floor area per building</i> is 25,000 s.f. Up to 30,000 s.f. may be approved through a Type 1 review process. 3. Distribution, wholesaling, repair or manufacturing that support the <i>primary use</i> are allowed as an <i>accessory use</i>. 4. An <i>amusement arcade</i> is allowed as an <i>accessory use</i>. 	
19.15.055.3 <i>Eating and Drinking Establishment</i>	None	None	0'	0'	85%	85%	2 stories	E	See Sec. 19.20.040.3. B [Ord. 531 §1, 2010]	<ol style="list-style-type: none"> 1. Distribution, wholesaling or manufacturing that support the <i>primary use</i> are allowed as an <i>accessory use</i>. 2. An <i>amusement arcade</i> is allowed as an <i>accessory use</i>. 	
19.15.055.4 <i>Lodging Facility</i> <i>Cultural Facility</i> <i>Community Facility</i> <i>School</i>	Type 1	None	0'	0'	85%	85%	4 stories	E	See Sec. 19.20.040.3. B [Ord. 531 §1, 2010]		

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS											
<div style="border: 2px solid black; padding: 5px; display: inline-block;"> SPA-1: Old Burien </div> USE ↓	↓REGULATIONS	Special Review Process (See Ch. 19.65)	MINIMUMS			MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.055.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)
			<i>Lot Area</i>	SETBACKS		Lot Coverage		<i>Building Height</i>			
				<i>Front Setback</i>	<i>Interior Setback</i>	<i>Building Coverage</i>	<i>Impervious Surface Coverage</i>				

19.15.055.5 <i>Family Day Care Home I and II</i>	None	See Special Regulation 1									<ol style="list-style-type: none"> 1. Must comply with requirements of the <i>primary use</i>. 2. <i>Family Day Care Home II</i>: Must provide State certification of safe passenger loading area. 3. Use of the Fee-In-Lieu Parking Program in BMC 19.20.040.3.B is an option for this use.
19.15.055.6 <i>Day Care Center</i>	None	None	0'	0'	85%	85%	2 stories	E	See Sec. 19.20.040.3.B [Ord. 531 §1, 2010]	<ol style="list-style-type: none"> 1. Must provide State certification of safe passenger loading area. 	
19.15.055.7 <i>Mixed Use</i>	Type 1	None	0'	0'	85%	85%	3 stories	E	See Sec. 19.20.040.3.B [Ord. 531 §1, 2010]	<ol style="list-style-type: none"> 1. Maximum residential density is 24 <i>dwelling units</i> per acre. 2. Shall provide <i>retail and/or eating and drinking establishment uses</i> on the floor adjacent to a <i>street</i>, or if the <i>site</i> does not abut a <i>street</i>, on floor adjacent to parking lot. 3. At least 25% of the <i>gross floor area</i> must be designed and used for <i>retail, office and/or eating and drinking establishment uses</i>. 	
19.15.055.8 <i>Public Park and Recreation Facilities</i>	None. See Spec. Reg. 2 [Ord. 560 §3, 2012]	None. See Spec. Reg. 1	0'	0'	80%	85%	3 stories	E	See Sec. 19.20.040.3.B [Ord. 531 §1, 2010]	<ol style="list-style-type: none"> 1. Lighting for <i>structures</i> and fields shall be directed away from residential areas. 2. No special review process if project design is approved by the City Council through a public review process that includes posting a notice board at the site and notification to neighbors; otherwise a Type 2 review process is required. [Ord. 560 §3, 2012] 	

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS											
<div style="border: 2px solid black; padding: 5px; display: inline-block;"> SPA-1: Old Burien </div> USE ↓	↓REGULATIONS	Special Review Process (See Ch. 19.65)	MINIMUMS			MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.055.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)
			<i>Lot Area</i>	SETBACKS		Lot Coverage		<i>Building Height</i>			
				<i>Front Setback</i>	<i>Interior Setback</i>	<i>Building Coverage</i>	<i>Impervious Surface Coverage</i>				
19.15.055.9 <i>Government Facility</i> <i>Private Club</i> <i>Religious Facility</i>	Type 1	None	0'	0'	80%	85%	3 stories	E	See Sec. 19.20.040.3.B [Ord. 531 §1, 2010]		
19.15.055.10 <i>Public Utility</i>	Type 1	None	20'	30'	80%	85%	3 stories	E	See Sec. 19.20.040.3.B [Ord. 531 §1, 2010]	1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts.	
19.15.055.11 <i>Essential Public Facility</i>	Type 2 [Ord. 560 §3, 2012]	Development standards shall be determined on a case-by-case basis through the Type 2 review process. [Ord. 560 §3, 2012]								1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts. 2. Shall comply with criteria for siting found in the Burien Comprehensive Plan.	
19.15.055.12 <i>Personal Wireless Service Facility</i>	See Chapter 19.50										
19.15.055.13 <i>Community Garden</i> [Ord. 560 §3, 2012]	None	None	0'	0'	15%	25%	12'	A	See Sec. 19.20.040.3.B	1. A land use agreement approved by the <i>Director</i> shall be executed between the landowner and those who are interested in gardening on private land. The agreement shall include Community Garden Rules to maintain the property safely and prevent disturbances to neighboring property owners and residents.	

<p>19.15.055.14 <u>Marijuana Retailers</u> <u>[Ord. 599 § 2, 2014]</u></p>	<p><u>Type 1</u></p>	<p><u>None</u></p>	<p><u>0'</u></p>	<p><u>0'</u></p>	<p><u>85%</u></p>	<p><u>85%</u></p>	<p><u>3 stories</u></p>	<p><u>E</u></p>	<p><u>See Sec. 19.20.040.3.B</u></p>	<ol style="list-style-type: none"> 1. <u>The facility shall be designed, located, constructed and buffered to blend in with its surroundings and mitigate significant adverse impacts on adjoining properties and the community. Special attention shall be given to minimizing odor, noise, light, glare and traffic impacts.</u> 2. <u>Must comply with all requirements of State law and Washington State Liquor Control Board's regulations.</u> 3. <u>Marijuana retailers shall not locate in the Single-Family Residential (RS), Multi-Family Residential (RM), Professional Residential (PR), Office (O) or Ruth Dykeman Children's Center zones.</u> 4. <u>Marijuana retailers shall not locate in a building in which non-conforming retail uses have been established in any residential or office zone.</u> 5. <u>Marijuana retailers shall not operate as an accessory to a primary use or as a home occupation.</u> 6. <u>Marijuana retailers shall not locate within one thousand feet (1,000') as measured by the shortest straight line distance from the property line of the licensed premises to the property line of an elementary or secondary school, playground, recreational center or facility, child care center, public park, public transit center, library or arcade where admission is not restricted to those age 21 and older.</u>
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Note: All landscape categories added by Ord. 293, 2000



Section 19.15.065—Special Planning Area 3: Gateway

PURPOSE AND INTENT: The Special Planning Area 3 (SPA-3): Gateway zone implements the SPA-3 Comprehensive Plan designation. The purpose of this zone is to establish an area that will develop a quality environment that identifies a primary entrance to the City from major transportation corridors. The intent of the zone is to encourage well-designed, quality development that reinforces a positive image as one enters adjacent downtown Burien and promotes economic development. Site design, building design and landscaping is also intended to encourage pedestrian activity and connectivity to downtown.

ONLY THOSE USES LISTED ON THE FOLLOWING USE ZONE CHARTS MAY BE ALLOWED IN THE SPA-3 ZONE, SUBJECT TO MEETING ALL APPLICABLE REQUIREMENTS OF THE ZONING CODE. THE FOLLOWING SPECIAL REGULATIONS APPLY TO ALL USES IN THE GATEWAY SPECIAL PLANNING AREA ZONE. BE SURE TO CHECK THE APPLICABLE USE ZONE CHART FOR ADDITIONAL REQUIREMENTS THAT PERTAIN TO SPECIFIC USES. WHERE A SPECIAL REGULATION BELOW CONFLICTS WITH A SPECIAL REGULATION IN A USE ZONE CHART FOR A SPECIFIC USE, THE USE ZONE CHART SHALL APPLY.

19.15.065.1: SPECIAL REGULATIONS:

A. SETBACKS

- i. The required *front setback* shall be landscaped with Type III landscaping as described in Chapter 19.25. The depth of the landscaped area shall be increased 2 feet for each 10 feet (or portion thereof) *building setback* greater than 10 feet. The *Director* may allow or require installation of pedestrian-oriented features or amenities in the *setback*. {Ord. 313 §1, 2000}
- ii. Parking and vehicular circulation areas are not allowed in the required *front setback*. One driveway or parking entrance per *site* for each street frontage is allowed in the *front setback*. For a *site* with a *street* frontage exceeding 240 feet, or for a *lodging facility* with a circular passenger loading area, an additional driveway or parking entrance within the *front setback* is permitted. The *Director* may modify these requirements if additional landscaping area that exceeds the requirements of this Code is provided on or off-site.
- iii. Outdoor use, activity or storage is not allowed in any required *setback* or required landscape area. The *Director* may approve use of a *setback* or landscaped area for vehicle display and sales, provided that such use will not create a public safety hazard and the remaining landscape areas are either expanded in area or planted with more vegetation.

B. PARKING

- i. Parking lots shall not be located between the *street* and the *building(s)* on the site. The *Director* may waive or modify this requirement through a Type 1 review if no other feasible alternative exists, or if the proposed site plan provides adequate screening of the majority of the parking area from the *street*.
- ii. The maximum width of a parking lot within 20 feet of a *street* shall not exceed the lesser of 63 feet or 75% of the frontage of the *site*.

C. BUILDING DESIGN

- i. Each *building* wall or portion of a wall that is closer than 50 feet to any *property line* of the *site* must be screened or treated in at least one of the ways listed in Section 19.15.065.1.C.ii below if it meets either of the following criteria:
 - a. The wall or portion of the wall has a surface area of at least 400 square feet and has a length and a width of at least 10 feet without a window, door, facade *modulation* at least 4 feet in depth or other architectural feature; or,
 - b. The wall or portion of the wall is between 4 feet and 13 feet above finished grade level directly adjacent to the wall and has a horizontal dimension longer than 15 feet without a window, door, facade *modulation* at least 4 feet in depth or other architectural feature.
- ii. At least one of the following techniques must be used to treat or screen *building* walls or portions of walls that meet either of the criteria in Section 19.15.065.1.C.i:
 - a. Installation of a vertical trellis with climbing vines or plant material in front of the wall. The trellis and its mounting system shall be of sufficient strength to support mature vegetation.
 - b. Providing a landscaped planting bed at least 5 feet wide or a raised planter bed at least 2 feet high and 3 feet wide in front of the wall and planted with materials that will obscure or screen at least 50% of the wall within 2 years. The planting bed is in addition to any landscaping required by other sections of this Code.
 - c. Use of alternative techniques to screen the wall, as approved through a Type 1 review process.
- iii. The first floor walls of a *building* which are within 50 feet of and face toward a *street* shall include at least one public entrance to the *building* or window to provide visual access to the activity within the *building*, for each 50 feet of wall length. Alternative techniques to provide visual access to the activity within the *building* may be used, if approved through a Type 1 review process.

D. URBAN DESIGN ELEMENTS

- i. New Development and/or *substantial improvement* shall
 - a. Conform with the Burien Gateway Design Report dated December 1998.
 - b. Underground any existing above-ground utilities in the *right-of-way*, if feasible, and if approved by the serving utility.
 - c. Underground all proposed utilities and any existing above-ground utilities located between any *structures* on the *site* and the *right-of-way*.
 - d. Dedicate adequate width for abutting substandard *right-of-ways*, based on the City's adopted road standards, including the width of all improvements required to be located in the *right-of-way*.
- ii. Repealed. [Ord. 313 §1, 2000]

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS

 <p align="center">USE</p> <p align="center">↓</p>	<p align="center">↓ REGULATIONS</p>	<p align="center">Special Review Process (See Ch. 19.65)</p>	MINIMUMS		MAXIMUMS			<p align="center">Landscape Category (See Ch. 19.25)</p>	<p align="center">Minimum Required Parking Spaces (See Ch. 19.20)</p>	<p align="center">Special Regulations (See also Section 19.15.065.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)</p>	
			<p align="center">Lot Area</p>	SETBACKS		Lot Coverage					<p align="center">Building Height</p>
				<p align="center">Front Setback</p>	<p align="center">Interior Setback</p>	<p align="center">Building Coverage</p>	<p align="center">Impervious Surface Coverage</p>				

<p>19.15.065.2 <i>Retail</i></p> <p><i>Office</i></p> <p><i>Recreational Facility</i></p> <p><i>Theater</i></p>	<p align="center">None See Special Regulation 4</p>	<p align="center">None</p>	<p align="center">5'</p>	<p align="center">0'</p>	<p align="center">85%</p>	<p align="center">90%</p>	<p align="center">3 Stories</p>	<p align="center">C</p>	<p>3 spaces per 1,000 s.f. of net floor area. [Ord. 313 §1, 2000]</p>	<ol style="list-style-type: none"> The following are not permitted: <i>recycling center</i>, and <i>self-service storage facility</i>. Distribution, wholesaling, or manufacturing that support the <i>primary use</i> are allowed as an <i>accessory use</i>. An <i>amusement arcade</i> is allowed as an <i>accessory use</i>. Retail uses shall not exceed 60,000 square feet of <i>gross floor area</i>, except through a Type 1 review.
<p>19.15.065.3 <i>Eating and Drinking Establishment</i></p>	<p align="center">None</p>	<p align="center">None</p>	<p align="center">5'</p>	<p align="center">0'</p>	<p align="center">85%</p>	<p align="center">90%</p>	<p align="center">3 Stories</p>	<p align="center">C</p>	<p>13 spaces per 1,000 s.f. of dining or lounge area</p>	<ol style="list-style-type: none"> Distribution, wholesaling or manufacturing that support the <i>primary use</i> are allowed as an <i>accessory use</i>. An <i>amusement arcade</i> is allowed as an <i>accessory use</i>.
<p>19.15.065.4 <i>Day Care Center</i></p>	<p align="center">None</p>	<p align="center">None</p>	<p align="center">5'</p>	<p align="center">0'</p>	<p align="center">85%</p>	<p align="center">90%</p>	<p align="center">3 Stories</p>	<p align="center">B</p>	<p>See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]</p>	<ol style="list-style-type: none"> Must Provide State certification of safe passenger loading area.
<p>19.15.065.5 <i>Lodging Facility</i></p>	<p align="center">None</p>	<p align="center">None</p>	<p align="center">5'</p>	<p align="center">0'</p>	<p align="center">85%</p>	<p align="center">90%</p>	<p align="center">No limit</p>	<p align="center">C</p>	<p>See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]</p>	
<p>19.15.065.6 <i>Community Facility</i></p>	<p align="center">None</p>	<p align="center">None</p>	<p align="center">5'</p>	<p align="center">0'</p>	<p align="center">85%</p>	<p align="center">90%</p>	<p align="center">3 Stories</p>	<p align="center">C</p>	<p>See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]</p>	
<p>19.15.065.7 <i>Mixed Use</i></p>	<p align="center">None</p>	<p align="center">None</p>	<p align="center">5'</p>	<p align="center">0'</p>	<p align="center">85%</p>	<p align="center">90%</p>	<p align="center">3 Stories</p>	<p align="center">C</p>	<p>See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]</p>	<ol style="list-style-type: none"> Maximum residential density is 24 dwelling units per acre. Shall provide retail, office and/or eating and drinking establishment uses on the floor adjacent to a street, or if the site does not abut a street, on floor adjacent to parking lot. At least 25% of the gross floor area must be designed and used for retail, office or eating and drinking establishment uses.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

 USE ↓	↓REGULATIONS	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS							Special Review Process (See Ch. 19.65)	Lot Area	MINIMUMS			MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.065.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)
		Front Setback	Interior Setback	SETBACKS		Lot Coverage		Building Height											
				Building Coverage	Impervious Surface Coverage														
19.15.065.8 <i>Public Park and Recreation Facilities</i>	None	None	5'	0'	85%	90%	3 Stories	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Lighting for <i>structures</i> and fields shall be directed away from residential areas.									
19.15.065.9 <i>Government Facility</i> <i>Private Club</i> <i>Religious Facility</i> <i>Funeral Home</i>	Type 1	None	5'	0'	85%	90%	3 Stories	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]										
19.15.065.10 <i>Public Utility</i>	Type 1	None	30'	30'	85%	90%	3 Stories	D	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts.									
19.15.065.11 <i>Essential Public Facility</i>	Type 2 [Ord. 560 § 3, 2012]	Development standards shall be determined on a case-by-case basis through the Type 2 review process. [Ord. 560 § 3, 2012]									1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts. 2. Shall comply with criteria for siting found in the Burien Comprehensive Plan.								
19.15.065.12 <i>Nursing Home</i>	None	None	5'	0'	85%	90%	3 Stories	B	1 space for every 4 beds										

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

 <p>SPA-3 GATEWAY</p> <p>USE ↓</p>	<p>↓REGULATIONS</p>	<p>Special Review Process (See Ch. 19.65)</p>	MINIMUMS		MAXIMUMS			<p>Landscape Category (See Ch. 19.25)</p>	<p>Minimum Required Parking Spaces (See Ch. 19.20)</p>	<p>Special Regulations (See also Section 19.15.065.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)</p>	
			<p>Lot Area</p>	SETBACKS		Lot Coverage					<p>Building Height</p>
				<p>Front Setback</p>	<p>Interior Setback</p>	<p>Building Coverage</p>	<p>Impervious Surface Coverage</p>				

19.15.065.13 <i>Personal Wireless Service Facility</i>	See Chapter 19.50									
19.15.065.14 <i>Off-Site Commercial Parking</i>	None See Special Regulations 1 and 2.	None	5'	0'	85%	90%	3 stories	C	See Sec. 19.20.030.2	<p>1. This <i>use</i> is limited to property used for new and/or used automobile sales currently or in the twelve (12) month period preceding application.</p> <p>2. This <i>use</i> is allowed only until July 1, 2012. After this date, the <i>use</i> is illegal and must be removed.</p>
19.15.065.15 <i>Community Garden</i> [Ord. 560 § 3, 2012]	None	None	5'	0'	15%	25%	12'	A	See Sec. 19.20.030.2	<p>1. A land use agreement approved by the <i>Director</i> shall be executed between the landowner and those who are interested in gardening on private land. The agreement shall include Community Garden Rules to maintain the property safely and prevent disturbances to neighboring property owners and residents.</p>

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

 USE ↓	↓REGULATIONS	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.065.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)		
		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage				Building Height	
				Front Setback	Interior Setback	Building Coverage					Impervious Surface Coverage
19.15.065.16 <u>Marijuana Retailers</u> [Ord. 599 § 2, 2014]	<u>Type 1</u>	None	<u>5'</u>	<u>0'</u>	85%	90%	<u>3 stories</u>	<u>C</u>	<u>See Sec. 19.20.030.2</u>	<ol style="list-style-type: none"> 1. <u>The facility shall be designed, located, constructed and buffered to blend in with its surroundings and mitigate significant adverse impacts on adjoining properties and the community. Special attention shall be given to minimizing odor, noise, light, glare and traffic impacts.</u> 2. <u>Must comply with all requirements of State law and Washington State Liquor Control Board's regulations.</u> 3. <u>Marijuana retailers shall not locate in the Single-Family Residential (RS), Multi-Family Residential (RM), Professional Residential (PR), Office (O) or Ruth Dykeman Children's Center zones.</u> 4. <u>Marijuana retailers shall not locate in a building in which non-conforming retail uses have been established in any residential or office zone.</u> 5. <u>Marijuana retailers shall not operate as an accessory to a primary use or as a home occupation.</u> 6. <u>Marijuana retailers shall not locate within one thousand feet (1,000') as measured by the shortest straight line distance from the property line of the licensed premises to the property line of an elementary or secondary school, playground, recreational center or facility, child care center, public park, public transit center, library or arcade where admission is not restricted to those age 21 and older.</u> 	

Note: All landscape categories added by Ord. 293, 2000

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3. Standards for operation of a *bed and breakfast establishment*.
 - A. Accessory Use. The *bed and breakfast use* must be *accessory* to the permanent residence of the operator.
 - B. Residential Character. Internal or external alterations of the *structure* that make the dwelling appear less residential in character are not allowed. Such changes may include paving of *setbacks*, constructing large parking areas visible from the *street* or neighboring properties and commercial type lighting.
 - C. Food Service. Food service may be provided only to overnight guests of the *bed and breakfast*.
 - D. Maximum Size. *Bed and breakfasts* are limited to three (3) bedrooms for guests. No more than ten (10) people total (including residents) may be accommodated overnight.
 - E. Parking. In addition to the required parking for the residential *use*, one on-site *parking space* is required for each room that is available for guests.
 - F. Employees. One non-resident employee is allowed on the premises at any one time. Occasional services provided by outside contractors, such as yard care or building maintenance, are not counted as non-resident employees.
 - G. Events. Meetings and social gatherings, including banquets, weddings, parties, retreats or other gatherings for direct or indirect compensation, are prohibited.
 - H. Business License. *Bed and breakfast establishments* are required to obtain a business license from the City Clerk's office.
 - I. Signs. *Signs* for *bed and breakfasts* are subject to the standards in BMC 19.30 Signs, as now in affect, and as may be subsequently be amended. [Ord. 529, 2009, Ord. 355 §1, 2002]

19.17.090 Home occupations

1. Purpose. The purpose of the *home occupation* regulations is to encourage flexibility in the work place and promote small-business opportunities in Burien by allowing *home occupations*. The further purpose of the regulations is to protect the residential character of neighborhoods by ensuring that *home occupations* are of a scale and intensity that is compatible with residential areas.
2. Home Occupation Types.
 - A. Type A *home occupations* are those that have no employees or customers come to the *site* and that do not use machinery or use or store *hazardous substances* on the premises. Type A *home occupations* may use equipment commonly found in a single-family home or professional *office*, such as computers, fax machines and copiers.
 - B. Type B *home occupations* are those that have one employee or any number of customers come to the *site*, use machinery, such as wood or metal shop tools, or use or store *hazardous substances* on the premises.

3. Licensing and Permits Required.
 - A. All *home occupations* (Type A and Type B) are required to obtain a City of Burien business license from the City Clerk's Office.
 - B. Type B *home occupations* are required to obtain a home occupation permit from the Department of Community Development prior to issuance of a business license.
 - C. Home occupation permit procedures:
 - i. *Home occupation* permits are valid for a period of two years. It is the responsibility of the *applicant* to obtain a permit every two years.
 - ii. Permits for *home occupations* that utilize machinery and/or use or store *hazardous substances* shall obtain approval from the Building Official and Fire Marshall.
 - iii. Inspection may be required prior to the issuance of a *home occupation* permit or as necessary to ensure compliance with applicable codes and conditions of the permit.
 - iv. Upon approval of a Type B *home occupation* permit, the Department of Community Development shall issue a notice to residents abutting and across the *street* from the *home occupation* and within 300 feet along the *street* in both directions. The notice shall describe the approved *home occupation* and standards by which it must operate
 - v. The *Director* shall take appropriate action to enforce the requirements of this section. Failure to comply with the regulations of this section or conditions of the permit may result in the *home occupation* permit being revoked or denial of an application for renewal of the permit.
 - D. Type B *home occupations* that have a valid City of Burien business license on April 23, 2002 shall be required to obtain a *home occupation* permit within 2 years. If the Type B *home occupation* does not comply with current standards, it shall be subject to the provisions of BMC 19.55 Non-conformance.
4. Permitted home occupations. Residents of a *dwelling unit* may conduct one or more *home occupation* as *accessory* activities, provided they comply with the standards of this section and are not prohibited by subsection A below or another section of this code. The rationale for restricting the specific *uses* listed below is based on the goals and policies of the comprehensive plan, which generally states that well established residential areas should be protected from encroachment of non-residential *uses* that may be detrimental to those residential areas. The following *uses* are inconsistent with the goals and policies of the comprehensive plan and are restricted due to incompatibilities including but not limited to noise generation, visual appearance, odor and traffic impacts that are detrimental to residential areas:
 - A. Prohibited home occupations.
 - i. Automobile, truck and *heavy equipment* repair, body work or painting
 - ii. Large or small engine repair
 - iii. Large appliance repair

- iv. Parking and storage of *heavy equipment* or vehicles
 - v. Storage of building materials for use on other properties
 - vi. Headquarters or dispatch centers where more than one employee comes to the *site* and are dispatched to other locations
 - vii. Commercial *kennels*, cateries and stables
 - viii. Commercial painting
 - ix. *Religious facilities* (see BMC 19.15 for specific zoning requirements)
 - x. *Marijuana producers, processors and retailers*
5. Standards for operation of a *home occupation*:
- A. Size. The total area devoted to all *home occupation(s)* shall not exceed 25 percent of the combined *gross floor area* of the primary residence and permitted *accessory buildings*, provided the floor area must be enclosed within a *building* to be counted.
 - B. Location. *Home occupations* may be conducted in the primary residence or a permitted *accessory building*. All the activities of the *home occupation(s)* shall be conducted indoors, except for those related to growing or storing of plants used by the *home occupation(s)*. Exterior storage, display or repair of goods or equipment related to *home occupation(s)* is prohibited.
 - C. Employees. *Home occupations* shall have no more than one nonresident employee on the premises at any one time.
 - D. Parking. In addition to required parking for the *dwelling unit*, on-site parking shall be provided as follows:
 - i. One stall for a nonresident employee that will work on the premises; and
 - ii. One stall for customers when services are rendered on-site.
 - E. Retail Sales. Retail sales shall be limited to items produced on-site or incidental sales of items associated with a service provided by the *home occupation*.
 - F. Customers. Customer visits to *home occupations* are limited to the hours from 8 a.m. to 8 p.m. No more than one customer may be at the residence at any one time and no more than 8 customer visits shall occur in any one-day. For the purpose of this section, one customer may consist of more than one person, such as a *family*.
 - G. Vehicles. The *home occupation(s)* may use or store one (1) vehicle for pickup or delivery of materials used by the home occupation(s), provided:
 - i. Such vehicle shall not park on adjacent *streets* or within any required *setback* areas of the *lot*, with the exception of the driveway; and
 - ii. Such vehicle shall not exceed a gross vehicle weight rating of 10,000 pounds or capacity of one ton or similarly sized vehicle. The *Director* shall have the final determination

authority on vehicle size and should consider potential impacts to the residential character of the neighborhood and/or surrounding properties.

- H. Deliveries to the *home occupation(s)* are permitted between 8 a.m. and 8 p.m. Vehicles used to deliver goods to the *home occupation* are limited to passenger vehicles, mail carriers and express carriers, such as UPS.
 - I. Operation of the *home occupation(s)* shall comply with all applicable regulations, including but not limited to the Burien Municipal Code, International Building Code and International Fire Code, and shall not: [Ord. 560 § 3, 2012]
 - i. Create vibrations, heat, glare, dust, odors or smoke that is discernible at the *property lines* and is offensive to a reasonable person;
 - ii. Create noise exceeding 55 decibels at the *property line* from 8 a.m. to 8 p.m. or any noise discernible by the human ear at the *property lines* from 8 p.m. to 8 a.m. or noise considered a nuisance under BMC Chapter 8.45;
 - iii. Change the *building* occupancy classification of the *structure(s)* used for the *home occupation(s)*;
 - iv. Use or store *hazardous substances* in excess of those normally allowed in a residential area under the Uniform Building Code and Uniform Fire Code.
 - v. Create any electrical, magnetic or other interference off the premises; or
 - vi. Consume utility quantities that negatively impact the delivery of utilities to surrounding properties.
 - J. Residential Character. Internal or external alterations that make the property appear less residential in character are not allowed. Examples of such changes may include paving of *setbacks*, constructing large parking areas visible from the *street* or neighboring properties and commercial type lighting. Use of commercial mobile offices are not allowed.
 - K. Signs. Signage for *home occupations* is subject to the standards in BMC 19.30.050. [Ord. 523 § 1, 2009]
6. Exceptions.
- A. Telecommuting is not classified as a *home occupation* and is not subject to the regulations of this section. For the purpose of this section, telecommuting is work done from home on a part-time basis for a business that is based off the premises. Telecommuting does not allow for non-resident employees or customer visits.
 - B. *Bed and breakfast establishments* are not subject to the regulations of this section. Regulations for *bed and breakfast establishments* are in section 19.17.080.
 - C. Family daycare homes are not subject to the regulations of this section. Regulations for family daycare homes are located in chapter 19.15 Use Zone Charts.
 - D. Garage sales, yard sales, temporary home boutiques or bazaars for handcrafted items, parties for display of domestic products, and other such *uses* are not subject to the regulations of

this section, provided that any such *use* does not exceed three (3) days in duration and does not operate more than nine (9) days in a calendar year. [Ord. 355 §1, 2002]

EXHIBIT B

City of Burien

Marijuana Related Business Zoning Amendments

Section	BMC	Topic	Current Code	Proposal	Comment
1	NEW 19.10.333 – Definitions	Marijuana definition	None	All parts of the plant Cannabis, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.	Definition from RCW 69.50.101
2	NEW 19.10.333.2 – Definitions	Marijuana processor definition	None	A facility licensed by the state liquor control board to process marijuana into useable marijuana and marijuana-infused products, package and label useable marijuana and marijuana-infused products for sale in retail outlets, and sell useable marijuana and marijuana-infused products at wholesale to marijuana retailers.	Definition from RCW 69.50.101
3	NEW 19.10.333.3 – Definitions	Marijuana producer definition	None	A facility licensed by the state liquor control board for the production and sale at wholesale of marijuana to marijuana processors and other marijuana producers.	Definition from RCW 69.50.101
4	NEW 19.10.333.4 – Definitions	Marijuana retailer definition	None	A facility licensed by the state liquor control board where useable marijuana and marijuana-infused products may be sold at retail.	Definition from RCW 69.50.101
5	NEW 19.10.333.5 – Definitions	Marijuana-infused products definition	None	Products that contain marijuana or marijuana extracts and are intended for human use. The term “marijuana-infused products” does not include usable marijuana.	Definition from RCW 69.50.101

EXHIBIT B

City of Burien

Marijuana Related Business Zoning Amendments

Section	BMC	Topic	Current Code	Proposal	Comment
6	NEW 19.10.467 – Definitions	Retail marijuana outlet definition	None	A location licensed by the State Liquor Control Board for the retail sale of usable marijuana and marijuana-infused products.	Definition from RCW 69.50.101
7	NEW 19.10.549 – Definitions	Usable marijuana definition	None	Dried marijuana flowers. The term “useable marijuana” does not include marijuana-infused products.	Definition from RCW 69.50.101
8	NEW 19.15.050.23 19.15.070.13	Marijuana producers and processors as permitted use	Industrial (I) and Airport Industrial (AI) zone use charts	<p>Marijuana producers and processors are a permitted use in these zones subject to a Type 1 Review process which includes a determination and finding as to whether or not the proposed use is compatible with adjoining uses. Producers and processors are subject to the following special regulations:</p> <ol style="list-style-type: none"> 1. The facility shall be designed, located, constructed and buffered to blend in with its surroundings and mitigate significant adverse impacts on adjoining properties and the community. Special attention shall be given minimizing odor, noise, light, glare and traffic impacts. 2. Must comply with all requirements of State law and the Washington State Liquor Control Board’s regulations. 3. Marijuana producers and processors shall not locate on a site or in a building in which non-conforming production or processing uses have been established in any zone other than I or AI zones. 	From Ordinance No. 586, Interim Zoning Regulations

EXHIBIT B

City of Burien

Marijuana Related Business Zoning Amendments

Section	BMC	Topic	Current Code	Proposal	Comment
8 (cont.)	NEW 19.15.050.23 19.15.070.13	Marijuana producers and processors as permitted use	Industrial (I) and Airport Industrial (AI) zone use charts	<ol style="list-style-type: none"> 4. Marijuana producers and processors shall not operate as an accessory to a primary use or as a home occupation. 5. Marijuana producers and processors may locate in the same building and all production and processing activities shall occur within an enclosed structure. 6. Marijuana producers and processors shall not locate within one thousand feet (1,000') as measured by the shortest straight line distance from the property line of the licensed premises to the property line of an elementary or secondary school, playground, recreational center or facility, child care center, public park, public transit center, library or arcade where admission is not restricted to those age 21 and older. 	From Ordinance No. 586, Interim Zoning Regulations
9	NEW 19.15.015.11 19.15.020.11 19.15.025.13 19.15.035.16 19.15.040.17 19.15.055.14 19.15.065.16	Marijuana retailers as permitted use	Neighborhood Commercial (CN), Intersection Commercial (CI), Regional Commercial (CR), Community Commercial (CC), Downtown Commercial (DC),	<p>Marijuana retailers are a permitted use in Commercial zones subject to a Type 1 Review process which includes a determination and finding as to whether or not the proposed use is compatible with adjoining uses. Retailers are subject to the following special regulations:</p> <ol style="list-style-type: none"> 1. The facility shall be designed, located, constructed and buffered to blend in with its surroundings and mitigate significant adverse impacts on adjoining properties and the community. Special attention shall be given minimizing odor, noise, light, glare and traffic impacts. 2. Must comply with all requirements of State law and the Washington State Liquor Control Board's regulations. 	From Ordinance No. 586, Interim Zoning Regulations

EXHIBIT B

City of Burien

Marijuana Related Business Zoning Amendments

Section	BMC	Topic	Current Code	Proposal	Comment
9 (cont.)	NEW 19.15.015.11 19.15.020.11 19.15.025.13 19.15.035.16 19.15.040.17 19.15.055.14 19.15.065.16	Marijuana retailers as permitted use	Old Burien (SPA-1) and Gateway (SPA-3) zone use charts	<p>3. Marijuana retailers shall not locate in the Single-Family Residential (RS), Multi-Family (RM), Professional Residential (PR), Office (O) and Ruth Dykeman Children’s Center zones.</p> <p>4. Marijuana retailers shall not locate in a building in which non-conforming retail uses have been established in any residential or office zone.</p> <p>5. Marijuana retailers shall not operate as an accessory to a primary use or as a home occupation.</p> <p>6. Marijuana retailers shall not locate within one thousand feet (1,000’) as measured by the shortest straight line distance from the property line of the licensed premises to the property line of an elementary or secondary school, playground, recreational center or facility, child care center, public park, public transit center, library or arcade where admission is not restricted to those age 21 and older.</p>	From Ordinance No. 586, Interim Zoning Regulations
10	ADD 19.17.090.4.A.x	Marijuana Businesses as prohibited use	Home Occupations	<p>A. Prohibited home occupations.</p> <p>x. Marijuana producers, processors and retailers.</p>	From Ordinance No. 586, Interim Zoning Regulations

CITY OF BURIEN, WASHINGTON

ORDINANCE NO. 599 (Alternate 1)

AN ORDINANCE OF THE CITY OF BURIEN, WASHINGTON, AMENDING TITLE 19 OF THE BURIEN MUNICIPAL CODE RELATED TO THE ESTABLISHMENT, LOCATION, OPERATION, LICENSING, MAINTENANCE OR CONTINUATION OF MARIJUANA RETAILERS AS REGULATED PURSUANT TO WASHINGTON STATE INITIATIVE 502; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, on November 6, 2012, Initiative 502 was passed by the voters of the State of Washington, providing a framework under which marijuana producers, processors, and retailers can become licensed by the State of Washington; and

WHEREAS, Initiative 502 directed the Washington State Liquor Control Board (LCB) to develop rules and regulations to:

1. Determine the number of producers, processors and retailers of marijuana by county;
2. Develop licensing and other regulatory measures;
3. Issue licenses to producers, processors, and retailers at locations which comply with the Initiative's distancing requirements prohibiting such uses within one thousand feet of schools and other designated public facilities; and
4. Establish a process for the City to comment prior to the issuance of such licenses; and

WHEREAS, the LCB adopted final rules in mid-October 2013 and opened the application period for the issuance of marijuana producer, processor and retail licenses to qualified applicants in December, 2013; and

WHEREAS, the LCB rules prohibit marijuana-related uses within 1,000 feet of the perimeter of certain uses and buildings, such as child care centers, public parks and recreation centers or facilities; and

WHEREAS, pursuant to WAC 314-55-020(11), approval of a marijuana license application by the LCB "shall not be construed as a license for, or approval of, any violations of local rules or ordinances including, but not limited to: Building and fire codes, zoning ordinances, and business licensing requirements"; and

WHEREAS, the adoption of land use and zoning regulations is a valid exercise of the City's police power and is specifically authorized by RCW 35A.63.100; and

WHEREAS, Section 69.51A.140 RCW, enacted as part of Washington's medical cannabis act, delegates authority to cities and towns to adopt and enforce zoning requirements,

business licensing requirements, health and safety requirements, and business taxes related to marijuana production, processing and dispensing as exercises of the City's police powers and not necessarily limited to medical marijuana-related uses; and

WHEREAS, the Burien Municipal Code does not currently have specific provisions addressing licensing, producing, processing or retailing of recreational marijuana; and

WHEREAS, on August 19, 2013, the City adopted Ordinance 586 establishing interim zoning regulations on the establishment, location, operation, licensing, maintenance or continuation of marijuana producers, processors, and retailers as regulated pursuant to I-502 in order to investigate this issue further and obtain regulatory clarity and guidance from the LCB's rules and Burien's citizens; and

WHEREAS, the Planning Commission held a duly noticed public hearing to receive public comments on January 8, 2014 and subsequently recommended approval of the proposed amendments on January 22, 2014; and

WHEREAS, the SEPA responsible official issued a determination of non-significance on December 9, 2013; and

WHEREAS, the City provided the proposed zoning amendments to the Washington State Department of Commerce as required by chapter 36.70A RCW; and

WHEREAS, the City Council held public meetings on January 27, 2014 and February 3, 2014 to review and discuss the proposed amendments; and

WHEREAS, the City Council has determined that marijuana producers and processors cannot be accommodated on Industrial zoned land in the City of Burien; and

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

Section 1. Amendments to BMC Title 19. The City Council of the City of Burien hereby amends Title 19 BMC by adopting new Sections 19.10.333, 19.10.333.2, 19.10.333.3, 19.10.333.4, 19.10.333.5, 19.10.467, 19.10.549, 19.15.015.11, 19.15.020.11, 19.15.025.13, 19.15.035.16, 19.15.040.17, 19.15.055.14, 19.15.065.16, and also by amending Section 19.17.090.4.A, as set forth in Exhibit A and as summarized in Exhibit B, which are attached hereto and are incorporated herein by this reference.

Section 2. Findings and Criteria. In accordance with the criteria set forth in BMC 19.65.100, the City Council finds that the amendments adopted herein are consistent with the Comprehensive Plan, bear a substantial relation to the public health, safety and welfare, and are in the best interest of the community as a whole.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or

otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4. Effective Date. This Ordinance shall be published by summary in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE __ DAY OF _____ 2014, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS __ DAY OF _____ 2014.

CITY OF BURIEN
Lucy Krakowiak, Mayor

ATTEST/AUTHENTICATED:
Monica Lusk, City Clerk

Approved as to form:
Ann Marie Soto, Acting City Attorney

Filed with the City Clerk:
Passed by the City Council:
Ordinance No. 599
Date of Publication:

DRAFT

Ordinance 599
Exhibit A

19.10 Definitions amended as follows:

19.10.005	User Guide.	19.10.080	Convenience retail
19.10.010	Accessory	19.10.081	Cornice
19.10.012	Accessory living quarters	19.10.083	Courtyard
19.10.015	Adjoining	19.10.084	Critical aquifer recharge areas
19.10.017	Adult entertainment facilities	19.10.085	Critical areas
19.10.018	Airplane unit load device	19.10.090	Critical facility
19.10.019	Alley	19.10.095	Cultural facility
19.10.020	Alteration	19.10.100	Day care center
19.10.025	Amusement arcade	19.10.105	Day care operation
19.10.026	Animal, small	19.10.107	Deciduous
19.10.027	Antenna	19.10.108	Deck
19.10.030	Applicant	19.10.109	Department
19.10.031	Aquifer	19.10.109.3	Development proposal
19.10.032	Architectural scale	19.10.109.5	Development proposal site
19.10.035	Arterial street	19.10.109.7	Development standards
19.10.036	Articulation	19.10.109.8	Direct traffic impact
19.10.037	Artwork	19.10.110	Director
19.10.038	Balcony	19.10.111	Ditches
19.10.038.2	Base flood	19.10.112	Domestic fowl
19.10.038.3	Base flood elevation	19.10.115	Dwelling unit
19.10.038.5	Bed and breakfast establishment	19.10.120	Dwelling unit, accessory
19.10.038.6	Beehive	19.10.123	Dwelling unit, apartment
19.10.038.7	Best available science	19.10.124	Dwelling unit, primary
19.10.038.8	Best management practices (BMPs)	19.10.125	Dwelling unit, townhouse
19.10.039	Blank walls	19.10.130	Dwelling unit, senior citizen assisted
19.10.040	Buffer	19.10.135	Dwelling unit, single detached
19.10.045	Building	19.10.140	Eating and drinking establishment
19.10.050	Building coverage	19.10.141	Endangered Species Act
19.10.051	Building Modulation	19.10.142	Enhancement
19.10.051.5	Calculated LOS	19.10.143	Equipment enclosure
19.10.052	Camouflaged	19.10.144	Equipment, heavy
19.10.053	Capital facilities plan	19.10.145	Erosion
19.10.054	Cargo container	19.10.150	Erosion hazard areas
19.10.055	Cemetery	19.10.155	Essential public facility
19.10.056	Class A pedestrian-oriented street	19.10.157	Evergreen
19.10.057	Class B pedestrian-oriented street	19.10.158	FAA
19.10.058	Collocation	19.10.159	Facade
19.10.060	Community facility	19.10.160	Family
19.10.062	Community Garden	19.10.165	Family day care home I
19.10.065	Community residential facility	19.10.170	Family day care home II
19.10.067	Compensatory mitigation	19.10.173	FCC
19.10.068	Confinement area	19.10.174	Federal Emergency Management Agency (FEMA) floodway
19.10.070	Construction code	19.10.174.2	Fee-In-Lieu
19.10.073	Continuing use	19.10.175	Fence
19.10.075	Convenience auto service	19.10.177	Fish Habitat

19.10.179.1	Flood fringe	19.10.300	Landslide
19.10.179.2	Flood hazard areas	19.10.305	Landslide hazard areas
19.10.179.3	Flood Insurance Rate Map	19.10.310	Light industry
19.10.179.4	Flood Insurance Study for King County	19.10.312	Livestock
19.10.179.5	Flood protection elevation	19.10.313	Loading space
19.10.179.6	Floodplain	19.10.315	Lodging facility
19.10.179.7	Floodproofing	19.10.320	Lot
19.10.179.8	Floodway, zero-rise	19.10.325	Lot area
19.10.180	Footprint	19.10.327	Lot Averaging
19.10.181	Forest practice	19.10.329	Lot, corner
19.10.183	Frontage	19.10.330	Repealed
19.10.184	Functions and values	19.10.331	Major new construction or modification
19.10.185	Garage, detached single-family	<u>19.10.333</u>	<u>Marijuana</u>
19.10.190	Geologically hazardous areas	<u>19.10.333.2</u>	<u>Marijuana processor</u>
19.10.195	Geologist	<u>19.10.333.3</u>	<u>Marijuana producer</u>
19.10.200	Geotechnical engineer	<u>19.10.333.4</u>	<u>Marijuana retailer</u>
19.10.205	Golf course	<u>19.10.333.5</u>	<u>Marijuana-infused products</u>
19.10.210	Government facility	19.10.335	Master plan
19.10.215	Grade	19.10.340	Repealed
19.10.217	Grade, finished	19.10.345	Mitigation
19.10.220	Grade, natural	19.10.350	Mixed use
19.10.225	Grading	19.10.355	Mobile home
19.10.227	Grazing area	19.10.360	Mobile home park
19.10.230	Gross floor area	19.10.362	Modulation
19.10.232	Groundcover	19.10.365	Monitoring
19.10.233	Groundwater	19.10.367	Monopole
19.10.235	Hatchery/fish preserve	19.10.367.5	Native vegetation
19.10.240	Hazardous household substance	19.10.368	Nonconformance
19.10.242	Hazardous materials or substances	19.10.368.3	Noxious weed
19.10.243	Hazardous materials questionnaire	19.10.368.7	Net floor area
19.10.245	Hazardous substance	19.10.369	Non-Residential Zone
19.10.250	Hazardous waste	19.10.370	Nursing home
19.10.255	Hazardous waste storage	19.10.373	Off-site commercial parking
19.10.260	Hazardous waste treatment	19.10.375	Off-site hazardous waste treatment and storage facility
19.10.265	Height	19.10.380	On-site hazardous waste treatment and storage facility
19.10.270	High technology industry	19.10.385	Office
19.10.273	Home occupation	19.10.387	Open-work fence
19.10.275	Hospital	19.10.390	Ordinary high water mark
19.10.278	Human scale	19.10.390.5	Owner Occupied
19.10.280	Impervious surface	19.10.391	Panoram device
19.10.285	Impervious surface coverage	19.10.392	Panoram premises
19.10.286	Improved public roadways	19.10.393	Parking lot aisle
19.10.287	Injection well	19.10.394	Parking space
19.10.288	In-kind	19.10.394.5	Patio
19.10.290	Interim zoning code	19.10.395	Pawn shop
19.10.295	Kennel	19.10.395.3	Peak hour
19.10.298	Landscaping	19.10.395.5	Pedestrian-oriented façade
		19.10.396	Pedestrian-oriented space

19.10.397	Personal wireless service facility (<i>PW/SF</i>)	19.10.511	Species
19.10.398	Personal wireless services	19.10.512	Specified anatomical areas
19.10.399	Primary façade	19.10.513	Specified sexual activities
19.10.399.5	Primary Structure	19.10.515	Steep slope
19.10.400	Primary use	19.10.516	Storefront
19.10.403	Private	19.10.517	Stream
19.10.405	Private club	19.10.518	Stream, Intermittent
19.10.410	Property line	19.10.519	Stream, Perennial
19.10.415	Public agency training facility	19.10.520	Street
19.10.420	Public park and recreation facilities	19.10.525	Structure
19.10.425	Public agency	19.10.529	Sub-drainage basin
19.10.430	Public utility	19.10.530	Submerged land
19.10.435	Reasonable use	19.10.535	Substantial improvement
19.10.440	Recreational facility	19.10.537	Support structure
19.10.443	Recyclable material	19.10.540	Theater
19.10.445	Recycling center	19.10.543	Topographic map
19.10.446	Regional utility corridor	19.10.545	Trail
19.10.447	Regulated facility or activities	19.10.547	Ultimate roadway section
19.10.450	Religious facility	19.10.550	Use
19.10.455	Residential zone	<u>19.10.552</u>	<u>Usable marijuana</u>
19.10.460	Restoration	19.10.555	Vehicular access easement or tract
19.10.465	Retail	19.10.557	Vegetation
<u>19.10.467</u>	<u>Retail marijuana outlet</u>	19.10.560	Vendor cart
19.10.470	Right-of-way	19.10.562	Vernacular
19.10.472	Riparian habitat	19.10.565	Warehousing and wholesale trade
19.10.474	Salmonid	19.10.570	Water table
19.10.474.5	Scale (architectural)	19.10.575	Wellhead protection areas
19.10.475	School	19.10.580	Wetlands
19.10.477	Screen/screening	19.10.585	Wetlands, associated
19.10.479	Secure community transition facility	19.10.590	Wetland classes, classes of wetlands, or wetland types
19.10.480	Seismic hazard areas	19.10.595	Wetland edge
19.10.485	Setback	19.10.600	Wildlife habitat
19.10.490	Self service storage facility		
19.10.492	Shorelines of the State		
19.10.493	Significant tree		
19.10.495	Site		
19.10.500	Site improvements		
19.10.505	Slope		
19.10.510	Social card game		

6. Any area potentially unstable as a result of rapid stream incision, stream bank erosion or undercutting by wave action;
7. Any area located on an alluvial fan, presently subject to or potentially subject to inundation by debris flows or deposition of stream-transported sediments.

19.10.310 Light industry – A *use* that involves the manufacturing, production, processing, fabrication, assembly, treatment, repair and/or packaging of finished products, predominantly from previously prepared and/or refined materials (or from raw materials that do not need refining). *Warehousing, wholesaling* and distribution of the finished products produced at the *site* is allowed as part of this use.

19.10.312 Livestock - Grazing animals kept either in open fields or *structures* for training, boarding, home use, sales, or breeding and production, including but not limited to: cattle, riding and draft horses, hogs, sheep, goats, miniature horses, llamas, and alpacas. [Ord. 355 § 1, 2002]

19.10.313 Loading space - A space for the temporary parking of a vehicle while loading or unloading cargo or passengers. [Ord. 292 § 2, 2000]

19.10.315 Lodging facility – A *building* or portion thereof designed or used for the transient rental of rooms for sleeping. *Accessory* shops and services catering to the general public may be provided. Not included are institutions housing persons under legal restraint or requiring medical attention or care.

19.10.320 Lot – A physically separate and distinct parcel of property, which has been created pursuant to the City of Burien subdivision regulations, or was legally created prior to February 28, 1993.

19.10.325 Lot area – The total land area, excluding submerged land, contained within the *property lines* of a *lot*.

19.10.327 Lot Averaging - The numerical averaging of *lot areas* to determine compliance with the minimum *lot area* requirements of this title. [Ord. 428 § 3, 2005]

19.10.329 Lot, corner--A *lot* abutting upon two or more streets at their intersections, or upon two parts of the same street, such streets or parts of same street forming an interior angle of less than 135 degrees within the lines. Corner lots have two street frontages, primary and secondary. The primary street shall be the one that the building is primarily oriented to. [Ord. 545 § 1, 2010, Ord. 103 § 1, 1994; Ord. 28 § 1(40), 1993]

M

19.10.330 Major communication facility – [Repealed, Ord. 265 § 34, 1999]

19.10.331 Major new construction or modification – Construction from the bare ground or an enlargement or modification of an existing *structure* in excess of 50% of the current King County assessment value for the existing *structure* (excluding tenant improvements), as determined by BMC Title 15. [Ord. 273 § 1, 1999]

19.10.333 Marijuana – All parts of the plant Cannabis, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted there from), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. [Ord. 599 § 2, 2014]

19.10.333.2 Marijuana processor – A facility licensed by the state liquor control board to process marijuana into useable marijuana and marijuana-infused products, package and label useable marijuana and marijuana-infused products for sale in retail outlets, and sell useable marijuana and marijuana-infused products at wholesale to marijuana retailers. [Ord. 599 § 2, 2014]

19.10.333.3 Marijuana producer – A facility licensed by the state liquor control board for the production and sale at wholesale of marijuana to marijuana processors and other marijuana producers. [Ord. 599 § 2, 2014]

19.10.333.4 Marijuana retailer – A facility licensed by the state liquor control board where useable marijuana and marijuana-infused products may be sold at retail. [Ord. 599 § 2, 2014]

19.10.333.5 Marijuana-infused products – Products that contain marijuana or marijuana extracts and are intended for human use. The term “marijuana-infused products” does not include usable marijuana. [Ord. 599 § 2, 2014]

19.10.335 Master plan – A complete development plan for the *site* showing: placement, dimensions and uses of all *structures* as well as *streets* and other areas used for vehicular circulation.

19.10.340 Minor communication facility – [Repealed, Ord. 265 § 34, 1999]

19.10.345 Mitigation -- The use of any or all of the following actions listed in descending order of preference:

1. Avoiding the impact by not taking a certain action;
2. Minimizing the impact by limiting the degree or magnitude of the action by using appropriate technology or by taking affirmative steps to avoid or reduce the impact;
3. Rectifying the impact by repairing, rehabilitating or *restoring* the affected *critical area* or *buffer*;
4. Reducing or eliminating the impact over time by preservation or maintenance operations during the life of the *development proposal*;
5. Compensating for the impact by replacing, enhancing or providing substitute *critical areas* and environments; and
6. Monitoring the impact and taking appropriate corrective measures.

19.10.350 Mixed use – A project or *building* that combines non-residential *use* with *dwelling units*, either in the same *building*, or in different *buildings* located on the same *site*.

R

19.10.435 Reasonable use -- A legal concept articulated by federal and state courts in regulatory taking cases. Within the context of these cases and for the purposes of this title, reasonable use shall mean any *use* allowed by Chapter 19.15 BMC and shall not mean the subdivision of property.

19.10.440 Recreational facility – A place designed and equipped for the conduct of sports, leisure time activities and other customary and usual recreational activities. Includes, but is not limited to: health club, sports instruction, and bowling alley.

19.10.443 Recyclable material--A nontoxic, recoverable substance that can be re-processed for the manufacture of new products. [Ord. 545 § 1, 2010, Ord. 28 § 1(40), 1993]

19.10.445 Recycling center – An establishment for the processing (separation and/or recovery) or collection of *recyclable materials* from solid wastes. Recycling of oil or other liquids may also occur.

19.10.446 Regional utility corridor – A right-of-way tract or easement which contains transmission lines or pipelines for utility companies, excluding distribution lines contain within striate rights-of-way or lines serving individual *lot* or developments. [Ord. 428 § 3, 2005]

19.10.447 Regulated facility or activities -- A facility or activity that lies or occurs within the boundaries of a *critical aquifer recharge area*, and in which quantities of *hazardous materials* or substances in excess of twenty (20) gallons or two hundred (200) pounds are or will be present on the premises at any one time, unless otherwise exempted under this ordinance. [Ord. 394 § 1, 2003]

19.10.450 Religious facility – An establishment, the principal purpose of which is religious worship, and for which the principal *building* or other *structure* contains the sanctuary or principal place of worship, and which includes related *accessory uses*.

19.10.455 Residential zone – Any RS or RM zone.

19.10.460 Restoration -- Returning a *critical area* and/or its *buffer* to a state in which its stability and functions approach its unaltered state as closely as possible.

19.10.465 Retail – A commercial enterprise which: provides goods and/or services directly to the consumer; and, whose goods are available for immediate purchase and/or rental; and, whose goods are available for immediate removal from the premises by the purchaser and/or whose services are traditionally not permitted within an *office use*. The sale and consumption of food are included if: a) the seating and associated circulation area does not exceed ten percent of the *gross floor area* of the *use*, and b) it can be demonstrated to the City that the floor plan is designed to preclude the seating area from being expanded. Goods and services offered include, but are not limited to: *convenience retail uses*.

19.10.467 Retail marijuana outlet – A location licensed by the State Liquor Control Board for the retail sale of usable marijuana and marijuana-infused products. [Ord. 599 § 2, 2014]

19.10.470 Right-of-way – Land dedicated primarily to the movement of vehicles and providing for primary access to adjacent *lots*. The land may also provide space for pedestrian movement, utility lines and appurtenances and other publicly owned devices.

and Volume 16, page 25, book of plats; all public accesses to, from and across the Indian Trail shall be considered as part of the Indian Trail System, including public *rights-of-way* from existing or future roadway to the Trail and public *rights-of-way* from the Trail to the waterfront, which are not designated as *street*; and any future identified or developed trail included in the Comprehensive Parks Plan for the City of Burien.

U

19.10.547 Ultimate roadway section--A designation by the city of Burien that the maximum roadway or intersection capacity has been reached and further right-of-way acquisition and/or improvements are not feasible to increase *peak hour* vehicle capacity. [Ord. 545 § 1, 2010, Ord. 28 § 1(40), 1993]

19.10.549 Usable marijuana – Dried marijuana flowers. The term “useable marijuana” does not include marijuana-infused products. [Ord. 599 § 2, 2014]

19.10.550 Use – The nature of the activities taking place on public or private property. Each separate listing under the “Use” column in Chapter 19.15 of this Code is a separate use. [Ord. 523 § 1, 2009]

V

19.10.555 Vehicular access easement or tract – A privately owned *right-of-way*.

19.10.557 Vegetation--Any and all plant life growing at, below or above the soil surface. [Ord. 545 § 1, 2010, Ord. 28 § 1(40), 1993]

19.10.560 Vendor cart - An *accessory use* consisting of a portable stand and any related *accessory* appurtenances such as an awning, canopy or seating, used for the *retail* sales of goods including but not limited to beverages, food and flowers.

19.10.562 Vernacular - A *building* or complex of *buildings* that relate to, or are characteristic of a period, place or group; especially relating to or being the common *building* style of a period or place. [Ord. 273 § 1, 1999]

W

19.10.565 Warehousing and wholesale trade -- Establishments involved in the storage and/or sale of bulk goods for resale or assembly, excluding establishments offering the sale of bulk goods to the general public which is classified as a *retail use*.

19.10.570 Water table -- The upper limit of the *groundwater* body marking the boundary between the saturated zone, where soil and rock is completely saturated with water, and the unsaturated zone. It is defined by the levels at which water stands in wells that penetrate the *aquifer* just far enough to hold standing water. [Ord. 394 § 1, 2003]

19.10.575 Wellhead protection areas -- Wellhead protection areas may be defined by the boundaries of the ten (10) year time of *groundwater* travel, or boundaries established using alternate criteria approved by the Department of Health in those settings where *groundwater* time of travel is not a reasonable delineation criterion, in accordance with WAC 246-290-135. [Ord. 394 § 1, 2003]



Section 19.15.015--NEIGHBORHOOD CENTER ZONE

PURPOSE AND INTENT: The Neighborhood Center (CN) zone implements the Neighborhood Center Comprehensive Plan designation. The purpose of this zone is to establish relatively small areas to provide convenience goods and services to meet the everyday needs of the surrounding residential neighborhoods, while protecting neighborhood character. The intent is to provide for limited retail stores, services, offices and mixed use buildings that serve the immediate neighborhood (as well as other markets or service areas), located in neighborhood focal points which are designed to encourage pedestrian and transit access, be compatible with adjacent residential neighborhoods, and be consistent with road and utility capacity.

ONLY THOSE USES LISTED ON THE FOLLOWING USE ZONE CHARTS MAY BE ALLOWED IN THE CN ZONE, SUBJECT TO MEETING ALL APPLICABLE REQUIREMENTS OF THE ZONING CODE. THE FOLLOWING SPECIAL REGULATIONS APPLY TO ALL USES IN THE NEIGHBORHOOD CENTER ZONE. BE SURE TO CHECK THE APPLICABLE USE ZONE CHART FOR ADDITIONAL REQUIREMENTS THAT PERTAIN TO SPECIFIC USES. WHERE A SPECIAL REGULATION BELOW CONFLICTS WITH A SPECIAL REGULATION IN A USE ZONE CHART FOR A SPECIFIC USE, THE USE ZONE CHART SHALL APPLY.

19.15.015.1: SPECIAL REGULATIONS:

- A. Maximum *gross floor area* per *building* is 4,000 s.f. Up to 8,000 s.f. may be approved through a Type 1 review process. Greater than 8,000 s.f may be approved through a Type 2 review process.
- B. *Front setback* shall be 10 feet. Greater or lesser *setback* shall be reviewed through a Type 1 process. The area between the *building* and the *front property line* shall be used for pedestrian-oriented features, such as outdoor displays, benches, tables, gardens or similar features. The main pedestrian access shall be located in the front of the *building* with direct access onto a sidewalk. *Buildings* may be *setback* greater than 10 feet from the *front property line* if the area between the *front property line* and *building* is used for pedestrian-oriented features, or, if the area is an alcove in front of the pedestrian entrance. *Buildings* may be *setback* less than 10 feet if *building* wall design and finishes relate to the pedestrian scale (i.e., use of color, texture, windows), and pedestrian needs are otherwise accommodated.
- C. The following are not permitted: Auto repair, *convenience auto service*, auto sales, *pawn shop*, veterinarian, and drive-through facilities.
- D. *Site* design shall include at least one pedestrian amenity for each 2,000 s.f. of *gross floor area* or portion thereof. The amenity shall be approved by the *Director*, shall be located in an area accessible to pedestrians, and shall not be located on a sidewalk in the public *right-of-way*, unless approved through a Type 1 review. The following are examples of possible pedestrian amenities: awning over public sidewalk; bench; outdoor table and chairs for minimum of four people.
- E. Outdoor storage is limited to *accessory* storage of goods sold at *retail* on the premises. Outdoor storage areas shall be limited to five feet in *height* and shall not be located in any required landscape area.
- F. Parking and loading areas shall not be located between the *building* and the *right-of-way*.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; display: inline-block; text-align: center;"> CN Zone </div> USE ↓	REGULATIONS	Special Review Process (See Ch. 19.65)	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.015.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)	
			Lot Area	SETBACKS		Lot Coverage					Building Height
				Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage				
19.15.015.2 <i>Convenience Retail</i> <i>Office</i> <i>Eating & Drinking Establishment</i>	None	None	10'	0'	70%	85%	35'	C	1.5 spaces per 1,000 s.f. of <i>net floor area</i> . May be reduced to 1 space per 1,000 s.f. of <i>net floor area</i> if on-street parking is available. <i>Eating & Drinking Establishment</i> : 7 spaces per 1,000 s.f. of <i>net floor area</i> . May be reduced to 5 spaces per 1,000 s.f. of <i>net floor area</i> if on-street parking is available. [Ord. 313 §1, 2000]		
19.15.015.3 <i>Family Day Care Home I and II</i>	None	See Special Regulation 1							1. Must comply with requirements of the <i>primary use</i> . 2. <i>Family Day Care Home II</i> : Must provide State certification of safe passenger loading area.		
19.15.015.4 <i>Day Care Center</i>	None	None	10'	0'	70%	85%	35'	B	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. <i>Day Care Center</i> : Must provide State certification of safe passenger loading area.	

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 2px solid black; padding: 5px; text-align: center; width: 60px; margin: 0 auto;"> CN Zone </div> <p align="center">USE ↓</p>	REGULATIONS	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.015.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)		
		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage				Building Height	
				Front Setback	Interior Setback	Building Coverage					Impervious Surface Coverage

<p>19.15.015.5 <i>Mixed Use</i></p> <p><i>Senior Citizen Assisted Dwelling Unit</i></p> <p><i>Community Residential Facility</i></p>	Type 1	None	10'	0'	70%	85%	35'	C	<p>See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]</p>	<ol style="list-style-type: none"> <i>Mixed use</i> not allowed in CN zone located on Maplewild Avenue SW. Shall provide <i>retail convenience, office, or eating & drinking establishment uses</i> on floor adjacent to public street, or if property does not abut a public street, on floor adjacent to parking lot. <i>Eating & drinking establishment</i> may be located on any floor. Maximum residential density is 12 <i>dwelling units</i> per acre. <i>Senior citizen assisted dwelling unit</i> or <i>community residential facility</i> only allowed as part of a <i>mixed use</i> project.
<p>19.15.015.6 <i>Public Park and Recreation Facilities</i></p>	None See Spec. Reg. 3 [Ord. 560 § 3, 2012]	None	10' See Spec. Reg. 2	0' See Spec. Reg. 2	60%	85%	35'	C	<p>See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]</p>	<ol style="list-style-type: none"> Lighting for <i>structures</i> and fields shall be directed away from <i>dwelling units</i>. <i>Structures</i> shall maintain a 50-foot <i>setback</i> from <i>adjoining lots</i> containing <i>single detached dwelling units</i>. The <i>Director</i> may allow <i>structures</i> such as playground equipment, ball field backstops and tennis court <i>fences</i> closer than 50' if compatible with the surrounding neighborhood and traffic safety considerations. No special review process if project design is approved by the City Council through a public review process that includes posting a notice board at the site and notification to neighbors; otherwise a Type 2 review process is required. [Ord. 560 § 3, 2012]

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center; width: 40px; margin: 0 auto;"> CN Zone </div> <p align="center">USE ↓</p>	↓REGULATIONS	Special Review Process (See Ch. 19.65)	MINIMUMS			MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.015.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)
			Lot Area	SETBACKS		Lot Coverage		Building Height			
				Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage				

19.15.015.7 <i>Community, Cultural, Religious or Government Facility</i> [Ord. 479 § 1, 2007]	Type 2 [Ord. 560 § 3, 2012]	None	10'	0'	60%	85%	35'	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	
19.15.015.8 <i>Public Utility</i>	Type 2 [Ord. 560 § 3, 2012]	None	30'	30'	60%	85%	35'	D	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts.
19.15.015.9 <i>Personal Wireless Service Facility</i> ⁽¹⁾	See Chapter 19.50									
19.15.015.10 <i>Community Garden</i> [Ord. 560 § 3, 2012]	None	None	10'	0'	15%	25%	12'	A	See Sec. 19.20.030.2	1. A land use agreement approved by the <i>Director</i> shall be executed between the landowner and those who are interested in gardening on private land. The agreement shall include Community Garden Rules to maintain the property safely and prevent disturbances to neighboring property owners and residents.

(1) Amended, Ord. 265, 1999

Note: All landscape categories added by Ord. 293, 2000

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center;"> CN Zone </div> USE ↓	↓REGULATIONS	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.015.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)		
		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage				Building Height	
				Front Setback	Interior Setback	Building Coverage					Impervious Surface Coverage
<u>19.15.015.11</u> <u>Marijuana Retailers</u> <u>[Ord. 599 § 2, 2014]</u>	Type 1	None	10'	0'	70%	85%	35'	C	See Sec. 19.20.030.2	1. <u>The facility shall be designed, located, constructed and buffered to blend in with its surroundings and mitigate significant adverse impacts on adjoining properties and the community. Special attention shall be given to minimizing odor, noise, light, glare and traffic impacts.</u> 2. <u>Must comply with all requirements of State law and Washington State Liquor Control Board's regulations.</u> 3. <u>Marijuana retailers shall not locate in the Single-Family Residential (RS), Multi-Family Residential (RM), Professional Residential (PR), Office (O) or Ruth Dykeman Children's Center zones.</u> 4. <u>Marijuana retailers shall not locate in a building in which non-conforming retail uses have been established in any residential or office zone.</u> 5. <u>Marijuana retailers shall not operate as an accessory to a primary use or as a home occupation.</u> 6. <u>Marijuana retailers shall not locate within one thousand feet (1,000') as measured by the shortest straight line distance from the property line of the licensed premises to the property line of an elementary or secondary school, playground, recreational center or facility, child care center, public park, public transit center, library or arcade where admission is not restricted to those age 21 and older.</u>	



Section 19.15.020—INTERSECTION COMMERCIAL ZONE

PURPOSE AND INTENT: The Intersection Commercial (IC) zone implements the Intersection Commercial Comprehensive Plan designation. The purpose of this zone is to establish areas (in otherwise residential areas) for low to moderate intensity convenience commercial uses to serve customers travelling to and from their nearby homes. The intent is to provide a diverse mix of uses which serve multiple residential areas, designed to encourage pedestrian and transit access, be compatible with adjacent residential neighborhoods, and be consistent with road and utility capacity.

ONLY THOSE USES LISTED ON THE FOLLOWING USE ZONE CHARTS MAY BE ALLOWED IN THE CI ZONE, SUBJECT TO MEETING ALL APPLICABLE REQUIREMENTS OF THE ZONING CODE. THE FOLLOWING SPECIAL REGULATIONS APPLY TO ALL USES IN THE INTERSECTION COMMERCIAL ZONE. BE SURE TO CHECK THE APPLICABLE USE ZONE CHART FOR ADDITIONAL REQUIREMENTS THAT PERTAIN TO SPECIFIC USES. WHERE A SPECIAL REGULATION BELOW CONFLICTS WITH A SPECIAL REGULATION IN A USE ZONE CHART FOR A SPECIFIC USE, THE USE ZONE CHART SHALL APPLY.

19.15.020.1: SPECIAL REGULATIONS:

- A. Primary vehicular access shall be from an *arterial street*.
- B. The property owner shall record access easements and shared parking agreements between the *site* and abutting CI-zoned properties. This regulation applies whenever there is a change in tenant or a *substantial improvement* on a *lot*. This regulation may be waived or modified through a Type 1 review, if complying with the requirement is infeasible or an alternative solution would better meet the goals of providing shared access and parking.
- C. Repealed, Ord. 529, 2009

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center; width: 40px; margin: 0 auto;"> CI Zone </div> <p align="center">USE ↓</p>	<p style="writing-mode: vertical-rl; transform: rotate(180deg);">REGULATIONS</p>	MINIMUMS		MAXIMUMS			<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Landscape Category (See Ch. 19.25)</p>	<p align="center">Minimum Required Parking Spaces (See Ch. 19.20)</p>	<p align="center">Special Regulations (See also Section 19.15.020.1 and Chapter 19.17, Miscellaneous Use, Development and Performance Standards)</p>		
		<p align="center">Special Review Process (See Ch. 19.65)</p>	<p align="center">Lot Area</p>	SETBACKS		Lot Coverage				<p align="center">Building Height</p>	
				<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Front Setback</p>	<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Interior Setback</p>	<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Building Coverage</p>					<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Impervious Surface Coverage</p>
<p>19.15.020.2 <i>Convenience Retail</i></p> <p><i>Office</i></p> <p><i>Eating and Drinking Establishment</i></p> <p><i>Convenience Auto Service</i></p>	<p>See Spec. Reg. 1</p>	<p>None</p>	<p>10'</p>	<p>0'</p>	<p>70%</p>	<p>85%</p>	<p>35'</p>	<p>C</p>	<p>3 spaces per 1,000 s.f. of <i>net floor area</i></p> <p><i>Eating and Drinking Establishment-13</i> spaces per 1,000 s.f. of dining or lounge area. [Ord. 313 § 1, 2000]</p>	<p>1. Maximum <i>gross floor area per building</i> is 5,000 s.f. Up to 10,000 s.f. may be approved through a Type 1 review process. Greater than 10,000 s.f. may be approved through a Type 2 review process.</p> <p>2. The following are not permitted: auto sales, <i>pawn shop</i> and veterinarian.</p> <p>3. Outdoor <i>use</i> and storage is limited to <i>accessory display and/or storage of goods sold at retail</i> on the premises. Outdoor <i>use</i> and storage areas shall be limited to five feet in <i>height</i> and shall not be located in any required landscape area.</p> <p>4. Auto service activities shall occur inside a building.</p>	
<p>19.15.020.3 <i>Family Day Care Home I and II</i></p>	<p>None</p>	<p align="center">See Special Regulation 1</p>							<p>1. Must comply with requirements of the <i>primary use</i>.</p> <p>2. <i>Family Day Care Home II</i>: Must provide State certification of safe passenger loading area.</p>		
<p>19.15.020.4 <i>Day Care Center</i></p>	<p>None</p>	<p>None</p>	<p>10'</p>	<p>0'</p>	<p>70%</p>	<p>85%</p>	<p>35'</p>	<p>B</p>	<p>See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]</p>	<p>1. Must provide State certification of safe passenger loading area.</p>	

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center; width: 40px; margin: 0 auto;"> CI Zone </div> USE ↓	REGULATIONS ↓	Special Review Process (See Ch. 19.65)	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.020.1 and Chapter 19.17, Miscellaneous Use, Development and Performance Standards)	
			Lot Area	SETBACKS		Lot Coverage					Building Height
				Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage				
19.15.020.5 <i>Mixed Use</i> <i>Senior Citizen Assisted Dwelling Unit</i> <i>Community Residential Facility</i>		None	None	10'	0'	70%	85%	45'	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000] <ol style="list-style-type: none"> 1. Shall provide <i>convenience retail, office or eating and drinking establishment uses</i> on the floor adjacent to a <i>street</i>, or if the <i>site</i> does not abut a <i>street</i>, on floor adjacent to parking lot. <i>Eating and drinking establishment</i> is permitted on any floor. 2. Maximum residential density shall not exceed the highest density allowed by the zoning of an abutting residentially zoned <i>lot</i>. If more than one residentially zoned <i>lot</i> abuts the subject lot, the highest residential zoning density may be used to calculate the maximum residential density. In cases where there is no residentially zoned <i>lot</i> abutting the subject <i>lot</i>, the maximum allowed residential density shall be established by the zoning of the closest residentially zone lot. [Ord. 484 § 1, 2008] 3. The following are not permitted: auto repair shop, auto sales, <i>convenience auto service</i>, drive-through facilities, <i>pawn shop</i>, or veterinarian. 4. Outdoor <i>use</i> and storage is limited to <i>accessory display and/or storage of goods sold at retail</i> on the premises. Outdoor <i>use</i> and storage areas shall be limited to five feet in <i>height</i> and shall not be located in any required landscape area. 5. <i>Senior citizen assisted dwelling unit or community residential facility</i> only allowed as part of a <i>mixed use</i> project. 6. At least 25% of the <i>gross floor area</i> must be designed and used for <i>retail, office or eating and drinking establishment uses</i>. [Ord. 560 § 3, 2012] 	

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center; width: 40px; margin: 0 auto;"> CI Zone </div> <p align="center">USE ↓</p>	REGULATIONS	MINIMUMS						MAXIMUMS		Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.020.1 and Chapter 19.17, Miscellaneous Use, Development and Performance Standards)
		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage		Building Height				
				Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage					
19.15.020.6 <i>Public Park and Recreation Facilities</i>	None See Spec. Reg. 3 [Ord. 560 § 3, 2012]	None	10' See Spec. Reg. 2	0' See Spec. Reg. 2	60%	85%	35'	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Lighting for structures and fields shall be directed away from residential areas. 2. Structures shall maintain a 50-foot <i>setback</i> from <i>adjoining lots</i> zoned RS. The <i>Director</i> may allow structures such as playground equipment, ball field backstops and tennis court <i>fences</i> closer than 50' if compatible with the surrounding neighborhood and traffic safety considerations. 3. No special review process if project design is approved by the City Council through a public review process that includes posting a notice board at the site and notification to neighbors; otherwise a Type 2 review process is required. [Ord. 560 § 3, 2012]		
19.15.020.7 <i>Community, Cultural, Religious or Government Facility</i> [Ord. 479 § 1, 2007]	Type 2 [Ord. 560 § 3, 2012]	None	10'	0'	60%	85%	35'	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]			

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
<div style="border: 1px solid black; padding: 5px; text-align: center;"> CI Zone </div> USE ↓	↓REGULATIONS	Special Review Process (See Ch. 19.65)	MINIMUMS			MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.020.1 and Chapter 19.17, Miscellaneous Use, Development and Performance Standards)
			Lot Area	SETBACKS		Lot Coverage		Building Height			
				<i>Front Setback</i>	<i>Interior Setback</i>	<i>Building Coverage</i>	<i>Impervious Surface Coverage</i>				
19.15.020.8 <i>Public Utility</i>	Type 2 [Ord. 560 § 3, 2012]	None	30'	30'	60%	85%	35'	D	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts.	
19.15.020.9 <i>Personal Wireless Service Facility</i> ⁽¹⁾	See Chapter 19.50										
19.15.020.10 <i>Community Garden</i> [Ord. 560 § 3, 2012]	None	None	10'	0'	15%	25%	12'	A	See Sec. 19.20.030.2	1. A land use agreement approved by the <i>Director</i> shall be executed between the landowner and those who are interested in gardening on private land. The agreement shall include Community Garden Rules to maintain the property safely and prevent disturbances to neighboring property owners and residents.	

(1) Amended, Ord. 265, 1999

Note: All landscape categories added by Ord. 293, 2000

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center; width: 40px; margin: 0 auto;"> CI Zone </div> <p align="center">USE ↓</p>	REGULATIONS	Special Review Process (See Ch. 19.65)	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.020.1 and Chapter 19.17, Miscellaneous Use, Development and Performance Standards)	
			Lot Area	SETBACKS		Lot Coverage					Building Height
				Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage				

19.15.020.11 <u>Marijuana Retailers</u> [Ord. 599 § 2, 2014]	Type 1	None	10'	0'	70%	85%	35'	C	See Sec. 19.20.030.2	<p>1. <u>The facility shall be designed, located, constructed and buffered to blend in with its surroundings and mitigate significant adverse impacts on adjoining properties and the community. Special attention shall be given to minimizing odor, noise, light, glare and traffic impacts.</u></p> <p>2. <u>Must comply with all requirements of State law and Washington State Liquor Control Board's regulations.</u></p> <p>3. <u>Marijuana retailers shall not locate in the Single-Family Residential (RS), Multi-Family Residential (RM), Professional Residential (PR), Office (O) or Ruth Dykeman Children's Center zones.</u></p> <p>4. <u>Marijuana retailers shall not locate in a building in which non-conforming retail uses have been established in any residential or office zone.</u></p> <p>5. <u>Marijuana retailers shall not operate as an accessory to a primary use or as a home occupation.</u></p> <p>6. <u>Marijuana retailers shall not locate within one thousand feet (1,000') as measured by the shortest straight line distance from the property line of the licensed premises to the property line of an elementary or secondary school, playground, recreational center or facility, child care center, public park, public transit center, library or arcade where admission is not restricted to those age 21 and older.</u></p>
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Section 19.15.025—DOWNTOWN COMMERCIAL ZONE

PURPOSE AND INTENT: The Downtown Commercial (DC) zone implements the Downtown Commercial Comprehensive Plan designation. The purpose of the DC zone is to foster a vibrant, compact, pedestrian oriented area by allowing high density residential development in combination with 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 downtown a community focal point and center, as well as a lively place in the evening and on the weekends. Residential densities re 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.

The community’s vision for downtown is an attractive, clean, safe and vibrant place that is welcoming to people of all ages. A friendly place where you can walk between the good mix of shops. Downtown will have a special look, created by a cohesive physical theme and design guidelines that emphasize quality, permanence, individuality and uniqueness within the overall urban fabric. Overall, downtown Burien will be a destination—the comfortable and welcoming, fun and lively heart of a great small town.

To help achieve these goals, desired uses and public amenities are achieved through a public benefit incentive program. This program allows increased building height and bulk in exchange for the provision of streetscape improvements, design elements, civic contributions and provision of land uses that are highly desired by the community.

ONLY THOSE USES LISTED ON THE FOLLOWING USE ZONE CHARTS MAY BE ALLOWED IN THE DC ZONE, SUBJECT TO MEETING ALL APPLICABLE REQUIREMENTS OF THE ZONING CODE. THE FOLLOWING SPECIAL REGULATIONS APPLY TO ALL USES IN THE DOWNTOWN COMMERCIAL ZONE. BE SURE TO CHECK THE APPLICABLE USE ZONE CHART FOR ADDITIONAL REQUIREMENTS THAT PERTAIN TO SPECIFIC USES. WHERE A SPECIAL REGULATION BELOW CONFLICTS WITH A SPECIAL REGULATION IN A USE ZONE CHART FOR A SPECIFIC USE, THE USE ZONE CHART SHALL APPLY.

19.15.025.1: SPECIAL REGULATIONS:

- A. Outdoor use and storage is limited to *accessory* storage of goods sold at *retail* on the premises. All outdoor storage must be located to the side or the rear of buildings, and may not exceed 200 square feet in size.
- B. Distribution, wholesaling, or manufacturing that support the primary use are allowed as an accessory use. [Ord. 484 § 1, 2008]
- C. Drive-through facilities are prohibited adjacent to *Class A Pedestrian-Oriented Streets*. This prohibition does not apply to drive-through banks.
- D. Temporary seasonal uses (such as Christmas tree lots or farmers markets) and community festivals may be approved by the City Manager or his/her designee.
- E. All utilities on-site shall be located underground. Undergrounding of utilities in public *rights-of-way* or *alleys* is encouraged through the Public Benefit Incentive System (BMC 19.15.025.1.J).
- F. **MAXIMUM BUILDING HEIGHT:** Maximum *building heights* in the DC zone shown on Figure 19.15.025-1. The first number listed is the base *building height*. The second number listed is the maximum allowable *building height* that can only be achieved by using the Public Benefit Incentive System in Section 19.15.025.1.J below. In the 5-8 story height area, the City Council may increase the height limit on a case-by-case basis to 12 stories through a Type 3 review. The maximum allowable *building height* may be increased by no more than 10 percent or 15 feet, whichever is greater, if the applicant demonstrates that the increase is necessary for reasonable development of the *building* and will be used to provide interesting roof forms such as pitched or sloped elements, pyramidal, spire or dome shapes, cupolas, or other such decorative architectural features.

- G. MAXIMUM GROSS FLOOR AREA: The maximum *gross floor area* allowed on a *site* is determined by multiplying the *lot area* of the *site* (prior to any required *right-of-way* dedication) by the first number in the floor area ratio (FAR). The base FAR is 3.5:1. Using the Public Benefit Incentive System in Section 19.15.025.1.J below, the maximum *gross floor area* allowed on a *site* can be increased up to an FAR of 7:1. For the purposes of this section, *gross floor area* does not include any area designed and used for parking.
- H. DESIGN GUIDELINES: See BMC 19.47 for downtown design standards and BMC 19.65.105 for information on the Administrative Design Review process.
- I. On-site pedestrian pathways and amenities and *pedestrian-oriented space* do not count toward the maximum allowable *impervious surface coverage*.
- J. PUBLIC BENEFIT INCENTIVE SYSTEM: A *building* may exceed the *gross floor area* and/or *building height* limits as allowed in Sections 19.15.025.1.F and G above, only if the requirements of this section are met.
- i. After a project uses the maximum area of public benefit feature eligible for bonus, additional bonus floor area for that public benefit will not be awarded.
 - ii. The applicant shall dedicate *right-of-way* to the City (if additional *right-of-way* is needed, based on an adopted City street or *right-of-way* plan) in order to participate in the Public Benefit Incentive System. Dedication of *right-of-way* is eligible for bonus floor area as described in Table 19.15.025.1.

The *Director* may approve any public benefit feature not listed in Table 19.15.025.1 if a public benefit will be derived from development of the proposed public benefit feature in the proposed location.

Table 19.15.025.1

PUBLIC BENEFIT FEATURE	BONUS GROSS FLOOR AREA PER UNIT OF PUBLIC BENEFIT FEATURE	MAXIMUM BONUS GROSS FLOOR AREA ALLOWED PER PUBLIC BENEFIT FEATURE
1. Streetscape		
1 sq.ft. of right-of-way dedication	5 square feet	No limit
1 linear foot to underground utilities within <i>public right-of-way</i> or alley	5 square feet	No limit
2. Design Elements		
1 sq.ft. of underground parking	5 square feet	No limit
1 sq. ft. of well-designed above-ground parking structure ¹	2.5 square foot	No limit
1 sq.ft. of shared parking (for other <i>sites</i>)	0.5 square feet	No limit
Unique Architectural Design ¹	10% of site area	10% of site area
1 sq.ft. of Rooftop Garden	2 square feet	No limit
1 sq. ft. of rooftop beautification	2 square feet	No limit
3. Civic Contributions		
1 sq.ft. of public parking area	0.5 square feet	15,000 square feet
1 sq. ft. of public meeting/conference facilities	1 square foot	No limit
Each \$1,000 spent on public art	100 square feet	No limit
4. Uses		
1 sq.ft. restaurant (not fast-food or take-out)	1 square foot	No limit
1 sq.ft. rooftop or top floor restaurant (not fast-food or take-out)	4 square feet	No limit
1 sq.ft. market rate or higher dwelling unit ²	2 square feet	No limit
1 sq.ft. condominium dwelling unit ⁴	2 square feet	No limit
1 sq.ft. of day-care facilities	6 square feet	2,000 square feet
1 sq.ft. of public restroom	4 square feet	1,000 square feet
1 sq.ft. of public open space	4 square feet	No limit
1 sq. ft. of retail use on ground floor	2 square feet	No limit
1 sq.ft. of theater or performing arts venue	5 square feet	No limit
Transfer of development rights	To be determined	To be determined

¹ Director determination.

² Areas devoted to service cores and community facilities may be used to obtain bonus floor area. No area devoted to parking or circulation may be used for this purpose.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center;"> DC Zone </div> USE ↓	↓ REGULATIONS	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.030.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)		
		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage				Building Height	
				Front Setback	Interior Setback	Building Coverage					Impervious Surface Coverage
19.15.025.2 <i>Mixed Use</i>	None	None	0'	0'	85%	95%	See Sec. 19.15.025.1.F	E	See Sec. 19.20.040.3.B [Ord. 531 § 1, 2010]	1. Must have at least two <i>uses</i> listed in Sec. 19.15.025. 2. At least 75% of the <i>gross floor area</i> located at <i>street level</i> must be devoted to non-residential <i>uses</i> . 3. The following are not permitted: motor vehicle sales and rental; boat sales and rental; <i>recycling center</i> ; pawn shops and <i>self-service storage facility</i> .	
19.15.025.3 <i>Retail</i>	None	None	0'	0'	85%	95%	See Sec. 19.15.025.1.F	E	See Sec. 19.20.040.3.B [Ord. 531 § 1, 2010]	1. The following are not permitted: motor vehicle sales and rental; boat sales and rental; <i>recycling center</i> ; pawn shops and <i>self-service storage facility</i> . 2. Repair uses are permitted subject to the following conditions: a. All activities shall be conducted indoors; and b. Patrons wishing services must be able to carry item(s) in by hand (examples include watch, shoe, jewelry and small hand tool repair); and c. The Director has the final determination on what constitutes small-scale repair uses consistent with the purpose and intent of the zone and all applicable comprehensive plan policies. [Ord. 484 § 1, 2008]	

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<div style="border: 1px solid black; padding: 5px; text-align: center;"> DC Zone </div> USE ↓	↓ REGULATIONS	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.030.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)		
		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage				Building Height	
				Front Setback	Interior Setback	Building Coverage					Impervious Surface Coverage
19.15.025.4 <i>Dwelling Units</i>	None	None	0'	0'	85%	95%	See Sec. 19.15.025.1.F	E	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Not permitted at <i>street</i> level abutting a <i>Class A Pedestrian-Oriented Street</i> . 2. All resident parking must be in structured parking (such as garages or under- <i>building</i> or underground parking). Carports are not considered structured parking. 3. Exterior hallways and corridors are not allowed.	
19.15.025.5 <i>Community Facility</i> <i>Cultural Facility</i> <i>Eating and Drinking Establishment</i> <i>Government Facility</i> <i>Lodging Facility</i> <i>Office</i> <i>Private Club</i> <i>Public Park and Recreation Facilities</i> <i>Recreational Facility</i> <i>School</i> <i>Theater</i>	None	None	0'	0'	85%	95%	See Sec. 19.15.025.1.F	E	See Sec. 19.20.040.3.B [Ord. 531 § 1, 2010]	1. Auto rental is permitted as an <i>accessory use</i> to a <i>lodging facility</i> . The maximum number of cars allowed is the lesser of 30 cars or 5% of the total number of parking spaces on the <i>site</i> . The rental desk must be inside the <i>lodging facility building</i> . 2. Repair uses are permitted subject to the following conditions: a. All activities shall be conducted indoors; and b. Patrons wishing services must be able to carry item(s) in by hand (examples include watch, shoe, jewelry and small hand tool repair); and c. The Director has the final determination on what constitutes small-scale repair uses consistent with the purpose and intent of the zone and all applicable comprehensive plan policies. [Ord. 484 § 1, 2008]	

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<div style="border: 1px solid black; padding: 5px; text-align: center; width: 40px; margin: 0 auto;"> DC Zone </div> USE ↓	REGULATIONS ↓	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.030.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)		
		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage				Building Height	
				Front Setback	Interior Setback	Building Coverage					Impervious Surface Coverage
19.15.025.6 <i>Family Day Care Home I and II</i>	None	See Special Regulation 1						E	See Sec. 19.20.040.3.B [Ord. 531 § 1, 2010]	1. Must comply with requirements of the <i>primary use</i> . 2. <i>Family Day Care Home II</i> : Must provide State certification of safe passenger loading area. 3. Use of the <i>Fee-In-Lieu</i> of Parking Program in BMC 19.20.040.3.B is an option for this use.	
19.15.025.7 <i>Day Care Center</i>	None	None	0'	0'	85%	95%	See Sec. 19.15.025.1.F	E	See Sec. 19.20.040.3.B [Ord. 531 § 1, 2010]	1. Must provide State certification of safe passenger loading area.	
19.15.025.8 <i>Religious Facility</i> [Ord. 479 § 1, 2007]	None	None	0'	0'	85%	95%	See Sec. 19.15.025.1.F	E	See Sec. 19.20.040.3.B [Ord. 531 § 1, 2010]		
19.15.025.9 <i>Public Utility</i>	Type 1	None	0'	0'	85%	95%	35'	E	See Sec. 19.20.040.3.B [Ord. 531 § 1, 2010]	1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts.	
19.15.025.10 <i>Essential Public Facility</i>	Type 2 [Ord. 560 § 3, 2012]	See Chapter 19.50								1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts. 2. Shall comply with criteria for siting found in the Burien Comprehensive Plan.	
19.15.025.11 <i>Personal Wireless Service Facility</i>	See Chapter 19.50										
19.15.025.12 <i>Community Garden</i> [Ord. 560 § 3, 2012]	None	None	0'	0'	15%	25%	12'	A	See Sec. 19.20.040.3.B	1. A land use agreement approved by the <i>Director</i> shall be executed between the landowner and those who are interested in gardening on private land. The agreement shall include Community Garden Rules to maintain the property safely and prevent disturbances to neighboring property owners and residents.	

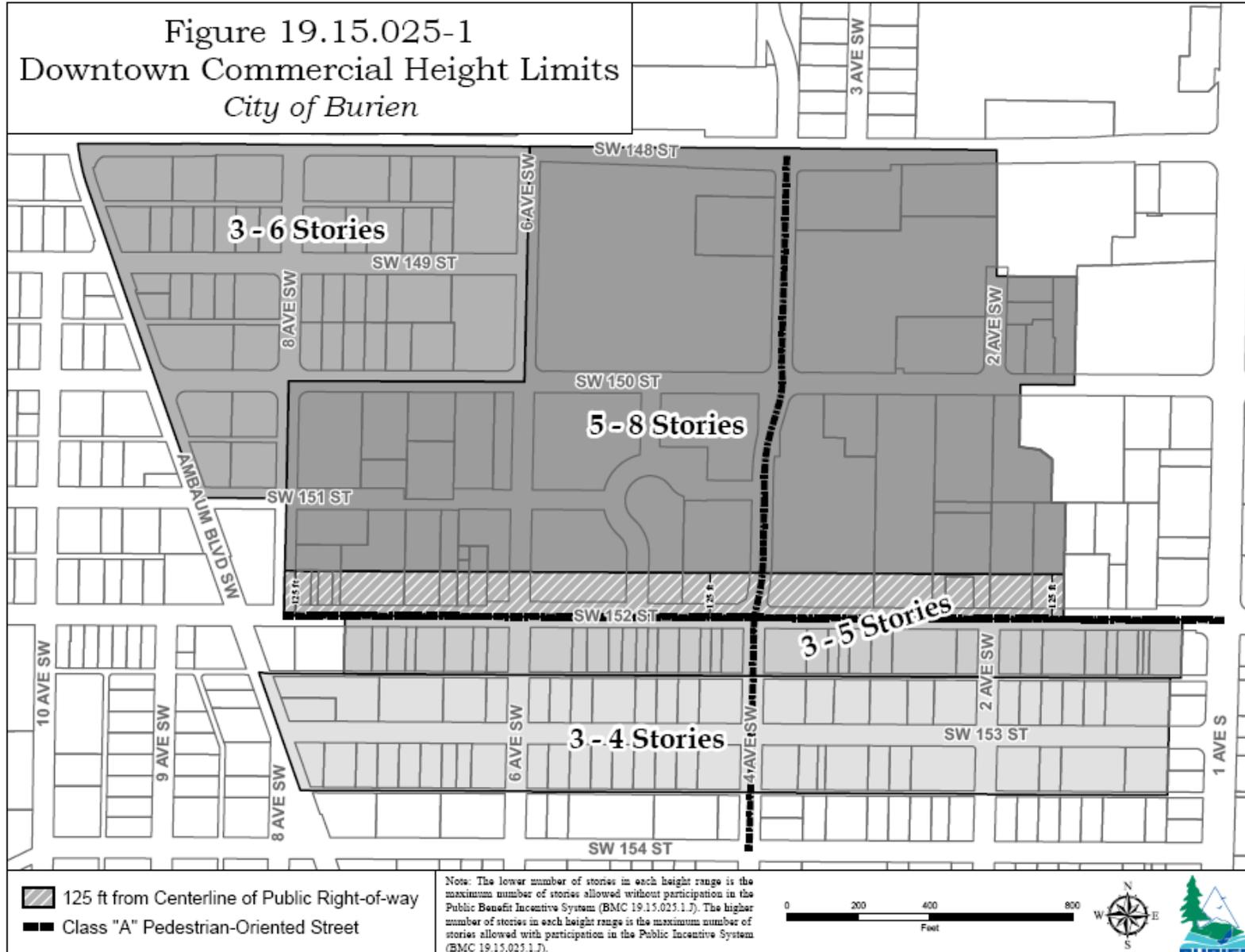
DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; display: inline-block;"> DC Zone </div> <p align="center">USE ↓</p>	↓ REGULATIONS	Special Review Process (See Ch. 19.65)	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.030.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)	
			Lot Area	SETBACKS		Lot Coverage					Building Height
				Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage				

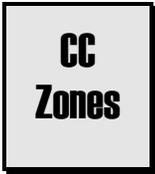
19.15.025.13 <u>Marijuana Retailers</u> [Ord. 599 § 2, 2014]	Type 1	None	0'	0'	85%	95%	See Sec. 19.15.025.1.F	E	See Sec. 19.20.040.3.B	1. The facility shall be designed, located, constructed and buffered to blend in with its surroundings and mitigate significant adverse impacts on adjoining properties and the community. Special attention shall be given to minimizing odor, noise, light, glare and traffic impacts. 2. Must comply with all requirements of State law and Washington State Liquor Control Board's regulations. 3. <u>Marijuana retailers shall not locate in the Single-Family Residential (RS), Multi-Family Residential (RM), Professional Residential (PR), Office (O) or Ruth Dykeman Children's Center zones.</u> 4. <u>Marijuana retailers shall not locate in a building in which non-conforming retail uses have been established in any residential or office zone.</u> 5. <u>Marijuana retailers shall not operate as an accessory to a primary use or as a home occupation.</u> 6. <u>Marijuana retailers shall not locate within one thousand feet (1,000') as measured by the shortest straight line distance from the property line of the licensed premises to the property line of an elementary or secondary school, playground, recreational center or facility, child care center, public park, public transit center, library or arcade where admission is not restricted to those age 21 and older.</u>
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Note: All landscape categories added by Ord. 293, 2000

Figure 19.15.025-1
 Downtown Commercial Height Limits
 City of Burien



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Section 19.15.035—COMMUNITY COMMERCIAL ZONES

PURPOSE AND INTENT: The Community Commercial (CC) zones implement the Community Commercial Comprehensive Plan designation. To recognize the differences in surrounding neighborhood character and intensity between the designated Community Commercial areas, two CC zones have been established: CC-1 and CC-2. The purpose of these zones are to establish areas for moderate intensity commercial uses that serve the community. The intent is to provide for a variety of goods and services in areas which are designed to encourage pedestrian and transit access, be compatible with adjacent residential neighborhoods, and be consistent with road and utility capacity. The CC-1 zone allows for lower-intensity uses in the Community Commercial-designated areas that are near downtown Burien and along 1st Avenue So. near S. 176th St., that could be compatible with the adjacent single-family and low density multi-family areas. The CC-2 zone allows for higher-intensity uses in the Community Commercial-designated area at Five Corners that could be compatible with the adjacent regional commercial, office, high density multi-family, and single-family areas.

ONLY THOSE USES LISTED ON THE FOLLOWING USE ZONE CHARTS MAY BE ALLOWED IN THE CC ZONE, SUBJECT TO MEETING ALL APPLICABLE REQUIREMENTS OF THE ZONING CODE. THE FOLLOWING SPECIAL REGULATIONS APPLY TO ALL USES IN THE COMMUNITY COMMERCIAL ZONE. BE SURE TO CHECK THE APPLICABLE USE ZONE CHART FOR ADDITIONAL REQUIREMENTS THAT PERTAIN TO SPECIFIC USES. WHERE A SPECIAL REGULATION BELOW CONFLICTS WITH A SPECIAL REGULATION IN A USE ZONE CHART FOR A SPECIFIC USE, THE USE ZONE CHART SHALL APPLY.

19.15.035.1: SPECIAL REGULATIONS:

- A. Outdoor storage is limited to *accessory* storage of goods sold at retail on the premises. Outdoor storage areas shall be limited to five feet in *height* and shall not be located in any required landscape area.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center; width: 40px; margin: 0 auto;"> CC Zones </div> <p align="center">USE ↓</p>	<p align="center">↓REGULATIONS</p>	<p align="center">Special Review Process (See Ch. 19.65)</p>	MINIMUMS		MAXIMUMS			<p align="center">Landscape Category (See Ch. 19.25)</p>	<p align="center">Minimum Required Parking Spaces (See Ch. 19.20)</p>	<p align="center">Special Regulations (See also Section 19.15.035.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)</p>	
			<p align="center">Lot Area</p>	SETBACKS		Lot Coverage					<p align="center">Building Height</p>
				<p align="center">Front Setback</p>	<p align="center">Interior Setback</p>	<p align="center">Building Coverage</p>	<p align="center">Impervious Surface Coverage</p>				
<p>19.15.035.2 <i>Retail</i></p> <p><i>Office</i></p> <p><i>Recreational Facility</i></p>	None	None	10'	0'	80%	85%	35'	C	<p>3 spaces per 1,000 s.f. of net floor area. [Ord. 313 §1, 2000]</p>	<ol style="list-style-type: none"> 1. The following are not permitted: motor vehicle sales and rental; boat sales and rental; <i>theater, recycling center, and self-service storage facility.</i> 2. Vehicle repair activities must occur inside a building. [Ord. 560 § 3, 2012] 3. For <i>retail use</i> in the CC-1 zone, maximum <i>gross floor area</i> per <i>building</i> is 25,000 s.f. Up to 30,000 s.f. may be approved through a Type 1 review process. 4. A <i>kennel</i> is allowed as an indoor <i>accessory use</i> to a veterinarian, provided that noise and odor impacts are adequately mitigated. 5. Distribution, wholesaling, repair or manufacturing that support the <i>primary use</i> are allowed as an <i>accessory use</i>. 6. An <i>amusement arcade</i> is allowed as an <i>accessory use</i>. 7. Development of <i>retail use</i> on parcel numbers 302304-9037, 302304-9089, 302304-9117, 302304-9271 and 302304-9376 (located east of Sylvester Middle School) must be part of a master site plan that includes property to the east of these lots. The master site plan shall include at least the following elements: coordinated access, site and building design, and signing. Through a Type 1 review the <i>Director</i> may approve a master site plan involving two or more parcels that does not include property to the east of these parcels, if the elements above are included in the plan. 	
<p>19.15.035.3 Eating and Drinking Establishment</p>	None	None	10'	0'	80%	85%	35'	C	<p>13 spaces per 1,000 s.f. of dining or lounge area</p>	<ol style="list-style-type: none"> 1. Distribution, wholesaling or manufacturing that support the <i>primary use</i> are allowed as an <i>accessory use</i>. 2. An <i>amusement arcade</i> is allowed as an <i>accessory use</i>. 	

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS

<div style="border: 2px solid black; padding: 5px; text-align: center; width: 60px; margin: 0 auto;"> CC Zones </div> <p align="center">USE ↓</p>	REGULATIONS ↓	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.035.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)		
		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage				Building Height	
				Front Setback	Interior Setback	Building Coverage					Impervious Surface Coverage

19.15.035.4 <i>Lodging Facility</i> <i>Cultural Facility</i> <i>Community Facility</i> <i>School</i>	None	None	10'	0'	80%	85%	35'	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	
19.15.035.5 <i>Family Day Care Home I and II</i>	None	See Special Regulation 1								<ol style="list-style-type: none"> 1. Must comply with requirements of the <i>primary use</i>. 2. <i>Family Day Care Home II</i>: Must provide State certification of safe passenger loading area.
19.15.035.6 <i>Day Care Center</i>	None	None	10'	0'	80%	85%	35'	B	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	<ol style="list-style-type: none"> 1. Must provide State certification of safe passenger loading area.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center;"> CC Zones </div> USE ↓	↓REGULATIONS	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.035.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)		
		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage				Building Height	
				Front Setback	Interior Setback	Building Coverage					Impervious Surface Coverage
19.15.035.7 <i>Mixed Use</i> <i>Senior Citizen Assisted Dwelling Unit</i> <i>Community Residential Facility</i>	None	None	10'	0'	80%	85%	35'	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Maximum residential density in the CC-1 zone is: 18 <i>dwelling units</i> per acre in the CC-1 areas north of SW 152 nd St. and around So. 176 th St; and, 24 <i>dwelling units</i> per acre in the area south of SW 153 rd St. 2. Maximum residential density in the CC-2 zone is 24 <i>dwelling units</i> per acre. 3. Shall provide <i>retail, office or eating and drinking establishment uses</i> on the floor adjacent to a <i>street</i> , or if the <i>site</i> does not abut a <i>street</i> , on floor adjacent to parking lot. <i>Eating and drinking establishment</i> is permitted on any floor. 4. At least 25% of the <i>gross floor area</i> must be designed and used for <i>retail, office or eating and drinking establishment uses</i> . 5. <i>Senior citizen assisted dwelling unit or community residential facility</i> only allowed as part of a <i>mixed use</i> project.	
19.15.035.8 <i>Public Park and Recreation Facilities</i>	None	None.	10'	0'	80%	85%	35'	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Lighting for structures and fields shall be directed away from residential areas.	
19.15.035.9 Nursing Home	None	None	10'	0'	80%	85%	35'	B	1 space for every 4 beds		
19.15.035.10 Government Facility Private Club Religious Facility Funeral Home	Type 1	None	10'	0'	80%	85%	35'	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]		

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center;"> CC Zones </div> USE ↓	↓REGULATIONS	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.035.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)		
		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage				Building Height	
				Front Setback	Interior Setback	Building Coverage					Impervious Surface Coverage
19.15.035.11 <i>Public Utility</i>	Type 1	None	30'	30'	80%	85%	35'	D	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts.	
19.15.035.12 <i>Essential Public Facility</i>	Type 2 [Ord. 560 § 3, 2012]	Development standards shall be determined on a case-by-case basis through the Type 2 review process. [Ord. 560 § 3, 2012]								1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts. 2. Shall comply with criteria for siting found in the Burien Comprehensive Plan.	
19.15.035.13 <i>Personal Wireless Service Facility</i> ⁽¹⁾	See Chapter 19.50										
19.15.035.14 Uses permitted in King County Code (KCC) 21A.38.100 Special Overlay District – Commercial/Industrial, In Effect on 4/1/2010 with exception of Adult Entertainment [Ord. 533 § 1, 2010]	None	None	10'	0'	80%	85%	35'	C	See Sec. 19.20.030.2	1. Uses are only permitted in the CC-2 zoned area located on both sides of 16 th Avenue SW between SW 112 th Street and SW 116 th Street.	
19.15.035.15 <i>Community Garden</i> [Ord. 560 § 3, 2012]	None	None	10'	0'	15%	25%	12'	A	See Sec. 19.20.030.2	1. A land use agreement approved by the <i>Director</i> shall be executed between the landowner and those who are interested in gardening on private land. The agreement shall include Community Garden Rules to maintain the property safely and prevent disturbances to neighboring property owners and residents.	

(1) Amended, Ord. 265, 1999

Note: All landscape categories added by Ord. 293, 2000

<p>19.15.035.16 <u>Marijuana Retailers</u> <u>[Ord. 599 § 2, 2014]</u></p>	<p><u>Type 1</u></p>	<p><u>None</u></p>	<p><u>10'</u></p>	<p><u>0'</u></p>	<p><u>80%</u></p>	<p><u>85%</u></p>	<p><u>35'</u></p>	<p><u>C</u></p>	<p><u>See Sec. 19.20.030.2</u></p>	<ol style="list-style-type: none"> 1. <u>The facility shall be designed, located, constructed and buffered to blend in with its surroundings and mitigate significant adverse impacts on adjoining properties and the community. Special attention shall be given to minimizing odor, noise, light, glare and traffic impacts.</u> 2. <u>Must comply with all requirements of State law and Washington State Liquor Control Board's regulations.</u> 3. <u>Marijuana retailers shall not locate in the Single-Family Residential (RS), Multi-Family Residential (RM), Professional Residential (PR), Office (O) or Ruth Dykeman Children's Center zones.</u> 4. <u>Marijuana retailers shall not locate in a building in which non-conforming retail uses have been established in any residential or office zone.</u> 5. <u>Marijuana retailers shall not operate as an accessory to a primary use or as a home occupation.</u> 6. <u>Marijuana retailers shall not locate within one thousand feet (1,000') as measured by the shortest straight line distance from the property line of the licensed premises to the property line of an elementary or secondary school, playground, recreational center or facility, child care center, public park, public transit center, library or arcade where admission is not restricted to those age 21 and older.</u>
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Section 19.15.040—REGIONAL COMMERCIAL ZONE

PURPOSE AND INTENT: The Regional Commercial (CR) zone implements the Regional Commercial Comprehensive Plan designation. The purpose of this zone is to establish areas for commercial uses that serve the community, the region and the travelling public. The intent is to provide for larger scaled commercial uses that are typically land intensive and are not well-suited to being located downtown, which are designed to encourage pedestrian and transit access, be compatible with adjacent residential neighborhoods, and be consistent with road and utility capacity.

ONLY THOSE USES LISTED ON THE FOLLOWING USE ZONE CHARTS MAY BE ALLOWED IN THE CR ZONE, SUBJECT TO MEETING ALL APPLICABLE REQUIREMENTS OF THE ZONING CODE. THE FOLLOWING SPECIAL REGULATIONS APPLY TO ALL USES IN THE REGIONAL COMMERCIAL ZONE. BE SURE TO CHECK THE APPLICABLE USE ZONE CHART FOR ADDITIONAL REQUIREMENTS THAT PERTAIN TO SPECIFIC USES. WHERE A SPECIAL REGULATION BELOW CONFLICTS WITH A SPECIAL REGULATION IN A USE ZONE CHART FOR A SPECIFIC USE, THE USE ZONE CHART SHALL APPLY.

19.15.040.1: SPECIAL REGULATIONS:

A. SETBACKS

- i. The required *front setback* shall be landscaped with Type III landscaping as described in Chapter 19.25. The depth of the landscaped area shall be increased 2 feet for each 10 feet (or portion thereof) *building setback* greater than 10 feet. The *Director* may allow or require installation of pedestrian-oriented features or amenities in the *setback*. [Ord. 313 §1, 2000]
- ii. Parking and vehicular circulation areas are not allowed in the required *front setback*. One driveway or parking entrance per *site* is allowed in the *front setback*. For a *site* with a *street* frontage of 240 feet or less, the maximum width for a driveway or parking entrance within the *front setback* is 24 feet. For a *site* with a *street* frontage exceeding 240 feet, the maximum width for a driveway or parking entrance within the *front setback* is 30 feet. The *Director* may modify these requirements if additional landscaping area that exceeds the requirements of this Code is provided on or off-site.
- iii. Outdoor use, activity or storage is not allowed in any required *setback* or required landscape area. The *Director* may approve use of a *setback* or landscaped area for vehicle display and sales, provided that such use will not create a public safety hazard and the remaining landscape areas are either expanded in area or planted with more vegetation.

B. PARKING

- i. Parking lots shall not be located between the *street* and the *building(s)* on the site. The *Director* may waive or modify this requirement through a Type 1 review if no other feasible alternative exists, or if the proposed site plan provides adequate screening of the majority of the parking area from the *street*.
- ii. The maximum width of a parking lot within 20 feet of a *street* shall not exceed the lesser of 63 feet or 75% of the frontage of the *site*.



Section 19.15.040—REGIONAL COMMERCIAL ZONE

PURPOSE AND INTENT: The Regional Commercial (CR) zone implements the Regional Commercial Comprehensive Plan designation. The purpose of this zone is to establish areas for commercial uses that serve the community, the region and the travelling public. The intent is to provide for larger scaled commercial uses that are typically land intensive and are not well-suited to being located downtown, which are designed to encourage pedestrian and transit access, be compatible with adjacent residential neighborhoods, and be consistent with road and utility capacity.

C. BUILDING DESIGN

- i. Each *building* wall or portion of a wall that is closer than 50 feet to any *property line* of the *site* must be screened or treated in at least one of the ways listed in Section 19.15.040.1.C.ii below if it meets either of the following criteria:
 - a. The wall or portion of the wall has a surface area of at least 400 square feet and has a length and a width of at least 10 feet without a window, door, facade *modulation* at least 4 feet in depth or other architectural feature; or,
 - b. The wall or portion of the wall is between 4 feet and 13 feet above finished grade level directly adjacent to the wall and has a horizontal dimension longer than 15 feet without a window, door, facade *modulation* at least 4 feet in depth or other architectural feature.
- ii. At least one of the following techniques must be used to treat or screen *building* walls or portions of walls that meet either of the criteria in Section 19.15.040.1.C.i:
 - a. Installation of a vertical trellis with climbing vines or plant material in front of the wall. The trellis and its mounting system shall be of sufficient strength to support mature vegetation.
 - b. Providing a landscaped planting bed at least 5 feet wide or a raised planter bed at least 2 feet high and 3 feet wide in front of the wall and planted with materials that will obscure or screen at least 50% of the wall within 2 years. The planting bed is in addition to any landscaping required by other sections of this Code.
 - c. Use of alternative techniques to screen the wall, as approved through a Type 1 review process.
- iii. The first floor walls of a *building* which are within 50 feet of and face toward a *street* shall include at least one public entrance to the *building* or window to provide visual access to the activity within the *building*, for each 50 feet of wall length. Alternative techniques to provide visual access to the activity within the *building* may be used, if approved through a Type 1 review process.

D. The following special regulations apply to property along the west side of Occidental Ave. So. between So. 136th St. and So. 138th St.:

- i. Non-residential *uses* shall not use Occidental Av. So. for primary access.
- ii. Type 1 *landscaping* shall be provided within the unused portion of the west half of the Occidental Av. So. *right-of-way*.
- iii. Lighting shall be directed away from the adjacent *residential zone*.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 2px solid black; padding: 5px; width: fit-content; margin: 0 auto;"> CR Zone </div> <p align="center">USE ↓</p>	<p>↓REGULATIONS</p>	Special Review Process (See Ch. 19.65)	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.040.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)	
			Lot Area	SETBACKS		Lot Coverage					Building Height
				Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage				

19.15.040.2 <i>Retail</i> <i>Office</i> <i>Recreational Facility</i> <i>Theater</i> <i>Kennel</i>	None	None	10'	0'	85%	90%	35'	C	3 spaces per 1,000 s.f. of net floor area. [Ord. 313 §1, 2000]	1. The following are not permitted: <i>recycling center</i> , and <i>self-service storage facility</i> . 2. Distribution, wholesaling, or manufacturing that support the <i>primary use</i> are allowed as an <i>accessory use</i> . 3. An <i>amusement arcade</i> is allowed as an <i>accessory use</i> .
19.15.040.3 <i>Eating and Drinking Establishment</i>	None	None	10'	0'	85%	90%	35'	C	13 spaces per 1,000 s.f. of dining or lounge area	1. Distribution, wholesaling or manufacturing that support the <i>primary use</i> are allowed as an <i>accessory use</i> . 2. An <i>amusement arcade</i> is allowed as an <i>accessory use</i> .
19.15.040.4 <i>Lodging Facility</i>	None	None	10'	0'	85%	90%	45'	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	
19.15.040.5 <i>Community Facility</i> <i>School</i> <i>Day Care Center</i>	None	None	10'	0'	85%	90%	35'	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. <i>Day Care Center</i> : Must provide State certification of safe passenger loading area.
19.15.040.6 <i>Family Day Care Home I and II</i>	None	See Special Regulation 1						B		1. Must comply with requirements of the <i>primary use</i> . 2. <i>Family Day Care Home II</i> : Must provide State certification of safe passenger loading area.

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center; width: 40px; margin: 0 auto;"> CR Zone </div> USE ↓	REGULATIONS ↓	Special Review Process (See Ch. 19.65)	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.040.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)	
			Lot Area	SETBACKS		Lot Coverage					Building Height
				Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage				
19.15.040.7 <i>Mixed Use</i>	None	None	10'	0'	85%	90%	35'	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Maximum residential density is 24 <i>dwelling units</i> per acre. 2. Shall provide <i>retail, office or eating and drinking establishment uses</i> on the floor adjacent to a <i>street</i> , or if the <i>site</i> does not abut a <i>street</i> , on floor adjacent to parking lot. <i>Eating and drinking establishment</i> is permitted on any floor. 3. At least 25% of the <i>gross floor area</i> must be designed and used for <i>retail, office or eating and drinking establishment uses</i> .	
19.15.040.8 <i>Public Park and Recreation Facilities</i>	None	None.	10'	0'	85%	90%	35'	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Lighting for <i>structures</i> and fields shall be directed away from residential areas.	
19.15.040.9 Nursing Home	None	None	10'	0'	85%	90%	35'	B	1 space for every 4 beds		
19.15.040.10 Government Facility Private Club Religious Facility Funeral Home	Type 1	None	10'	0'	85%	90%	35'	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]		

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS

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		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage				Building Height	
				Front Setback	Interior Setback	Building Coverage					Impervious Surface Coverage

19.15.040.11 Public Utility	Type 1	None	30'	30'	85%	90%	35'	D	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts.
19.15.040.12 Indoor Shooting Range	Type 2	None	30'	30'	85%	90%	35'	D	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to mitigating noise impacts and designing the facility to protect non-users outside of the <i>building</i> from bullets that may penetrate the outer walls and ceiling of the <i>use</i> .
19.15.040.13 Essential Public Facility	Type 2 [Ord. 560 § 3, 2012]	Development standards shall be determined on a case-by-case basis through the Type 2 review process. [Ord. 560 § 3, 2012]								1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts. 2. Shall comply with criteria for siting found in the Burien Comprehensive Plan.
19.15.040.14 Personal Wireless Service Facility ⁽¹⁾	See Chapter 19.50									
19.15.040.15 Off-Site Commercial Parking	None. See Special Regulations 1 and 2.	None	10'	0'	85%	90%	35'	C	See Sec. 19.20.030.2	1. This <i>use</i> is limited to property used for new and/or used automotive sales currently or in the twelve (12) month period preceding application. 2. This <i>use</i> is allowed only until July 12, 2012. After this date, the <i>use</i> is illegal and must be removed.
19.15.040.16 Community Garden [Ord. 560 § 3, 2012]	None	None	10'	0'	15%	25%	12'	A	See Sec. 19.20.030.2	1. A land use agreement approved by the <i>Director</i> shall be executed between the landowner and those who are interested in gardening on private land. The agreement shall include Community Garden Rules to maintain the property safely and prevent disturbances to neighboring property owners and residents.

(1) Amended, Ord. 265, 1999

Note: All landscape categories added by Ord. 293, 2000

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center;"> CR Zone </div> USE ↓	↓REGULATIONS	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.040.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)		
		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage				Building Height	
				Front Setback	Interior Setback	Building Coverage					Impervious Surface Coverage
<u>19.15.040.17</u> <u>Marijuana Retailers</u> [Ord. 599 § 2, 2014]	<u>Type 1</u>	None	<u>10'</u>	<u>0'</u>	85%	90%	<u>35'</u>	<u>C</u>	<u>See Sec. 19.20.030.2</u>	1. <u>The facility shall be designed, located, constructed and buffered to blend in with its surroundings and mitigate significant adverse impacts on adjoining properties and the community. Special attention shall be given to minimizing odor, noise, light, glare and traffic impacts.</u> 2. <u>Must comply with all requirements of State law and Washington State Liquor Control Board's regulations.</u> 3. <u>Marijuana retailers shall not locate in the Single-Family Residential (RS), Multi-Family Residential (RM), Professional Residential (PR), Office (O) or Ruth Dykeman Children's Center zones.</u> 4. <u>Marijuana retailers shall not locate in a building in which non-conforming retail uses have been established in any residential or office zone.</u> 5. <u>Marijuana retailers shall not operate as an accessory to a primary use or as a home occupation.</u> 6. <u>Marijuana retailers shall not locate within one thousand feet (1,000') as measured by the shortest straight line distance from the property line of the licensed premises to the property line of an elementary or secondary school, playground, recreational center or facility, child care center, public park, public transit center, library or arcade where admission is not restricted to those age 21 and older.</u>	

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Section 19.15.055—Special Planning Area 1: Old Burien

PURPOSE AND INTENT: Old Burien has served as the historic commercial gateway to this unique residential and farming community, which was established over a century ago by enterprising pioneers. The SPA-1 zone implements the SPA-1: Old Burien Comprehensive Plan designation. To recognize the unique historic character of Old Burien, and to provide a transition between the Downtown zones and residential areas, the SPA-1 zone was created. The purpose of this zone is to establish areas for retail, restaurants, commercial, and office uses that serve the community. The intent is to enhance and expand the pedestrian-oriented character of Old Burien, and develop a gateway both to and from the downtown at the intersection of Ambaum Boulevard and SW 152nd Street. The SPA-1 zone is immediately adjacent to the DC Zone.

ONLY THOSE USES LISTED ON THE FOLLOWING USE ZONE CHARTS MAY BE ALLOWED IN SPECIAL PLANNING AREA 1, SUBJECT TO MEETING ALL APPLICABLE REQUIREMENTS OF THE ZONING CODE. THE FOLLOWING SPECIAL REGULATIONS APPLY TO ALL USES IN SPECIAL PLANNING AREA 1. BE SURE TO CHECK THE APPLICABLE USE ZONE CHART FOR ADDITIONAL REQUIREMENTS THAT PERTAIN TO SPECIFIC USES. WHERE A SPECIAL REGULATION BELOW CONFLICTS WITH A SPECIAL REGULATION IN A USE ZONE CHART FOR A SPECIFIC USE, THE USE ZONE CHART SHALL APPLY.

19.15.055.1: SPECIAL REGULATIONS:

- A. Outdoor storage is limited to *accessory* storage of goods sold at *retail* on the premises. Outdoor storage areas shall be limited to five feet in *height* and shall not be located in any required landscape area.
- B. DESIGN GUIDELINES: See BMC 19.49 for SPA-1 design standards and BMC 19.65.105 for information on the Administrative Design Review Process.

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS

<div style="border: 2px solid black; padding: 5px; display: inline-block;"> SPA-1: Old Burien </div> USE ↓	↓REGULATIONS	Special Review Process (See Ch. 19.65)	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.055.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)	
			Lot Area	SETBACKS		Lot Coverage					Building Height
				Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage				
19.15.055.2 <i>Retail</i> <i>Office</i> <i>Recreational Facility</i>	None	None	0'	0'	85%	85%	3 stories	E	See Sec. 19.20.040.3. B [Ord. 531 §1, 2010]	1. The following are not permitted: motor vehicle sales and rental; boat sales and rental; <i>recycling center</i> ; and <i>self-service storage facility</i> . 2. For <i>retail use</i> , maximum <i>gross floor area per building</i> is 25,000 s.f. Up to 30,000 s.f. may be approved through a Type 1 review process. 3. Distribution, wholesaling, repair or manufacturing that support the <i>primary use</i> are allowed as an <i>accessory use</i> . 4. An <i>amusement arcade</i> is allowed as an <i>accessory use</i> .	
19.15.055.3 <i>Eating and Drinking Establishment</i>	None	None	0'	0'	85%	85%	2 stories	E	See Sec. 19.20.040.3. B [Ord. 531 §1, 2010]	1. Distribution, wholesaling or manufacturing that support the <i>primary use</i> are allowed as an <i>accessory use</i> . 2. An <i>amusement arcade</i> is allowed as an <i>accessory use</i> .	
19.15.055.4 <i>Lodging Facility</i> <i>Cultural Facility</i> <i>Community Facility</i> <i>School</i>	Type 1	None	0'	0'	85%	85%	4 stories	E	See Sec. 19.20.040.3. B [Ord. 531 §1, 2010]		

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS											
<div style="border: 2px solid black; padding: 5px; display: inline-block;"> SPA-1: Old Burien </div> USE ↓	↓REGULATIONS	Special Review Process (See Ch. 19.65)	MINIMUMS			MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.055.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)
			<i>Lot Area</i>	SETBACKS		Lot Coverage		<i>Building Height</i>			
				<i>Front Setback</i>	<i>Interior Setback</i>	<i>Building Coverage</i>	<i>Impervious Surface Coverage</i>				

19.15.055.5 <i>Family Day Care Home I and II</i>	None	See Special Regulation 1							E	1. Must comply with requirements of the <i>primary use</i> . 2. <i>Family Day Care Home II</i> : Must provide State certification of safe passenger loading area. 3. Use of the Fee-In-Lieu Parking Program in BMC 19.20.040.3.B is an option for this use.
19.15.055.6 <i>Day Care Center</i>	None	None	0'	0'	85%	85%	2 stories	E	See Sec. 19.20.040.3.B [Ord. 531 §1, 2010] 1. Must provide State certification of safe passenger loading area.	
19.15.055.7 <i>Mixed Use</i>	Type 1	None	0'	0'	85%	85%	3 stories	E	See Sec. 19.20.040.3.B [Ord. 531 §1, 2010] 1. Maximum residential density is 24 <i>dwelling units</i> per acre. 2. Shall provide <i>retail and/or eating and drinking establishment uses</i> on the floor adjacent to a <i>street</i> , or if the <i>site</i> does not abut a <i>street</i> , on floor adjacent to parking lot. 3. At least 25% of the <i>gross floor area</i> must be designed and used for <i>retail, office and/or eating and drinking establishment uses</i> .	
19.15.055.8 <i>Public Park and Recreation Facilities</i>	None. See Spec. Reg. 2 [Ord. 560 §3, 2012]	None. See Spec. Reg. 1	0'	0'	80%	85%	3 stories	E	See Sec. 19.20.040.3.B [Ord. 531 §1, 2010] 1. Lighting for <i>structures</i> and fields shall be directed away from residential areas. 2. No special review process if project design is approved by the City Council through a public review process that includes posting a notice board at the site and notification to neighbors; otherwise a Type 2 review process is required. [Ord. 560 §3, 2012]	

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS											
<div style="border: 2px solid black; padding: 5px; display: inline-block;"> SPA-1: Old Burien </div> USE ↓	↓REGULATIONS	Special Review Process (See Ch. 19.65)	MINIMUMS			MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.055.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)
			<i>Lot Area</i>	SETBACKS		Lot Coverage		<i>Building Height</i>			
				<i>Front Setback</i>	<i>Interior Setback</i>	<i>Building Coverage</i>	<i>Impervious Surface Coverage</i>				
19.15.055.9 <i>Government Facility</i> <i>Private Club</i> <i>Religious Facility</i>	Type 1	None	0'	0'	80%	85%	3 stories	E	See Sec. 19.20.040.3.B [Ord. 531 §1, 2010]		
19.15.055.10 <i>Public Utility</i>	Type 1	None	20'	30'	80%	85%	3 stories	E	See Sec. 19.20.040.3.B [Ord. 531 §1, 2010]	1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts.	
19.15.055.11 <i>Essential Public Facility</i>	Type 2 [Ord. 560 §3, 2012]	Development standards shall be determined on a case-by-case basis through the Type 2 review process. [Ord. 560 §3, 2012]								1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts. 2. Shall comply with criteria for siting found in the Burien Comprehensive Plan.	
19.15.055.12 <i>Personal Wireless Service Facility</i>	See Chapter 19.50										
19.15.055.13 <i>Community Garden</i> [Ord. 560 §3, 2012]	None	None	0'	0'	15%	25%	12'	A	See Sec. 19.20.040.3.B	1. A land use agreement approved by the <i>Director</i> shall be executed between the landowner and those who are interested in gardening on private land. The agreement shall include Community Garden Rules to maintain the property safely and prevent disturbances to neighboring property owners and residents.	

<p>19.15.055.14 <u>Marijuana Retailers</u> <u>[Ord. 599 § 2, 2014]</u></p>	<p><u>Type 1</u></p>	<p><u>None</u></p>	<p><u>0'</u></p>	<p><u>0'</u></p>	<p><u>85%</u></p>	<p><u>85%</u></p>	<p><u>3 stories</u></p>	<p><u>E</u></p>	<p><u>See Sec. 19.20.040.3.B</u></p>	<ol style="list-style-type: none"> 1. <u>The facility shall be designed, located, constructed and buffered to blend in with its surroundings and mitigate significant adverse impacts on adjoining properties and the community. Special attention shall be given to minimizing odor, noise, light, glare and traffic impacts.</u> 2. <u>Must comply with all requirements of State law and Washington State Liquor Control Board's regulations.</u> 3. <u>Marijuana retailers shall not locate in the Single-Family Residential (RS), Multi-Family Residential (RM), Professional Residential (PR), Office (O) or Ruth Dykeman Children's Center zones.</u> 4. <u>Marijuana retailers shall not locate in a building in which non-conforming retail uses have been established in any residential or office zone.</u> 5. <u>Marijuana retailers shall not operate as an accessory to a primary use or as a home occupation.</u> 6. <u>Marijuana retailers shall not locate within one thousand feet (1,000') as measured by the shortest straight line distance from the property line of the licensed premises to the property line of an elementary or secondary school, playground, recreational center or facility, child care center, public park, public transit center, library or arcade where admission is not restricted to those age 21 and older.</u>
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Note: All landscape categories added by Ord. 293, 2000



Section 19.15.065—Special Planning Area 3: Gateway

PURPOSE AND INTENT: The Special Planning Area 3 (SPA-3): Gateway zone implements the SPA-3 Comprehensive Plan designation. The purpose of this zone is to establish an area that will develop a quality environment that identifies a primary entrance to the City from major transportation corridors. The intent of the zone is to encourage well-designed, quality development that reinforces a positive image as one enters adjacent downtown Burien and promotes economic development. Site design, building design and landscaping is also intended to encourage pedestrian activity and connectivity to downtown.

ONLY THOSE USES LISTED ON THE FOLLOWING USE ZONE CHARTS MAY BE ALLOWED IN THE SPA-3 ZONE, SUBJECT TO MEETING ALL APPLICABLE REQUIREMENTS OF THE ZONING CODE. THE FOLLOWING SPECIAL REGULATIONS APPLY TO ALL USES IN THE GATEWAY SPECIAL PLANNING AREA ZONE. BE SURE TO CHECK THE APPLICABLE USE ZONE CHART FOR ADDITIONAL REQUIREMENTS THAT PERTAIN TO SPECIFIC USES. WHERE A SPECIAL REGULATION BELOW CONFLICTS WITH A SPECIAL REGULATION IN A USE ZONE CHART FOR A SPECIFIC USE, THE USE ZONE CHART SHALL APPLY.

19.15.065.1: SPECIAL REGULATIONS:

A. SETBACKS

- i. The required *front setback* shall be landscaped with Type III landscaping as described in Chapter 19.25. The depth of the landscaped area shall be increased 2 feet for each 10 feet (or portion thereof) *building setback* greater than 10 feet. The *Director* may allow or require installation of pedestrian-oriented features or amenities in the *setback*. {Ord. 313 §1, 2000}
- ii. Parking and vehicular circulation areas are not allowed in the required *front setback*. One driveway or parking entrance per *site* for each street frontage is allowed in the *front setback*. For a *site* with a *street* frontage exceeding 240 feet, or for a *lodging facility* with a circular passenger loading area, an additional driveway or parking entrance within the *front setback* is permitted. The *Director* may modify these requirements if additional landscaping area that exceeds the requirements of this Code is provided on or off-site.
- iii. Outdoor use, activity or storage is not allowed in any required *setback* or required landscape area. The *Director* may approve use of a *setback* or landscaped area for vehicle display and sales, provided that such use will not create a public safety hazard and the remaining landscape areas are either expanded in area or planted with more vegetation.

B. PARKING

- i. Parking lots shall not be located between the *street* and the *building(s)* on the site. The *Director* may waive or modify this requirement through a Type 1 review if no other feasible alternative exists, or if the proposed site plan provides adequate screening of the majority of the parking area from the *street*.
- ii. The maximum width of a parking lot within 20 feet of a *street* shall not exceed the lesser of 63 feet or 75% of the frontage of the *site*.

C. BUILDING DESIGN

- i. Each *building* wall or portion of a wall that is closer than 50 feet to any *property line* of the *site* must be screened or treated in at least one of the ways listed in Section 19.15.065.1.C.ii below if it meets either of the following criteria:
 - a. The wall or portion of the wall has a surface area of at least 400 square feet and has a length and a width of at least 10 feet without a window, door, facade *modulation* at least 4 feet in depth or other architectural feature; or,
 - b. The wall or portion of the wall is between 4 feet and 13 feet above finished grade level directly adjacent to the wall and has a horizontal dimension longer than 15 feet without a window, door, facade *modulation* at least 4 feet in depth or other architectural feature.
- ii. At least one of the following techniques must be used to treat or screen *building* walls or portions of walls that meet either of the criteria in Section 19.15.065.1.C.i:
 - a. Installation of a vertical trellis with climbing vines or plant material in front of the wall. The trellis and its mounting system shall be of sufficient strength to support mature vegetation.
 - b. Providing a landscaped planting bed at least 5 feet wide or a raised planter bed at least 2 feet high and 3 feet wide in front of the wall and planted with materials that will obscure or screen at least 50% of the wall within 2 years. The planting bed is in addition to any landscaping required by other sections of this Code.
 - c. Use of alternative techniques to screen the wall, as approved through a Type 1 review process.
- iii. The first floor walls of a *building* which are within 50 feet of and face toward a *street* shall include at least one public entrance to the *building* or window to provide visual access to the activity within the *building*, for each 50 feet of wall length. Alternative techniques to provide visual access to the activity within the *building* may be used, if approved through a Type 1 review process.

D. URBAN DESIGN ELEMENTS

- i. New Development and/or *substantial improvement* shall
 - a. Conform with the Burien Gateway Design Report dated December 1998.
 - b. Underground any existing above-ground utilities in the *right-of-way*, if feasible, and if approved by the serving utility.
 - c. Underground all proposed utilities and any existing above-ground utilities located between any *structures* on the *site* and the *right-of-way*.
 - d. Dedicate adequate width for abutting substandard *right-of-ways*, based on the City's adopted road standards, including the width of all improvements required to be located in the *right-of-way*.
- ii. Repealed. [Ord. 313 §1, 2000]

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

 <p align="center">USE</p> <p align="center">↓</p>	<p align="center">↓ REGULATIONS</p>	<p align="center">Special Review Process (See Ch. 19.65)</p>	MINIMUMS		MAXIMUMS			<p align="center">Landscape Category (See Ch. 19.25)</p>	<p align="center">Minimum Required Parking Spaces (See Ch. 19.20)</p>	<p align="center">Special Regulations (See also Section 19.15.065.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)</p>	
			<p align="center">Lot Area</p>	SETBACKS		Lot Coverage					<p align="center">Building Height</p>
				<p align="center">Front Setback</p>	<p align="center">Interior Setback</p>	<p align="center">Building Coverage</p>	<p align="center">Impervious Surface Coverage</p>				

<p>19.15.065.2 <i>Retail</i></p> <p><i>Office</i></p> <p><i>Recreational Facility</i></p> <p><i>Theater</i></p>	<p align="center">None See Special Regulation 4</p>	<p align="center">None</p>	<p align="center">5'</p>	<p align="center">0'</p>	<p align="center">85%</p>	<p align="center">90%</p>	<p align="center">3 Stories</p>	<p align="center">C</p>	<p>3 spaces per 1,000 s.f. of net floor area. [Ord. 313 §1, 2000]</p>	<ol style="list-style-type: none"> The following are not permitted: <i>recycling center</i>, and <i>self-service storage facility</i>. Distribution, wholesaling, or manufacturing that support the <i>primary use</i> are allowed as an <i>accessory use</i>. An <i>amusement arcade</i> is allowed as an <i>accessory use</i>. Retail uses shall not exceed 60,000 square feet of <i>gross floor area</i>, except through a Type 1 review.
<p>19.15.065.3 <i>Eating and Drinking Establishment</i></p>	<p align="center">None</p>	<p align="center">None</p>	<p align="center">5'</p>	<p align="center">0'</p>	<p align="center">85%</p>	<p align="center">90%</p>	<p align="center">3 Stories</p>	<p align="center">C</p>	<p>13 spaces per 1,000 s.f. of dining or lounge area</p>	<ol style="list-style-type: none"> Distribution, wholesaling or manufacturing that support the <i>primary use</i> are allowed as an <i>accessory use</i>. An <i>amusement arcade</i> is allowed as an <i>accessory use</i>.
<p>19.15.065.4 <i>Day Care Center</i></p>	<p align="center">None</p>	<p align="center">None</p>	<p align="center">5'</p>	<p align="center">0'</p>	<p align="center">85%</p>	<p align="center">90%</p>	<p align="center">3 Stories</p>	<p align="center">B</p>	<p>See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]</p>	<ol style="list-style-type: none"> Must Provide State certification of safe passenger loading area.
<p>19.15.065.5 <i>Lodging Facility</i></p>	<p align="center">None</p>	<p align="center">None</p>	<p align="center">5'</p>	<p align="center">0'</p>	<p align="center">85%</p>	<p align="center">90%</p>	<p align="center">No limit</p>	<p align="center">C</p>	<p>See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]</p>	
<p>19.15.065.6 <i>Community Facility</i></p>	<p align="center">None</p>	<p align="center">None</p>	<p align="center">5'</p>	<p align="center">0'</p>	<p align="center">85%</p>	<p align="center">90%</p>	<p align="center">3 Stories</p>	<p align="center">C</p>	<p>See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]</p>	
<p>19.15.065.7 <i>Mixed Use</i></p>	<p align="center">None</p>	<p align="center">None</p>	<p align="center">5'</p>	<p align="center">0'</p>	<p align="center">85%</p>	<p align="center">90%</p>	<p align="center">3 Stories</p>	<p align="center">C</p>	<p>See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]</p>	<ol style="list-style-type: none"> Maximum residential density is 24 dwelling units per acre. Shall provide retail, office and/or eating and drinking establishment uses on the floor adjacent to a street, or if the site does not abut a street, on floor adjacent to parking lot. At least 25% of the gross floor area must be designed and used for retail, office or eating and drinking establishment uses.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

 USE ↓	↓REGULATIONS	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS							Special Regulations (See also Section 19.15.065.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)		
		Special Review Process (See Ch. 19.65)	MINIMUMS			MAXIMUMS				Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)
			Lot Area	SETBACKS		Lot Coverage		Building Height			
		Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage						
19.15.065.8 <i>Public Park and Recreation Facilities</i>	None	None	5'	0'	85%	90%	3 Stories	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Lighting for <i>structures</i> and fields shall be directed away from residential areas.	
19.15.065.9 <i>Government Facility</i> <i>Private Club</i> <i>Religious Facility</i> <i>Funeral Home</i>	Type 1	None	5'	0'	85%	90%	3 Stories	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]		
19.15.065.10 <i>Public Utility</i>	Type 1	None	30'	30'	85%	90%	3 Stories	D	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts.	
19.15.065.11 <i>Essential Public Facility</i>	Type 2 [Ord. 560 § 3, 2012]	Development standards shall be determined on a case-by-case basis through the Type 2 review process. [Ord. 560 § 3, 2012]								1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts. 2. Shall comply with criteria for siting found in the Burien Comprehensive Plan.	
19.15.065.12 <i>Nursing Home</i>	None	None	5'	0'	85%	90%	3 Stories	B	1 space for every 4 beds		

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

<div style="border: 1px solid black; padding: 5px; text-align: center;"> SPA-3 GATEWAY </div> <p style="text-align: center;">USE ↓</p>	↓REGULATIONS	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.065.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)		
		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage				Building Height	
				Front Setback	Interior Setback	Building Coverage					Impervious Surface Coverage

19.15.065.13 <i>Personal Wireless Service Facility</i>	See Chapter 19.50									
19.15.065.14 <i>Off-Site Commercial Parking</i>	None See Special Regulations 1 and 2.	None	5'	0'	85%	90%	3 stories	C	See Sec. 19.20.030.2	1. This <i>use</i> is limited to property used for new and/or used automobile sales currently or in the twelve (12) month period preceding application. 2. This <i>use</i> is allowed only until July 1, 2012. After this date, the <i>use</i> is illegal and must be removed.
19.15.065.15 <i>Community Garden</i> [Ord. 560 § 3, 2012]	None	None	5'	0'	15%	25%	12'	A	See Sec. 19.20.030.2	1. A land use agreement approved by the <i>Director</i> shall be executed between the landowner and those who are interested in gardening on private land. The agreement shall include Community Garden Rules to maintain the property safely and prevent disturbances to neighboring property owners and residents.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

 USE ↓	↓REGULATIONS	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS							Special Regulations (See also Section 19.15.065.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)		
		Special Review Process (See Ch. 19.65)	MINIMUMS			MAXIMUMS				Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)
			Lot Area	SETBACKS		Lot Coverage		Building Height			
		Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage						
19.15.065.16 <u>Marijuana Retailers</u> [Ord. 599 § 2, 2014]	<u>Type 1</u>	None	<u>5'</u>	<u>0'</u>	85%	90%	<u>3 stories</u>	<u>C</u>	<u>See Sec. 19.20.030.2</u>	1. <u>The facility shall be designed, located, constructed and buffered to blend in with its surroundings and mitigate significant adverse impacts on adjoining properties and the community. Special attention shall be given to minimizing odor, noise, light, glare and traffic impacts.</u> 2. <u>Must comply with all requirements of State law and Washington State Liquor Control Board's regulations.</u> 3. <u>Marijuana retailers shall not locate in the Single-Family Residential (RS), Multi-Family Residential (RM), Professional Residential (PR), Office (O) or Ruth Dykeman Children's Center zones.</u> 4. <u>Marijuana retailers shall not locate in a building in which non-conforming retail uses have been established in any residential or office zone.</u> 5. <u>Marijuana retailers shall not operate as an accessory to a primary use or as a home occupation.</u> 6. <u>Marijuana retailers shall not locate within one thousand feet (1,000') as measured by the shortest straight line distance from the property line of the licensed premises to the property line of an elementary or secondary school, playground, recreational center or facility, child care center, public park, public transit center, library or arcade where admission is not restricted to those age 21 and older.</u>	

Note: All landscape categories added by Ord. 293, 2000

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3. Standards for operation of a *bed and breakfast establishment*.
 - A. Accessory Use. The *bed and breakfast use* must be *accessory* to the permanent residence of the operator.
 - B. Residential Character. Internal or external alterations of the *structure* that make the dwelling appear less residential in character are not allowed. Such changes may include paving of *setbacks*, constructing large parking areas visible from the *street* or neighboring properties and commercial type lighting.
 - C. Food Service. Food service may be provided only to overnight guests of the *bed and breakfast*.
 - D. Maximum Size. *Bed and breakfasts* are limited to three (3) bedrooms for guests. No more than ten (10) people total (including residents) may be accommodated overnight.
 - E. Parking. In addition to the required parking for the residential *use*, one on-site *parking space* is required for each room that is available for guests.
 - F. Employees. One non-resident employee is allowed on the premises at any one time. Occasional services provided by outside contractors, such as yard care or building maintenance, are not counted as non-resident employees.
 - G. Events. Meetings and social gatherings, including banquets, weddings, parties, retreats or other gatherings for direct or indirect compensation, are prohibited.
 - H. Business License. *Bed and breakfast establishments* are required to obtain a business license from the City Clerk's office.
 - I. Signs. *Signs* for *bed and breakfasts* are subject to the standards in BMC 19.30 Signs, as now in affect, and as may be subsequently be amended. [Ord. 529, 2009, Ord. 355 §1, 2002]

19.17.090 Home occupations

1. Purpose. The purpose of the *home occupation* regulations is to encourage flexibility in the work place and promote small-business opportunities in Burien by allowing *home occupations*. The further purpose of the regulations is to protect the residential character of neighborhoods by ensuring that *home occupations* are of a scale and intensity that is compatible with residential areas.
2. Home Occupation Types.
 - A. Type A *home occupations* are those that have no employees or customers come to the *site* and that do not use machinery or use or store *hazardous substances* on the premises. Type A *home occupations* may use equipment commonly found in a single-family home or professional *office*, such as computers, fax machines and copiers.
 - B. Type B *home occupations* are those that have one employee or any number of customers come to the *site*, use machinery, such as wood or metal shop tools, or use or store *hazardous substances* on the premises.

3. Licensing and Permits Required.
 - A. All *home occupations* (Type A and Type B) are required to obtain a City of Burien business license from the City Clerk's Office.
 - B. Type B *home occupations* are required to obtain a home occupation permit from the Department of Community Development prior to issuance of a business license.
 - C. Home occupation permit procedures:
 - i. *Home occupation* permits are valid for a period of two years. It is the responsibility of the *applicant* to obtain a permit every two years.
 - ii. Permits for *home occupations* that utilize machinery and/or use or store *hazardous substances* shall obtain approval from the Building Official and Fire Marshall.
 - iii. Inspection may be required prior to the issuance of a *home occupation* permit or as necessary to ensure compliance with applicable codes and conditions of the permit.
 - iv. Upon approval of a Type B *home occupation* permit, the Department of Community Development shall issue a notice to residents abutting and across the *street* from the *home occupation* and within 300 feet along the *street* in both directions. The notice shall describe the approved *home occupation* and standards by which it must operate
 - v. The *Director* shall take appropriate action to enforce the requirements of this section. Failure to comply with the regulations of this section or conditions of the permit may result in the *home occupation* permit being revoked or denial of an application for renewal of the permit.
 - D. Type B *home occupations* that have a valid City of Burien business license on April 23, 2002 shall be required to obtain a *home occupation* permit within 2 years. If the Type B *home occupation* does not comply with current standards, it shall be subject to the provisions of BMC 19.55 Non-conformance.
4. Permitted home occupations. Residents of a *dwelling unit* may conduct one or more *home occupation* as *accessory* activities, provided they comply with the standards of this section and are not prohibited by subsection A below or another section of this code. The rationale for restricting the specific *uses* listed below is based on the goals and policies of the comprehensive plan, which generally states that well established residential areas should be protected from encroachment of non-residential *uses* that may be detrimental to those residential areas. The following *uses* are inconsistent with the goals and policies of the comprehensive plan and are restricted due to incompatibilities including but not limited to noise generation, visual appearance, odor and traffic impacts that are detrimental to residential areas:
 - A. Prohibited home occupations.
 - i. Automobile, truck and *heavy equipment* repair, body work or painting
 - ii. Large or small engine repair
 - iii. Large appliance repair

- iv. Parking and storage of *heavy equipment* or vehicles
 - v. Storage of building materials for use on other properties
 - vi. Headquarters or dispatch centers where more than one employee comes to the *site* and are dispatched to other locations
 - vii. Commercial *kennels*, cateries and stables
 - viii. Commercial painting
 - ix. *Religious facilities* (see BMC 19.15 for specific zoning requirements)
 - x. *Marijuana producers, processors and retailers*
5. Standards for operation of a *home occupation*:
- A. Size. The total area devoted to all *home occupation(s)* shall not exceed 25 percent of the combined *gross floor area* of the primary residence and permitted *accessory buildings*, provided the floor area must be enclosed within a *building* to be counted.
 - B. Location. *Home occupations* may be conducted in the primary residence or a permitted *accessory building*. All the activities of the *home occupation(s)* shall be conducted indoors, except for those related to growing or storing of plants used by the *home occupation(s)*. Exterior storage, display or repair of goods or equipment related to *home occupation(s)* is prohibited.
 - C. Employees. *Home occupations* shall have no more than one nonresident employee on the premises at any one time.
 - D. Parking. In addition to required parking for the *dwelling unit*, on-site parking shall be provided as follows:
 - i. One stall for a nonresident employee that will work on the premises; and
 - ii. One stall for customers when services are rendered on-site.
 - E. Retail Sales. Retail sales shall be limited to items produced on-site or incidental sales of items associated with a service provided by the *home occupation*.
 - F. Customers. Customer visits to *home occupations* are limited to the hours from 8 a.m. to 8 p.m. No more than one customer may be at the residence at any one time and no more than 8 customer visits shall occur in any one-day. For the purpose of this section, one customer may consist of more than one person, such as a *family*.
 - G. Vehicles. The *home occupation(s)* may use or store one (1) vehicle for pickup or delivery of materials used by the home occupation(s), provided:
 - i. Such vehicle shall not park on adjacent *streets* or within any required *setback* areas of the *lot*, with the exception of the driveway; and
 - ii. Such vehicle shall not exceed a gross vehicle weight rating of 10,000 pounds or capacity of one ton or similarly sized vehicle. The *Director* shall have the final determination

authority on vehicle size and should consider potential impacts to the residential character of the neighborhood and/or surrounding properties.

- H. Deliveries to the *home occupation(s)* are permitted between 8 a.m. and 8 p.m. Vehicles used to deliver goods to the *home occupation* are limited to passenger vehicles, mail carriers and express carriers, such as UPS.
 - I. Operation of the *home occupation(s)* shall comply with all applicable regulations, including but not limited to the Burien Municipal Code, International Building Code and International Fire Code, and shall not: [Ord. 560 § 3, 2012]
 - i. Create vibrations, heat, glare, dust, odors or smoke that is discernible at the *property lines* and is offensive to a reasonable person;
 - ii. Create noise exceeding 55 decibels at the *property line* from 8 a.m. to 8 p.m. or any noise discernible by the human ear at the *property lines* from 8 p.m. to 8 a.m. or noise considered a nuisance under BMC Chapter 8.45;
 - iii. Change the *building* occupancy classification of the *structure(s)* used for the *home occupation(s)*;
 - iv. Use or store *hazardous substances* in excess of those normally allowed in a residential area under the Uniform Building Code and Uniform Fire Code.
 - v. Create any electrical, magnetic or other interference off the premises; or
 - vi. Consume utility quantities that negatively impact the delivery of utilities to surrounding properties.
 - J. Residential Character. Internal or external alterations that make the property appear less residential in character are not allowed. Examples of such changes may include paving of *setbacks*, constructing large parking areas visible from the *street* or neighboring properties and commercial type lighting. Use of commercial mobile offices are not allowed.
 - K. Signs. Signage for *home occupations* is subject to the standards in BMC 19.30.050. [Ord. 523 § 1, 2009]
6. Exceptions.
- A. Telecommuting is not classified as a *home occupation* and is not subject to the regulations of this section. For the purpose of this section, telecommuting is work done from home on a part-time basis for a business that is based off the premises. Telecommuting does not allow for non-resident employees or customer visits.
 - B. *Bed and breakfast establishments* are not subject to the regulations of this section. Regulations for *bed and breakfast establishments* are in section 19.17.080.
 - C. Family daycare homes are not subject to the regulations of this section. Regulations for family daycare homes are located in chapter 19.15 Use Zone Charts.
 - D. Garage sales, yard sales, temporary home boutiques or bazaars for handcrafted items, parties for display of domestic products, and other such *uses* are not subject to the regulations of

this section, provided that any such *use* does not exceed three (3) days in duration and does not operate more than nine (9) days in a calendar year. [Ord. 355 §1, 2002]

EXHIBIT B

City of Burien

Marijuana Related Business Zoning Amendments

Section	BMC	Topic	Current Code	Proposal	Comment
1	NEW 19.10.333 – Definitions	Marijuana definition	None	All parts of the plant Cannabis, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.	Definition from RCW 69.50.101
2	NEW 19.10.333.2 – Definitions	Marijuana processor definition	None	A facility licensed by the state liquor control board to process marijuana into useable marijuana and marijuana-infused products, package and label useable marijuana and marijuana-infused products for sale in retail outlets, and sell useable marijuana and marijuana-infused products at wholesale to marijuana retailers.	Definition from RCW 69.50.101
3	NEW 19.10.333.3 – Definitions	Marijuana producer definition	None	A facility licensed by the state liquor control board for the production and sale at wholesale of marijuana to marijuana processors and other marijuana producers.	Definition from RCW 69.50.101
4	NEW 19.10.333.4 – Definitions	Marijuana retailer definition	None	A facility licensed by the state liquor control board where useable marijuana and marijuana-infused products may be sold at retail.	Definition from RCW 69.50.101
5	NEW 19.10.333.5 – Definitions	Marijuana-infused products definition	None	Products that contain marijuana or marijuana extracts and are intended for human use. The term “marijuana-infused products” does not include usable marijuana.	Definition from RCW 69.50.101

EXHIBIT B

City of Burien

Marijuana Related Business Zoning Amendments

Section	BMC	Topic	Current Code	Proposal	Comment
6	NEW 19.10.467 – Definitions	Retail marijuana outlet definition	None	A location licensed by the State Liquor Control Board for the retail sale of usable marijuana and marijuana-infused products.	Definition from RCW 69.50.101
7	NEW 19.10.549 – Definitions	Usable marijuana definition	None	Dried marijuana flowers. The term “useable marijuana” does not include marijuana-infused products.	Definition from RCW 69.50.101
8	NEW 19.15.015.11 19.15.020.11 19.15.025.13 19.15.035.16 19.15.040.17 19.15.055.14 19.15.065.16	Marijuana retailers as permitted use	Neighborhood Commercial (CN), Intersection Commercial (CI), Regional Commercial (CR), Community Commercial (CC), Downtown Commercial (DC),	Marijuana retailers are a permitted use in Commercial zones subject to a Type 1 Review process which includes a determination and finding as to whether or not the proposed use is compatible with adjoining uses. Retailers are subject to the following special regulations: <ol style="list-style-type: none"> 1. The facility shall be designed, located, constructed and buffered to blend in with its surroundings and mitigate significant adverse impacts on adjoining properties and the community. Special attention shall be given minimizing odor, noise, light, glare and traffic impacts. 2. Must comply with all requirements of State law and the Washington State Liquor Control Board’s regulations. 	From Ordinance No. 586, Interim Zoning Regulations

EXHIBIT B

City of Burien

Marijuana Related Business Zoning Amendments

Section	BMC	Topic	Current Code	Proposal	Comment
8 (cont.)	NEW 19.15.015.11 19.15.020.11 19.15.025.13 19.15.035.16 19.15.040.17 19.15.055.14 19.15.065.16	Marijuana retailers as permitted use	Old Burien (SPA-1) and Gateway (SPA-3) zone use charts	<p>3. Marijuana retailers shall not locate in the Single-Family Residential (RS), Multi-Family (RM), Professional Residential (PR), Office (O) and Ruth Dykeman Children’s Center zones.</p> <p>4. Marijuana retailers shall not locate in a building in which non-conforming retail uses have been established in any residential or office zone.</p> <p>5. Marijuana retailers shall not operate as an accessory to a primary use or as a home occupation.</p> <p>6. Marijuana retailers shall not locate within one thousand feet (1,000’) as measured by the shortest straight line distance from the property line of the licensed premises to the property line of an elementary or secondary school, playground, recreational center or facility, child care center, public park, public transit center, library or arcade where admission is not restricted to those age 21 and older.</p>	From Ordinance No. 586, Interim Zoning Regulations
9	ADD 19.17.090.4.A.x	Marijuana Businesses as prohibited use	Home Occupations	<p>A. Prohibited home occupations.</p> <p>x. Marijuana producers, processors and retailers.</p>	From Ordinance No. 586, Interim Zoning Regulations

CITY OF BURIEN, WASHINGTON

ORDINANCE NO. 600

AN ORDINANCE OF THE CITY OF BURIEN, WASHINGTON, EXTENDING THE INTERIM ZONING ORDINANCE ON THE ESTABLISHMENT, LOCATION, OPERATION, LICENSING, MAINTENANCE OR CONTINUATION OF MARIJUANA PRODUCERS, PROCESSORS, AND RETAILERS AS REGULATED PURSUANT TO WASHINGTON STATE INITIATIVE 502; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of Burien has the authority to adopt interim zoning regulations pursuant to RCW 35A.63.220; and

WHEREAS, by Ordinance No. 586, the City Council adopted interim zoning regulations for the location and establishment of marijuana producers, processors, and retailers that are licensed by the State of Washington under Initiative No. 502 and the regulations promulgated pursuant thereto; and

WHEREAS, the City is in the process of developing permanent zoning regulations for the location and establishment of marijuana producers, processors, and retailers that are licensed by the State of Washington under Initiative No. 502; and

WHEREAS, this extension of the interim zoning regulations will protect the public health, safety, and welfare pending completion and adoption of the permanent regulations; and

WHEREAS, the Burien Planning Commission held a public hearing on Ordinance No. 586 on January 8, 2014;

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

Section 1. Findings of Fact. The City Council adopts as findings of fact the “WHEREAS” recitals as set forth in Ordinance No. 586 which are hereby adopted by reference as if fully set forth herein, in support of this action as required by RCW 36.70A.390 and RCW 35A.63.220. The Council may adopt additional findings in the event that additional evidence is presented to the City Council.

Section 2. Extension of Ordinance No. 586. Sections 2, 5, 6 and 7 of Ordinance No. 586, which provide for interim zoning regulations for the location and establishment of

marijuana producers, processors, and retailers that are licensed by the State of Washington under Initiative No. 502 and the regulations promulgated pursuant thereto, are hereby adopted and reenacted by reference as if fully set forth herein.

Section 3. Effective Date of Interim Zoning Ordinance. This ordinance shall be effective immediately upon adoption of this ordinance and shall continue in effect until and including March 19, 2014, unless repealed, modified, or extended after a subsequent public hearing and entry of findings of fact by the City Council.

Section 4. Conflict with other BMC Provisions. If the provisions of this Ordinance are found to be inconsistent with other provisions of the Burien Municipal Code, this Ordinance shall control.

Section 5. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 3RD DAY OF FEBRUARY 2014, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS 3RD DAY OF FEBRUARY 2014.

CITY OF BURIEN
Lucy Krakowiak, Mayor

ATTEST/AUTHENTICATED:
Monica Lusk, City Clerk

Approved as to form:
Ann Marie Soto, Acting City Attorney

Filed with the City Clerk:
Passed by the City Council:
Ordinance No. 600
Date of Publication:

City of Burien

BURIEN PLANNING COMMISSION
January 22, 2014
7:00 p.m.
Multipurpose Room/Council Chambers
MINUTES

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

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

CALL TO ORDER

Chair Jim Clingan called the January 22, 2014, meeting of the Burien Planning Commission to order at 7:00 p.m.

ROLL CALL

Present: Jim Clingan, Butch Henderson, Joey Martinez, Brooks Stanfield

Absent: Greg Duff, Ray Helms, with one position vacant

Administrative staff present: Chip Davis, Community Development director; David Johanson, senior planner

AGENDA CONFIRMATION

Direction/Action

Motion was made by Commissioner Martinez, seconded by Commissioner Henderson, to approve the agenda for the January 22, 2014, meeting. Motion passed 4-0.

PUBLIC COMMENT

Jim Hellums, 140 S.W. 143rd St, asked why the northeast area of the city was chosen to be zoned for marijuana production and processing. He said he felt this was a sudden proposal and stated he is against it.

Carmello Zappala, 1043 S. 140th St., said he is dumbfounded that the City is proposing to allow marijuana production and processing after everything the City has been doing to upgrade its image and that will not produce any revenue for the City. He said such a use will devalue the surrounding properties. He said there is no advantage to the City to allow this use and would be a detriment to the City. He said he didn't think any of the surrounding cities are allowing production and processing and questioned why the City of Burien would. He said if the City wants to do it, then do it on some of the vacant land in the downtown and see how the community would like it, rather than putting it in his neighborhood. He said he is getting the feeling that some of the council and Planning staff think that the northeast area is a throwaway area, but it's not. He said it's probably one of the most valuable areas in the city. He said he hopes that if this proposal makes it to the City Council they will be smart enough to say they want no part of it.

Cheryl Zappala, 1043 S. 140th St., said that although she understood the City had no legal obligation to send people in her neighborhood notice about the proposed zoning for marijuana production and processing, it isn't right. She said people should not have to read the newspaper or go online to find out what's happening. She said the City owes more than that to all the tax-paying and decent, law-abiding citizens. She said this wouldn't happen to the Seahurst or Old Burien areas. She said she understood these

uses have to be 1000 feet away from schools, but it takes her only two minutes to drive from her parking lot to Cedarhurst Elementary School which to her indicates it's too close. She said school buses drive down 8th Avenue South and children get off the bus all along there, so while technically the zoning might follow the law, there are children who are in the area. She said marijuana production and processing will create more crime in the neighborhood. She said the neighborhood is on the decline anyway and doesn't need anything to hasten that process. Mrs. Zappala suggested that since buildings are needed for production and processing, why not use the empty buildings in downtown Burien, but added that the City wouldn't do that because the City is more interested in the downtown than in what is happening to the northeast area. She said when Jag Basra built his parking lot in the neighborhood a few years ago, he invested a lot in the neighborhood and he probably trusted that the City would be supportive of his efforts as a businessman. Mrs. Zappala said that more of her neighbors would be at the meeting if they knew about the proposed zoning, but they are trusting that the City is going to take care of them just as the City takes care of the people in downtown, Old Burien, Seahurst area and closer to Normandy Park.

APPROVAL OF MINUTES

Direction/Action

Motion was made by Commissioner Stanfield, seconded by Commissioner Henderson, and passed 4-0 to approve the minutes of the January 8, 2014, meeting.

OLD BUSINESS

Discussion and Recommendation – Amended Zoning Regulations for Marijuana-related Businesses

Chip Davis reviewed the legalization of marijuana and the passage by the City Council of Ordinance No. 586 establishing six-month interim zoning regulations for marijuana-related businesses. Those interim regulations expire on February 19, 2014. Having conducted a public hearing on January 8, 2014, the Planning Commission is being asked to make a recommendation on the proposed permanent amended zoning regulations to the City Council. Commissioners discussed the possible impacts to the city if production and processing are allowed or banned.

Mr. Zappala said he had coffee with police officers who told him he would need 24-hour security for his property if the businesses are allowed in his neighborhood. He asked where the City would get additional revenue to add police to combat the increased crime that will come from these businesses. He also questioned how anyone could build a building near Miller Creek with its 100-foot setback on either side.

Jag Basra, 1244 S. 140th St., asked why, when cities like Kent and SeaTac who have more industrial-zoned land than Burien are not considering permitting production and processing, Burien is considering it. He asked that South 140th Street be removed from the area where these businesses might locate.

Councilmember Steve Armstrong, 15704 13th Ave SW, asked Mr. Davis if a marijuana-related facility was located within the allowed area, would that negate any youth-oriented facility from locating within 1000 feet of it. Mr. Davis replied that while zoning laws would not forbid them from doing it, he would think that such a facility would not choose to locate within 1,000 feet of a marijuana-related business.

Mr. Davis noted that no marijuana-related business, or any other business or building, will be built within the 100-foot buffer on either side of Miller Creek or adjacent to the proposed walking trail. It is simply not allowed.

Direction/Action

Commissioner Stanfield moved that the Planning Commission recommend to the City Council approval of the zoning code amendments for marijuana-related businesses as presented in attachment 2 of the January 15, 2014 memorandum from Chip Davis to the Planning Commission. In discussion, Commissioner Martinez noted that the commission only makes a recommendation to the City Council, so people with continuing concerns should make them known to their councilmembers. He also noted that for a marijuana-related business to locate in the South 140th Street neighborhood someone would have to sell or lease land

to the business, since most the land in the area is privately owned. There being no further discussion, the motion carried 4-0.

NEW BUSINESS

Election of Vice Chair

Commissioner Stanfield nominated Commissioner Martinez to fill the unexpired term of Vice Chair left vacant by Commissioner Tosta's election to the City Council.

PLANNING COMMISSION COMMUNICATIONS

None.

DIRECTOR'S REPORT

Mr. Johanson noted that there will be a presentation about the next two phases of Town Square at the February 3rd meeting of the City Council.

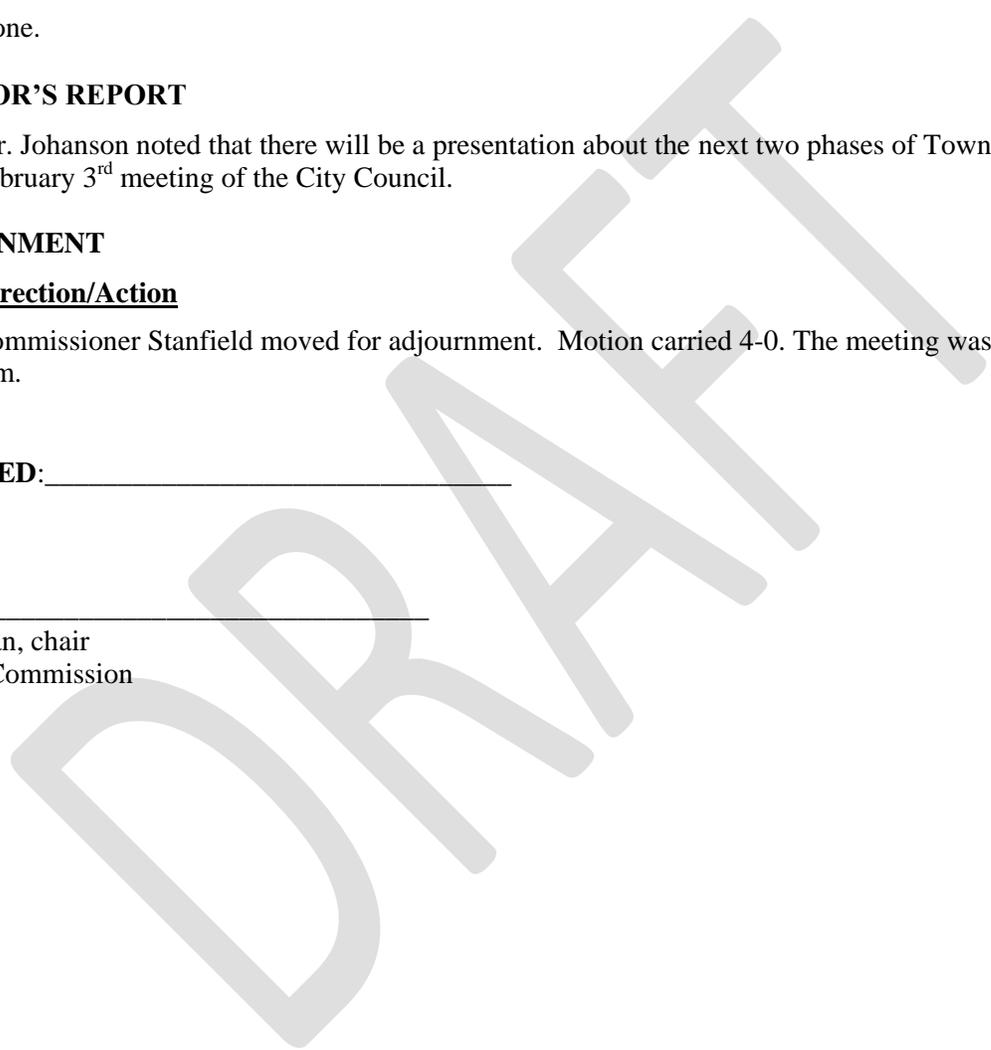
ADJOURNMENT

Direction/Action

Commissioner Stanfield moved for adjournment. Motion carried 4-0. The meeting was adjourned at 8:14 p.m.

APPROVED: _____

Jim Clingan, chair
Planning Commission



**CITY OF BURIEN
COUNCIL PROPOSED AGENDA SCHEDULE
2014**

February 10, 7 pm Special Meeting - Executive Session to discuss a personnel matter to evaluate qualifications of applicants for public employment

February 17, Regular Meeting CANCELED (Presidents' Day Holiday)

**February 24, 6 pm, Special Meeting - Planning Commission Interviews,
7 pm Council Study Session**

Discussion and Possible Adoption of Resolutions No. ____, ____, ____, and ____, Declaring Emergency and Ratifying Contracts for Water and Fire Damage at Two Parks Facilities and for Asbestos Removal and Demolition of Former Sunny Terrace School Building.

(City Manager)

Presentation on Recreation Center Master Plan.

(Parks – Rescheduled from 1/27)

Tentative - Public Works Maintenance Facility.

(Public Works – Rescheduled from 3/3)

Discussion and Possible Motion on Naming of Trail in Northeast Redevelopment Area.

(Parks)

Review of Council Proposed Agenda Schedule.

(City Manager)

February 28, 5:30 – 7:30 pm Special Meeting – Community Reception for city manager candidates

March 1, TBD, Special Meeting – City Manager candidate interviews

March 3, 6 pm, Special Meeting – Executive Session to discuss a personnel matter

7 pm Regular Council Meeting

Presentation on the Highline School District's Strategic Plan by Superintendent Susan Enfield.

(City Manager – Rescheduled from 2/3)

Presentation on the 2013 Annual Report by the Business and Economic Development Partnership.

(City Manager)

Presentation on the Economic Development Strategic Plan.

(City Manager – Rescheduled from 2/3)

Tentative - Discussion on Seattle City Light Franchise Agreement.

(Public Works)

Discussion on Speed Limits.

(Public Works – Rescheduled from 2/3)

Discussion on Truck Routes.

(Public Works – Rescheduled from 2/3)

City Manager's Report.

(City Manager)

March 17, 6 pm, Planning Commission Interviews,

6:30 pm Special Meeting - Discussion on Naming the 2013 Citizen(s) of the Year Award Recipient(s)

7 pm Regular Council Meeting

Presentation of the 2013 Annual Report by Discover Burien.

(City Manager)

Presentation on the Adopt-a-Park Program.

(Parks – Rescheduled from 2/24)

Presentation and Update Regarding Seahurst Beach Restoration Project.

(Parks)

Motion on Naming the 2014 Annual Citizen(s) of the Year Award Recipient(s).

(City Manager)

Motion to Authorize the Mayor to Execute a Contract for the City of Burien City Manager.

(City Manager)

Motion to Adopt Ordinance No. 597, Relating to Speed Limits.

(Public Works – Rescheduled from 3/3)

March 17 cont'd.

Motion to Adopt Ordinance No. 598, Relating to Truck Routes.

(Public Works – Rescheduled from 3/3)

Discussion on and Possible Motion to Adopt Resolution No. x, Establishing a Date and Time for a Public Hearing to Consider a NERA Street Vacation.

(Public Works)

Review of Council Proposed Agenda Schedule.

(City Manager)

City Manager's Report.

(City Manager)

**March 24, 6 pm, Planning Commission Interviews,
7 pm Council Study Session**

Motion to Approve Appointments to the Planning Commission.

(City Manager)

Presentation on the Communications Plan and Social Media Policy.

(City Manager – Rescheduled from 2/24)

April 7, 7 pm Regular Council Meeting

**7:15 – 7:45 pm, Reception Honoring Citizen(s) of the Year and Outgoing Advisory Board Members
Public Hearing and Discussion on NERA Street Vacation.**

(Public Works)

Presentation of the Citizen of the Year Award(s).

(City Manager)

Presentation of the 2013 Annual Report by the Small Business Development Center (SBDC).

(City Manager)

Presentation on City-Sponsored, School-Based ArtsCorps Programs.

(Parks)

Introduction and Discussion of 2014 Comprehensive Plan Docket.

(Community Development)

City Manager's Report.

(City Manager)

April 21, 7 pm Regular Council Meeting

Motion to Adopt Ordinance No. x, Approving the NERA Street Vacation.

(Public Works)

Discussion and Possible Adoption of 2014 Comprehensive Plan Docket.

(Community Development)

Update and Recommendation on School-Based Afterschool Programs.

(Parks)

Review of Council Proposed Agenda Schedule.

(City Manager)

City Manager's Report.

(City Manager)

April 28, 7 pm Council Study Session

Tentative – Discussion on Economic Development Forum.

(City Manager)

May 5, 7 pm Regular Council Meeting

Presentation by CleanScapes on its Transition Plan.

(Public Works)

May 19, 7 pm Regular Council Meeting

Motion to Adopt the King County Hazard Mitigation Plan.

(City Manager)

Review of Council Proposed Agenda Schedule.

(City Manager)

City Manager's Report.

(City Manager)

May 26, 7 pm Council Study Session CANCELED (Memorial Day Holiday)



Burien

Washington, USA

400 SW 152nd St., Suite 300, Burien, WA 98166

Phone: (206) 241-4647 • FAX (206) 248-5539

www.burienwa.gov

MEMORANDUM

TO: Honorable Mayor and Members of the City Council
FROM: Craig Knutson, Interim City Manager
DATE: February 3, 2014
SUBJECT: City Manager's Report

I. INTERNAL CITY INFORMATION

A. Public Art Fund Plan Changes / PaRCS Seeking National Endowment for the Arts (NEA) Grant for Seahurst Park (Page 245)

Burien Parks, Recreation & Cultural Services (PaRCS) staff recently proposed some changes to the City Arts Commission for the City's Public Art Plan for public artwork projects. The changes largely involve a shift of funding to make more funding available for replacement of the Taurus sculpture in Seahurst Park. The Arts Commission approved this proposal at their October 22, 2013 meeting (see attached staff memo). In addition, these funds are being used towards match requirements for a \$50,000 grant that the PaRCS Department submitted to the NEA; if the grant is approved, the funding would go towards a new public artwork for Seahurst Park. The NEA will announce 2014 award recipients in July.

B. Burien PaRCS Partners with KCLS on One-Night Homeless Teen Count

Burien PaRCS recently partnered with King County Library System, the Burien Library, and United Way to host a One Night Homeless Teen Count event. This annual event took place throughout King County on the night of Thursday, January 23. The Burien Community Center served as the event venue for Burien, providing a safe place to come hang out, eat, do an activity, and fill out a survey. It was also an opportunity to be able to refer teens to the regional Safe Place program, which provides resources and counseling to homeless youth. The County and United Way produces the survey, which helps them get a count of homeless youth in the county. Since the Community Center and other City facilities are now participating venues in the regional Safe Place program, staff thought it was a good idea to support this event and activity.

C. New Recreation Guide Includes Hispanic Feature

For the first time, the back cover of the Recreation Guide lists information in Spanish along with photos of Hispanic program participants. The front photo features two participants from our popular Ballroom Dance classes. This latest Winter issue was distributed to the community in mid-December.

D. Long Time Recreation Staff Member Departs

Recreation Specialist Bophary Du has resigned to accept a new position with the City of Bellevue. Over the last 7 years, Bo has managed senior programs that included exercise and enrichment classes, health and wellness seminars, daytime trips, drop-in activities, and senior-specific personal and social services. She has made significant contributions to the Burien community and will be missed.

E. Open House at Community Center

On January 11, the Community Center hosted an Open House from 11 am – 2 pm that included fitness class demonstrations, kids' activities, and raffle give-aways. Class instructors demonstrated Tai Chi, Balance Fitness, Break Dancing, Zumba, Weight Bands, and more. Our Indoor Playground equipment was set up for toddlers, and carnival games, face painting and video games were also available for kids. All activities were offered free-of-charge.

F. AquaFit a Perfect Fit

Twice a week, PaRCS co-sponsors its popular "Aqua Fit" water exercise class with the Highline Athletic Club at their pool. The majority of participants are seniors, who comment that "the program is perfect because being in the water reduces our chance of injury and really improves our health."

G. Moshier Arts Center's Holiday Pottery Sale

This year's event was a smashing success, with 332 customers compared to 240 from last year. Total sales also increased this year by \$1680.

H. Seahurst Park Shoreline Restoration Project Status

The Seahurst Park construction project in partnership with the U. S. Army Corps of Engineers (USACE), has made significant progress since the park was closed on October 28, 2013. All demolition work has been completed, the concrete seawall has been removed with shoreline grading almost complete, and utilities are being relocated to upper elevations. Materials from the demolition, such as drift logs, rock, and clean soil is being reused, including the crushing of the large 2-3 man rocks to smaller dimensions for multiple uses, such as road or pathway base. All work has been coordinated with the City's tenants at the Environmental Science Center and the Marine Technology Lab in an effort to reduce construction impacts, although it is still substantial at times. During the demolition phase, some unanticipated conditions were experienced related to existing utility locations and discovery of cultural resources. The issues have been resolved with assistance from our local utilities, as well as local tribes. Some minor re-design work was required, and this will impact project completion by approximately a month, and project costs. Both of these impacts will be further clarified during the staff project update on March 17, 2014 to City Council.

I. Volunteer Recognition Plan (Page 247)

The City of Burien benefits from the dedication and tireless efforts of many volunteers. They serve on advisory boards, commissions, and ad hoc committees, and work on city-sponsored events and programs. In the past, staff members expended personal funds to buy gifts for volunteers around holidays. The Volunteer Recognition Plan (attached), recommended by the Volunteer Appreciation Committee, was adopted by Council on December 16, 2013 (Resolution No. 351) as part of the Acknowledgement Policy. The plan outlines how volunteers will be recognized and how the Appreciation Fund may be used.

J. Process for Citizen of the Year (Page 247)

The City Council adopted a new process for Citizen of the Year on December 16, 2013 (Resolution No. 351). Notice of the program was posted on the City website, and nominations will be accepted by Adriene Buckley, City Manager Department Assistant, through February 14. Council will indicate its preference for one or more candidates at its March 17 meeting, and the individual(s) will be acknowledged at the April 7 Council meeting. Council will convene in regular session and then, as its first order of business, read a proclamation honoring the individual(s) and ask him/her for brief remarks. Council then will adjourn for an informal interaction with the candidate, friends, family and well-wishers before reconvening to conduct regular business.

K. King County Transportation Funding Ballot Measure

At the January 27th study session meeting, the City Council unanimously decided to voice its support for the transportation funding measure that King County will be placing on the April, 2014 election ballot. The measure would create a Transportation Benefit District (TBD), raise an estimated \$130 million from a \$60 vehicle fee and \$.001 sales tax, and allocate 60% of the revenue to Metro Transit for bus service and 40% to the County and Cities for roads, with allocations based on population. The City of Burien's share would be about \$1.3 million, which would likely be used for street overlay projects. The Council's support of the ballot measure will be expressed by Mayor Krakowiak in signing a letter to the King County Council and by Councilmember Tosta in voting for endorsement of the measure by the Sound Cities Association's Public Issues Committee.

L. 2014 WellCity Award Application Submitted

The City of Burien Wellness Committee recently submitted the City's 2014 WellCity Award application. The award recognizes members of the AWC Employee Benefit Trust that achieve nine standards of quality in employee health promotion. The standards are based on current research and best practice models and serve as guidelines for designing a workplace wellness program that has a positive impact on employee health and productivity. Standards include policies and procedures, management support, wellness committee coordination, wellness network and resources, needs assessment tools, worksite environment, operating plan, activities and interventions, and evaluation tools. In addition, the Award requires a 50% minimum participation rate in the annual Health Questionnaire by employees and spouses. The City of Burien achieved a 77% participation rate. The 2014 award application is based upon the 2013 program, which included four formal programs (behavior change programs, three to six weeks in length); fifteen educational programs, and eight special events. A total of \$1,523 was spent on the program.

Members of the AWC Employee Benefit Trust who earn the 2014 WellCity Award will receive a 2% discount on 2015 Regence BlueShield medical plan premiums for employees and spouses. Winners will be announced in April.

The City of Burien's Wellness program has consistently achieved the WellCity Award since 2009 and has experienced the 2% discount on medical plan premiums since the inception of the discount program. In 2013, approximately \$16,000 in savings was realized through the WellCity 2% discount.

M. New On-line Job Application Form

A new on-line job application form has been created and published on the City's website. The new form allows applicants to print the form prior to submitting it, streamlines the downloading process for staff, provides a more readable copy for staff review, and aids in collecting EEOC required statistics.

N. Roth IRA's Added to Employee Benefit Package

Effective January 1, 2014, employees can contribute to a Roth Individual Retirement Account (IRA) through payroll deduction. This City has partnered with ICMA Retirement Corporation to provide this benefit to our employees. An ICMA consultant has provided one-on-one consultations with interested employees to assist them with setting up or consolidating their Roth IRAs.

O. City of Burien Safety Report

In 2013, the City had one workplace incident involving 17 days of restricted duty and one reportable standard threshold shift (STS) in hearing. The chart below details the statistics for the previous few years.

Year	Number of Injuries or Illnesses	Total Number of Days Away From Work	Total Number of Days of Job Restriction
2008	2	13	167
2009	7	14	77
2010	0	0	0
2011	1	0	16
2012	2	2	6
2013	1	0	17

Since 2009, staff has made a concerted effort to address safety in the workplace: the Safety Policies have been updated, all employees have attended a Safety Orientation and received a copy of the Safety Policies, a personal protective equipment assessment for each position has been conducted, safety-related forms have been updated, and departmental trainings are conducted on a regular basis. Staff will continue to support a safe and healthy workplace through employee awareness, engagement, and education.

The City was able to take advantage of Labor and Industries' Stay at Work program which provided a reimbursement of 50% of the base wages paid to the injured employee during his 6 days of restricted duty.

P. Employee Wellness Program in Progress

Making big lifestyle changes can be tough. Whether it is trying to exercise thirty minutes per day or aiming to reduce fat intake, changing habits that have been in place for years is daunting. That's why the latest wellness campaign, 2 EZ, challenges employees to shift their focus away from big lifestyle changes and, instead, make small, everyday changes. Beginning January 20, 30 employees have pledged to swap three self-chosen, not-so-healthy habits (like snacking on junk food or getting an insufficient amount of sleep) for three self-chosen healthier habits (like taking the stairs or eating one additional vegetable per day) for six weeks. By the end of the program, employees should feel more confident in their ability to improve their health habits, while moving down the road to better health and wellness.

Q. Annual Utility Tax Relief Program Update for 2013

The annual processing of the Utility Tax Relief Program for Low-Income Burien residents is complete for 2013. This program helps offset the impact of the 6% Burien utility tax to low-income households on regular telephone, basic cable TV, and gas/electricity through Puget Sound Energy (PSE). A total of 46 Burien households participated in the program; they will receive a collective total of \$1,836 back in reimbursements for the Burien utility taxes they paid on regular telephone services and basic cable television services in 2013. The average reimbursement amount per household was \$40, and checks will be mailed in early February. The participants who have gas and/or electricity with Puget Sound Energy will have the Burien utility tax removed from their PSE bills for 2014. The program will be updated to include having the utility tax removed from participants' CleanScape garbage bills starting in 2015.

R. 4th Quarter Financial Report Delayed

The 2013 4th Quarter Financial Report will be delayed due to year-end closing. The City typically receives prior-year revenue and invoices for expenditures through the month of February. Staff will attempt to have the report ready for the March 17, 2014 City Manager report; however, it may be delayed until the April 7, 2014 report.

S. Quarterly /Annual Construction and Land Use Permit Report (Page 251)

Attached is the Construction and Land Use Permit Activity Report for the 4th Quarter of 2013. Staff processed and issued 2,433 construction related permits in 2013, the highest volume on record. Overall project valuations for the year was slightly lower than 2012, indicating there were fewer high value construction projects and more low value projects. The number of online E-permits is continuing to increase with an overall average of 50% of eligible permit types issued through Mybuildingpermit.com.

The volume of land use applications and pre-application meetings increased significantly during 2013. Staff conducted 49 pre-application meetings which is up considerably from the 26 meetings conducted in 2012. Staff processed 85 land use applications, which is also up from the 63 land use applications processed in 2012. For 2013, there were 21 land use decisions issued, which exceeds the number of decisions issued in each of the last five years.

T. Miller Creek Court LLC Townhomes Complete

Permits have been finalized for construction of 46 multi-family townhomes located at 3rd Pl S. near S. 160th Street. The project started in 2008, but was delayed due to financial difficulties. In late 2012, Westland Associates purchased the property and got the project back on track. Two commercial buildings were not completed as part of this phase of the project as the owners intend to request a rezone of the property from Commercial to Multi-Family Residential in hopes of constructing additional multi-family units.

U. Navos Clear and Grade Permit issued

The building permit was issued for demolition of 8 structures and preliminary grading for four new structures at 1033 SW 152nd St. This is the first phase of the Navos Center of Excellence campus master plan redevelopment. When all work is completed the center will provide 8,800 SF of residential treatment space, over 55,000 SF of office, outpatient, counseling space and classroom space, 13,000 SF of transitional housing, and over 13,000 SF of patient-oriented recreational facilities.

II. COUNCIL UPDATES/REPORTS

A. Request for Proclamation for Recovery Month (Page 261)

Attached is a request from King County Mental Health, Chemical Abuse and Dependency Services Division, requesting that Burien join in celebrating the 25th year of National Recovery Month by declaring September Recovery Month. King County will send more information, including a proclamation template, in early summer.

B. Citizen Action Report (CAR) (Page 263)

Staff has provided Council with the attached December Citizen Action Report.

C. Port of Seattle and Port of Tacoma Mutual Cooperation Efforts (Page 271)

A press release was issued January 17, 2014, to announce that Port of Seattle and Port of Tacoma are filing a discussion agreement with the Federal Maritime Commission. The two ports will discuss how to increase the volume of cargo coming through Puget Sound and support a vibrant future at both ports. Both port commissions agree that a change in governance, such as a merger, will not be part of the discussion.

D. Notices: (Page 273)

The following (attached) Notices were published:

- Notice of Application: City of Burien Public Works Department requests approval from WA State Department of Ecology (DOE) for a Construction Stormwater General Permit to demolish 4 existing buildings at Sunny Terrace Elementary School. Written comments must be received prior to 5:00 pm. on February 6, 2014.
- Notice of Application: Short Plat One Residential Lot Into two (2) Residential Lots. Written comments must be received prior to 5:00 p.m. on February 17, 2014.
- Notice of Decision: Approval of Type 1 Land Use Review, subject to conditions. The deadline for filing a written Notice of Appeal with the City Clerk is prior to 5:00 p.m. on January 24, 2014.
- SEPA Determination of Nonsignificance (DNS): It has been determined that the proposal for Type 1 SEPA Checklist Review for a Shoreline Substantial Development Permit to upgrade and improve Lift Station 14 does not have a probable significant adverse impact on the environment. An appeal of the decision requires that a Notice of Appeal form and a \$300 fee be submitted by January 23, 2014.
- City of Burien Council Special Meeting Notice: The Burien City Council will hold a Special Meeting for the purpose of holding an Executive Session to discuss a personnel matter per RCW 42.30.110(1g) on Thursday, January 23, 2014, at 6:00 p.m. followed by an open session to discuss the city manager selection process at Burien City Hall, 400 SW 152nd Street, 3rd Floor.
- City of Burien Arts Commission Meeting Notice Location Change: The City of Burien Arts Commission will hold its meetings starting on Tuesday, January 28, 2014, at 6:30 p.m. at the Dottie Harper House, 421 SW 146th Street, Burien.

Changes to Public Art Plan Budget for 2014				
As approved by Arts Commission and approved by Council in January 2013				
ongoing	Public Art at Seahurst	Work with 4 Culture to deaccession Seahurst Sculpture and create new public art for park		\$9,000
2013-2015	Burien Transit Corridor	Work with Metro, artist(s) and community to create permanent metal cut bus shelters and temporary painted bus shelters along the Ambaum corridor. Banners could also be apart of this project.	1,000-3,000 per shelter	\$14,500
yearly	PSSC Sculpture projects	Permanent or temporary metal sculptures designed and implemented by students in Dale Copeland's Welding Program at PSSC -- one sculpture per year to be installed around city	meet to plan in November/ December--project created in Winter/spring quarter and installed in May/June of each year	\$2,000
ongoing	Temporary Art & Misc	Temporary art, repair, maintenance, public art signage and brochures, etc...		\$8,000
			Funds projected as available for FY2014	\$33,500
As modified and approved by Arts Commission in October 2013				
2014	Public Art at Seahurst	New public art for park		\$20,000
2014/2015	Phillip Levine Sculpture	seed money for fundraising project		\$500
yearly	Puget Sound Skills Center (PSSC) Sculpture projects	Permanent or temporary metal sculptures designed and implemented by students in Dale Copeland's Welding Program at PSSC -- one sculpture per year to be installed around city	meet to plan in November/ December--project created in Winter/spring quarter and installed in May/June of each year	\$1,000
ongoing	Temporary Art & Misc	Temporary art, repair, maintenance, public art signage and brochures, etc...		\$9,000
			Actual Funds available for 2014	\$30,500
CHANGES				
	Public Art at Seahurst		additional funding	\$11,000
	Phillip Levine Sculpture		additional funding	\$500
	Puget Sound Skills Center		reduced funding	\$1,000
	Temp Art & Maintenance		additional funding	\$1,000
	Burien Transit Corridor		project eliminated	-\$14,500

CITY OF BURIEN, WASHINGTON

RESOLUTION NO. 351

A RESOLUTION OF THE CITY OF BURIEN, WASHINGTON,
AMENDING RESOLUTION 326 RELATING TO THE
ACKNOWLEDGEMENT POLICY AWARD NAMING PROCEDURES.

WHEREAS, on December 12, 2011, the City Council approved Resolution 326 establishing an Acknowledgement Policy to acknowledge and officially recognize participation and commitment to the community by public, private and non-profit entities; and

WHEREAS, the Acknowledgement Policy provides that the "Citizen of the Year" award recipient will be named at a City Council meeting; and

WHEREAS, the City Council wishes to change the deadlines for the "Citizen of the Year" selection and award procedures; and

WHEREAS, the Council also desires to adopt a volunteer recognition plan that outlines the various tokens of appreciation to be provided to volunteers.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Section 1(A) of Resolution 326, Amended. Section 1(A) of Resolution 326, Citizen of the Year, is hereby amended to read as follows:

A. Citizen of the Year.

1. Acknowledgement. The acknowledgement shall be made for one category, Citizen(s) of the Year for the previous calendar year.

2. Selection. Councilmembers may, in special session at the first meeting in ~~January~~March, indicate their preference for one or more of the candidates.

3. Criteria. The criteria qualifying a party or parties for this honor are intended to be subjective and broadly construed. It may be for a single contribution in a single calendar year or for a body of work over any period of time. Individuals may receive this honor once.

4. Source of Nominations. Nominations may come from any source. Council will accept nominations for Citizen of the Year at any time during the year but no later than ~~December 31~~the second Friday in February. In cases where no nomination is received by ~~December 31~~said date, there will be no additional solicitation. Council is not obligated to select any candidate.

5. Naming Award Recipient. Staff will make necessary arrangements, including the presence of the individual(s) at the appropriate Council meeting. The individual(s) will be acknowledged at the ~~last Council meeting in February~~ first Council meeting in April. Council will convene in regular session then, as its first order of business, read a proclamation honoring the individual (s) and ask him/her for brief remarks. Council then will adjourn for an informal interaction with the candidate, friends, family and well wishers before reconvening to conduct regular business.

Section 2. New Section 1(C) of Resolution 326, Adopted. A new Section 1(C) to Resolution 326 entitled "Volunteer Recognition Plan" is hereby adopted as reflected in Exhibit A.

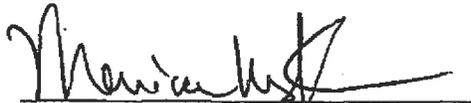
Section 3. Effective Date. This resolution shall take effect immediately upon passage by the Burien City Council.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, AT A REGULAR MEETING THEREOF THIS 16th DAY OF DECEMBER, 2013.

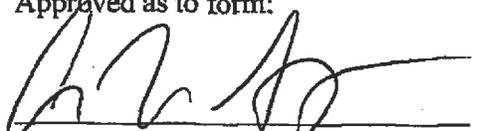
CITY OF BURIEN


Brian Bennett, Mayor

ATTEST/AUTHENTICATED:


Monica Lusk, City Clerk

Approved as to form:


Ann Marie Soto, Acting City Attorney

Filed with the City Clerk: December 16, 2013
Passed by the City Council: December 16, 2013
Resolution No. 351

VOLUNTEER RECOGNITION PLAN

07/17/13

Recommended by the Volunteer Appreciation Committee (Gina Kallman, Monica Lusk, Nhan Nguyen)

1. Commissions/Boards

- a. 37 members
- b. Recognize retiring members with a verbal thank-you from Council at the April Council meeting each year accompanied by a certificate and/or pin.
- c. Recognize members who are not able to finish term with a hand written thank-you card from the Mayor.
- d. Staff members who lead committee can recognize committee members with holiday cards and/or small tokens of appreciation.*

2. Ad Hoc Committees

- a. Recognize with a hand written thank you card from staff or council member who lead committee.

3. Long-Term Volunteers (volunteers who give weekly or monthly service)

- a. 50-60 (approximate amount of city-wide volunteers each year)
- b. Recognize with holiday cards and/or small tokens of appreciation.*

4. One-time event volunteers

- a. Recognize with thank-you cards or e-mails after the event.

ACTION ITEMS

- Print artist created thank-you cards and distribute to all departments
- Provide Appreciation Funds (\$1,000) for staff to use for tokens of appreciation*
- Schedule a yearly volunteer appreciation party (hearty appetizers, pizza, activities for kids, etc.) in April, 2014 during National Volunteer Week. All Commissioners and Board members and long term volunteers could be invited to perhaps include families.

***Parameters for Use of Appreciation Fund**

- Staff who manages volunteer will have access to budget line item
- Staff can use up to \$10 per volunteer per year
- Alcohol cannot be gifted

CITY OF BURIEN, WASHINGTON

DATE: January 21, 2013
TO: Mayor Lucy Krakowiak and City Council
FROM: Jan Vogee, C.B.O., Building Official
SUBJECT: Construction and Land Use Permit Activity Report for 4th Quarter 2013

1. CONSTRUCTION-RELATED PERMITS ISSUED—QUARTERLY:

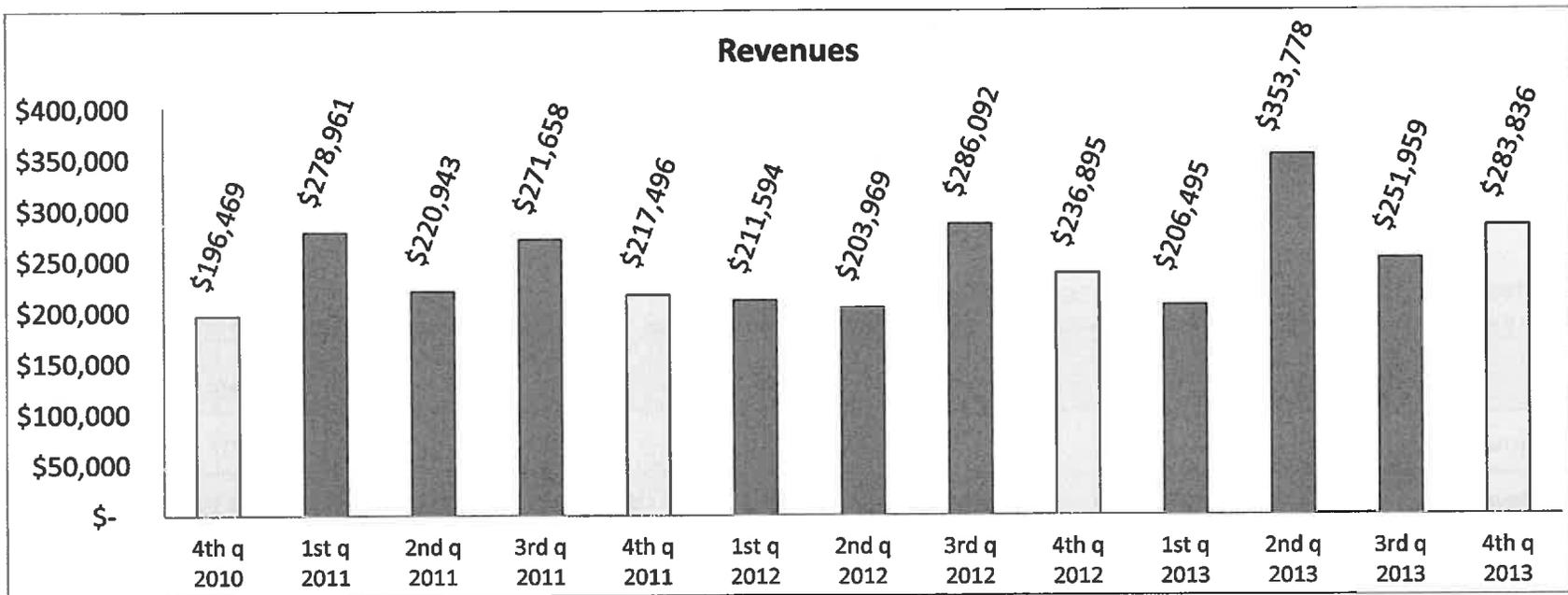
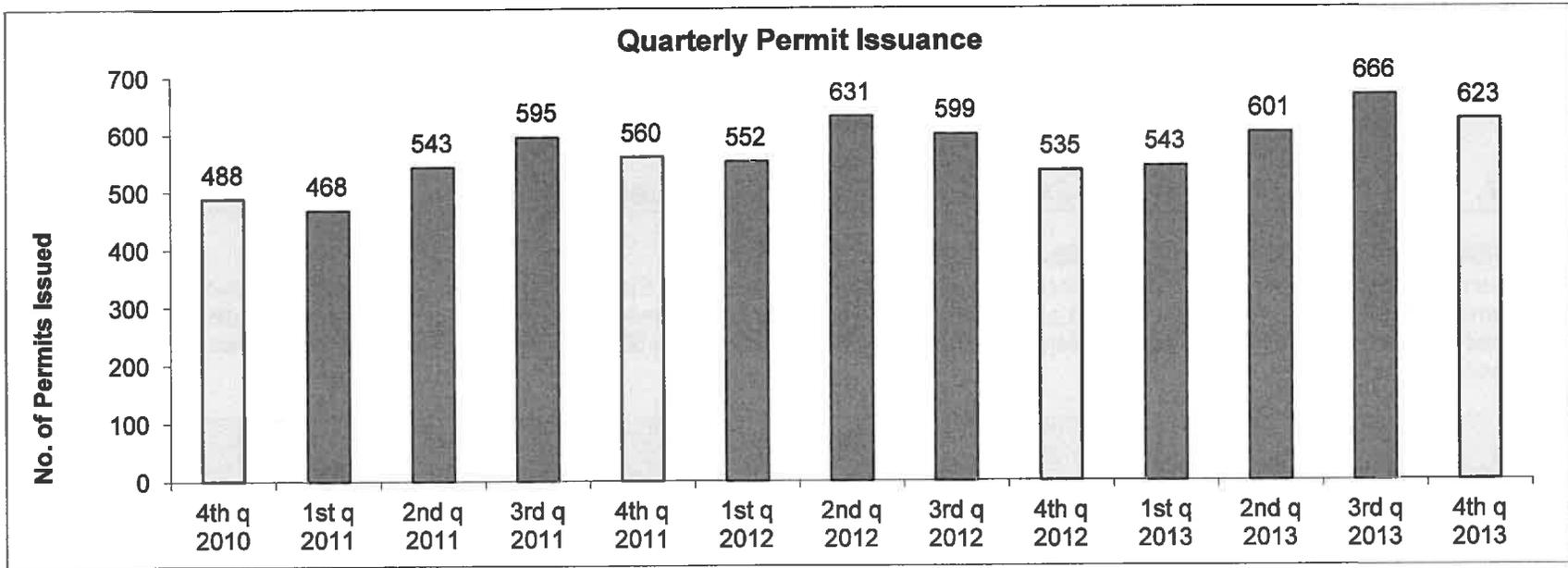
The chart below shows the number of different construction-related permits issued over the past three years, along with the revenues generated by those permits. This quarter shows construction activity is remaining steady. The increase in valuation for this quarter is reflective of building permits issued for Navos Independence Bridge Residential Apartments valued at \$1,875,000 and 15 new single family residences valued at over \$300,000 each.

ISSUED PERMITS	4th q 2010	1 st q 2011	2nd q 2011	3 rd q 2011	4th q 2011	1 st q 2012	2 nd q 2012	3 rd q 2012	4th q 2012	1 st q 2013	2 nd q 2013	3 rd q 2013	4th q 2013
Building	73	73	117	110	76	68	78	107	62	72	93	107	88
Demolition	17	16	11	6	10	13	11	16	3	12	12	16	10
Electrical	169	179	201	223	209	235	262	215	214	204	230	249	227
Fire Protection	15	16	23	32	35	30	38	27	18	34	22	28	33
Mechanical	67	60	44	65	89	73	63	74	81	67	81	73	104
Plumbing	28	33	43	38	29	24	37	37	34	34	35	42	35
Right-of-Way	82	63	74	79	87	81	116	105	100	103	100	136	102
Sign	37	28	26	30	25	28	26	18	23	17	27	15	24
TOTALS	488	468	543	595	560	552	631	599	535	543	600	666	623
Revenues	\$196,469	\$278,961	\$220,943	\$271,658	\$217,496	\$211,594	\$203,969	\$286,092	\$236,895	\$206,495	\$353,778	\$251,959	\$283,836
Valuation (\$millions)	\$ 4.8	\$ 21.5	\$ 10.2	\$ 13.8	\$ 8.4	\$ 7.7	\$ 11.0	\$ 20.6	\$ 11.0	\$ 5.2	\$ 16	\$ 7.7	\$ 11.7

2. CONSTRUCTION-RELATED PERMITS ISSUED— SUMMARY:

The chart below shows a summary of permits issued, total revenue, and valuation by year. Permit volumes and revenue remain on target.

	2006	2007	2008	2009	2010	2011	2012	2013
Permits Issued	2003	2074	2153	1715	1799	2166	2317	2433
Total Revenues	\$ 1,005,796	\$ 916,181	\$ 1,122,922	\$ 507,866	\$ 684,494	\$ 989,058	\$ 938,550	\$1,096,068
Total Valuation	\$ 65,308,000	\$ 97,574,866	\$ 107,568,900	\$ 23,073,791	\$ 27,616,215	\$ 57,661,370	\$ 50,258,095	\$ 40,542,275



3. MAJOR CONSTRUCTION PERMITS ISSUED (over \$300,000 valuation):

The following table shows major construction permits issued in 4th quarter of 2013 with a valuation over \$300,000.

Permit No.	Address	Project Name	Project Description	Valuation	Issued
BLD-13-1276	15245 10TH AVE SW	NAVOS INDEPENDENCE BRIDGE RESIDENTIAL APARTMENTS	CONSTRUCTION OF NEW 25-UNIT APT. T BUILDING & RELATED SITE IMPROVEMENTS WHICH INCLUDE: GRADING /PLANTING / HARDSCAPE GATHERING AREAS AND PATHWAYS	\$ 1,875,000.00	12/06/2013
BLD-13-1825	12267 SHOREWOOD LN SW	HARTLEY RESIDENCE - NEW SFR	NEW 2-STORY SFR WITH BASEMENT & ATTACHED 2-CAR / 1-BOAT GARAGE - EXISTING 2-STORY ADU W/ ATTACHED 2-CAR GARAGE TO REMAIN	\$ 531,005.17	12/26/2013
BLD-13-1469	1000 SW 130TH ST	YARDLEY ARMS APARTMENT RE-ROOF AND REPAIR	REMOVE EXISTING ROOFING AND REPLACE WITH NEW SINGLE PLY MEMBRANE, INSULATION, PARAPET WALLS, ROOF FALL PROTECTION SYSTEM, ROOF HATCH AND LADDER, ROOF CURBS, PLUMBING VENTS	\$ 450,000.00	11/15/2013
BLD-13-1969	470 S 187TH LN	WESTWOOD RIDGE LOT4 NEW SFR SEAHURST PLAN - E13-11664	CONSTRUCT NEW 3009 SF 2 STORY SFR WITH 63 SF COVERED PORCH OR DECK AND 533 SF ATTACHED GARAGE	\$ 363,448.98	11/12/2013
BLD-13-1971	502 S 187TH LN	WESTWOOD RIDGE LOT6 NEW SFR SEAHURST PLAN -E13-11665	CONSTRUCT NEW 3009 SF 2 STORY SFR WITH 63 SF COVERED PORCH OR DECK AND 533 SF ATTACHED GARAGE	\$ 363,448.98	11/15/2013
BLD-13-1974	534 S 187TH LN	WESTWOOD RIDGE LOT 8 NEW SFR SEAHURST PLAN - E13-11666	CONSTRUCT NEW 3009 SF 2 STORY SFR WITH 63 SF COVERED PORCH OR DECK AND 533 SF ATTACHED GARAGE	\$ 363,448.98	11/18/2013
BLD-13-1977	445 S 187TH LN	WESTWOOD RIDGE LOT 16 NEW SFR SEAHURST PLAN - E13-11675	CONSTRUCT NEW 3009 SF 2 STORY SFR WITH 63 SF COVERED PORCH OR DECK AND 533 SF ATTACHED GARAGE	\$ 363,448.98	11/13/2013
BLD-13-1978	557 S 187TH LN	WESTWOOD RIDGE LOT 9 NEW SFR SEAHURST PLAN - E13-11671	CONSTRUCT NEW 3009 SF 2 STORY SFR WITH 63 SF COVERED PORCH OR DECK AND 533 SF ATTACHED GARAGE	\$ 363,448.98	11/18/2013
BLD-13-1980	477 S 187TH LN	WESTWOOD RIDGE LOT 14 NEW SFR SEAHURST PLAN - E13-11673	CONSTRUCT NEW 3009 SF 2 STORY SFR WITH 63 SF COVERED PORCH OR DECK AND 533 SF ATTACHED GARAGE	\$ 363,448.98	11/13/2013

Permit No.	Address	Project Name	Project Description	Valuation	Issued
BLD-13-1912	440 S 187TH LN	WESTWOOD RIDGE LOT 2 NEW SFR SEAHURST PLAN - E13-11667	CONSTRUCT NEW 3009 SF 2 STORY SFR WITH 168 SF COVERED PORCH OR DECK AND 533 SF ATTACHED GARAGE	\$ 357,399.48	10/09/2013
BLD-13-1317	12010 9TH AVE SW	PONCIN NEW SINGLE FAMILY	NEW SINGLE FAMILY RESIDENCE 3549 SQ FT TOTAL, 1317 FIRST, 1612 SECOND 620 GARAGE.	\$ 352,264.88	10/16/2013
BLD-13-1970	486 S 187TH LN	WESTWOOD RIDGE LOT 5 NEW SFR TOWN SQUARE PLAN - E13-11668	CONSTRUCT NEW 2666 SF 2 STORY SFR WITH 126 SF COVERED DECK OR PORCH 158 SF SUNROOM AND 628 SF ATTACHED GARAGE	\$ 347,481.60	11/12/2013
BLD-13-1968	426 S 187TH LN	WESTWOOD RIDGE LOT 1 NEW SFR MARINE VIEW PLAN - E13-11670	CONSTRUCT NEW 2820 SF 2 STORY SFR WITH 100 SF COVERED PATIO - 130 SF COVERED PORCH - 435 SF ATTACHED GARAGE	\$ 339,686.27	11/12/2013
BLD-13-1972	518 S 187TH LN	WESTWOOD RIDGE LOT 7 NEW SFR SHOREWOOD PLAN -E13-11669	CONSTRUCT NEW 2705 SF 2 STORY SFR - 108 SF COVERED PATIO - 54 SF COVERED PORCH - 575 SF ATTACHED GARAGE	\$ 337,201.07	11/18/2013
BLD-13-1976	461 S 187TH LN	WESTWOOD RIDGE LOT 15 NEW SFR SHOREWOOD PLAN - E13- 11674	CONSTRUCT NEW 2705 SF 2 STORY SFR - 108 SF COVERED PATIO - 54 SF COVERED PORCH - 575 SF ATTACHED GARAGE	\$ 337,201.07	11/13/2013
BLD-13-1979	493 S 187TH LN	WESTWOOD RIDGE LOT 13 NEW SFR SHOREWOOD PLAN - E13- 11672	CONSTRUCT NEW 2705 SF 2 STORY SFR - 108 SF COVERED PATIO - 54 SF COVERED PORCH - 575 SF ATTACHED GARAGE	\$ 337,201.07	11/13/2013
BLD-13-1919	454 S 187TH LN	WESTWOOD RIDGE LOT 3 NEW SFR TOWN SQUARE PLAN - E13-11667	CONSTRUCT NEW 2666 SF 2 STORY SFR WITH 126SF COVERED DECK OR PORCH AND 628 SF ATTACHED GARAGE	\$ 323,383.07	10/10/2013

Note: Project Name that includes E13-.... were applied for and issued online through MyBuildingPermit.com

4. E-PERMITS – (MyBuildingPermit.com, AKA MBP)

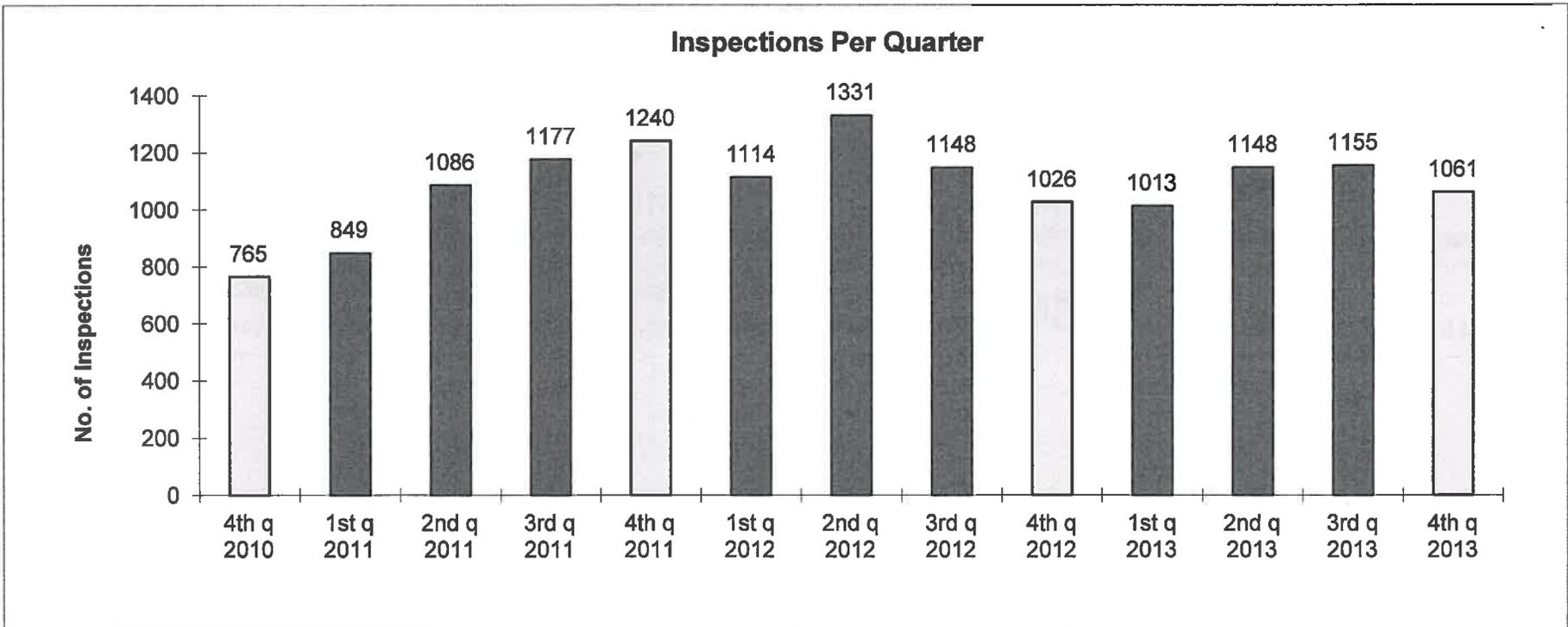
The chart below shows the number of permits that have been issued online in relation to the total number of permits issued by the city for each permit type. As of July 16, 2013 the opportunity for applicants to obtain online building permit for all new residential and commercial structures and tenant improvement/remodeling for commercial structures requiring a plan review was launched via the Mybuildingpermit.com web portal. Starting in the 3rd quarter of 2013 a new row was added to show the total number of building permits applied for and issued online in relation to those that are eligible to be applied for and issued online. The overall average number of online permits continues to increase.

E-PERMITS ISSUED	2008 Totals	2009 Totals	2010 Totals	2011 Totals	1 st q 2012	2 nd q 2012	3rd q 2012	4 th q 2012	2012 Totals	1 st q 2013	2 nd q 2013	3rd q 2013	4 th q 2013	2013 Totals
Building	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0/9 (0%)	15/39 (38%)	15/48 (31%)
Re-roof	3/43 (7%)	2/36 (6%)	4/30 (13%)	2/50 (4%)	0/4 (0%)	1/11 (9%)	1/12 (8%)	0/2 (0%)	2/30 (7%)	2/7 (29%)	1/7 (14%)	5/11 (45%)	0/5 (0%)	8/30 (27%)
Mechanical	68/160 (43%)	133/251 (53%)	132/254 (52%)	142/254 (56%)	39/74 (53%)	39/63 (62%)	39/74 (53%)	53/82 (65%)	170/293 (58%)	46/67 (63%)	81/111 (73%)	44/73 (60%)	75/104 (72%)	242/355 (68%)
Plumbing	37/108 (34%)	36/146 (25%)	31/112 (28%)	26/141 (18%)	4/23 (17%)	8/37 (22%)	13/38 (34%)	13/34 (38%)	38/132 (29%)	9/34 (26%)	10/35 (29%)	15/42 (36%)	14/35 (40%)	48/146 (33%)
Electrical	93/520 (18%)	117/502 (23%)	145/598 (24%)	279/ 80 (36%)	116/234 (50%)	138/262 (53%)	79/210 (38%)	96/215 (45%)	429/922 (47%)	106/204 (52%)	100/230 (43%)	105/249 (42%)	121/214 (57%)	432/897 (48%)
TOTALS	201/831 (24%)	288/935 (31%)	312/994 (32%)	449/1225 (38%)	159/335 (47%)	186/373 (50%)	132/335 (39%)	162/333 (49%)	639/1377 (46%)	159/312 (51%)	192/383 (50%)	169/384 (44%)	225/397 (57%)	745/1476 (50%)

5. CONSTRUCTION INSPECTIONS:

Burien's Building inspectors perform a variety of building, electrical, plumbing and mechanical inspections in addition to performing plan reviews and assisting the public at the counter and on the phone. They also assist with code enforcement complaints related to construction projects. Inspection requests can be called into a voice mail system, or submitted online through the City's website or www.mybuildingpermit.com. The inspection workload continues to remain steady.

INSPECTIONS	2009 Total	4 th q 2010	2010 Total	1 st q 2011	2 nd q 2011	3 rd q 2011	4 th q 2011	2011 Total	1 st q 2012	2 nd q 2012	3 rd q 2012	4 th q 2012	2012 Total	1 st q 2012	2 nd q 2012	3 rd q 2013	4 th q 2013	2013 Total
No. of Inspections	3980	765	3314	849	1086	1177	1240	4352	1114	1331	1148	1026	4619	1013	1148	1155	1061	4377
Average No. of inspections per day per inspector	6.4	4.9	5.3	5.5	6.8	7.4	8.1	6.9	7.2	8.3	7.3	6.6	7.4	6.6	7.2	7.2	6.8	7.0



6. NORMANDY PARK PLAN REVIEWS AND INSPECTIONS:

In January, 2006, Burien began providing plan review and inspection services to the City of Normandy Park. These services are provided by Burien's Building Official and our three inspectors. The inspections and review listed here are in addition to those performed for Burien. This quarter shows plan reviews and inspections are consistent with 4th quarter activity in 2012.

The following chart shows the number of plan reviews and inspections performed by Burien staff on behalf of Normandy Park.

	2006 Total	2007 Total	2008 Total	2009 Total	2010 Total	1 st q 2011	2 nd q 2011	3 rd q 2011	4 th q 2011	2011 Total	1st q 2012	2 nd q 2012	3 rd q 2012	4th q 2012	2012 Total	1st q 2013	2 nd q 2013	3 rd q 2013	4th q 2013	2013 Total
No. of Plan Reviews + Other	48	77	125	56	33	9	11	10	8	38	6	12	8	18	44	12	15	16	18	61
No. of inspections	672	1242	1473	1035	695	124	149	164	175	612	161	156	230	242	789	189	223	260	249	921
Average # inspections per day	2.7	4.9	5.9	4.2	2.8	2	2.3	2.6	2.9	2.4	2.6	2.4	3.7	3.9	3.1	3.1	3.5	4.1	4.0	3.7

7. LAND USE PRE-APPLICATION MEETINGS:

Pre-application meetings are required for most planning and land use-related actions. Meetings are held every other Thursday for up to 3 pre-application reviews. Staff from planning, building, public works, fire, and police attends as needed to discuss fatal flaws and to identify various requirements for a proposed development. A written report is provided to the applicant, as well as meeting minutes. Although this service requires a substantial amount of staff time, it has proven to be valuable to both the applicant and the city and helps to expedite the formal review later in the process. The following chart shows the number of pre-application reviews by project type. So far this year, Staff conducted 49 pre-application meetings in 2013, running well ahead of those in recent years.

Pre-Application Project Type	2009 Total	4 th q 2010	2010 Total	1 st q 2011	2 nd q 2011	3 rd q 2011	4 th q 2011	2011 Total	1st q 2012	2 nd q 2012	3 rd q 2012	4 th q 2012	2012 Total	1st q 2013	2 nd q 2013	3rd q 2013	4 th q 2013	2013 Total
Short Plat (4 or fewer lots)	2	2	9	1	1	2		4	1	2	3		6	4	2	2	1	9
Subdivision (5 or more lots)		1	1								1	1	2		1	1		2
Multi-Family					1		2	3	1			1	2		2	1		3
Critical Area Review—Single-Family	2		2	1	1	2	1	5		2	2	3	7	1	6	2		9
Critical Area Review—Other	2		1											3		1		4
Commercial/Mixed Use—New	4		6	1		2	1	4		1	1		2	3	1	3	1	8
Commercial/Mixed Use—Addition, Renovation	4	1	5	2	1		1	4	1	1	1	4	7	2		1	3	6
Change of Use		1	3	1		2	1	4	4		2		6	1	4	1		6
Other	7	2	6		1		1	2			1		1	1	1			2
TOTALS	21	7	33	6	5	8	7	26	7	6	11	9	26	15	17	12	5	49

8. LAND USE APPLICATIONS:

The following chart shows the types of planning and land use applications received categorized by project type. The number of land use application processed in 2013 has risen significantly over previous years.

Project Type	2009 Total	4 th q 2010	2010 Total	1 st q 2011	2 nd q 2011	3 rd q 2011	4 th q 2011	2011 Total	1 st q 2012	2 nd q 2012	3 rd q 2012	4 th q 2012	2012 Total	1 st q 2013	2 nd q 2013	3 rd q 2013	4 th q 2013	2013 Total
Accessory Dwelling Unit	9		5	2	2	1	1	6		4	1	1	6	1	3		1	5
Critical Area Review—Admin.		1	1		1			1		1						1	1	2
Critical Area Review—Type 1			2		3			3										
Lot Line Adjustment	8	1	5		6	2	2	10	2	3	3	1	9	1	2	6	3	12
Land Use Review—Type 1	6	1	2	3			1	4	1		1	2	4	4	1		1	6
Land Use Review—Type 2	1	1	2												1			1
Land Use Review—Type 3	1					1		1										
Master Sign Plan	1		1		1			1						2	1			3
Multi-Family Tax Exemption																		
Rezone	1													1				1
Shoreline Exemption	2	3	3	3	1	3	1	8	1	1	3	2	7	3	4		3	10
Short Plat—Preliminary	1	1	8	1	1	1		3	1	1	3	2	7		3	1	2	6
Short Plat—Final	3	5	6		1		1	2	2		1	3	6	2	1	1		4
Subdivision—Preliminary														2				2
Subdivision—Final						1		1								1		1
Tree Removal Permit	13	3	21	1	5	5	5	16	6	5	3	9	23	5	10	4	12	31
Temporary Use Permit	2				1			1									1	1
TOTALS	48	16	57	10	22	14	11	57	13	15	15	20	63	21	26	14	24	85

9. LAND USE DECISIONS ISSUED:

	2009	4 th q 2010	2010 Total	1 st q 2011	2 nd q 2011	3 rd q 2011	4 th q 2011	2011 Total	1 st q 2012	2 nd q 2012	3 rd q 2012	4 th q 2012	2012 Total	1 st q 2013	2 nd q 2013	3 rd q 2013	4 th q 2013	2013 Total
Number of Decisions Issued	15	3	18	2	3	6	3	14	1	0	1	3	5	3	5	6	7	21
Percent Issued By Target Date	80%	100%	89%	100%	67%	100%	100%	93%	0%	n/a	100%	100%	80%	100%	100%	83%	71%	86%



King County

Mental Health, Chemical Abuse and Dependency Services Division

Department of
Community and Human Services

CNK-HS-0400
Chinook Building
401 Fifth Avenue, Suite 400
Seattle, WA 98104

206-263-9000

206-296-0583 Fax

206-205-1634 Fax - Clinical Svcs.

206-205-0569 TTY/TDD

January 22, 2014

Dear Mayor Krakowiak:

Save the date: *Recovery Month* September 2014. We are writing today to notify you about celebrating the 25th year of ***National Recovery Month***, which is September 2014, and to ask you to save the date on your City Council calendar for the possibility of issuing a proclamation declaring September 2014 as ***Recovery Month***. Last year in King County, 33 of 39 cities issued these proclamations. Our goal is to have all 39 cities issue ***Recovery Month*** proclamations.

Thank you for your consideration of carving out time on your City Council calendar for ***Recovery Month*** 2013. If you have any questions about ***Recovery Month*** please contact Cheryl Goluch at cheryl.goluch@kingcounty.gov or by phone at 206-263-9111.

Sincerely,

Jim Vollendroff, MPA, NCACII, CDP
Assistant Division Director/ Substance Abuse
Prevention and Treatment Coordinator

Jean Robertson, LICSW
Assistant Division Director/ RSN Administrator





Burien

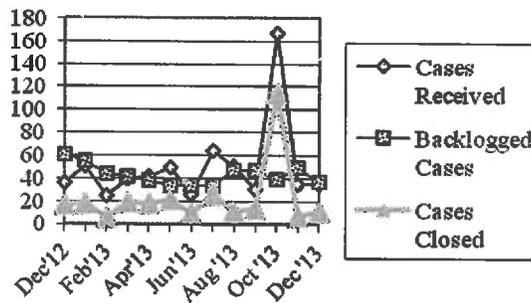
Washington, USA

CITY OF BURIEN MEMORANDUM

DATE: January 6, 2013
TO: Craig D. Knutson, Interim City Manager
FROM: Cynthia Schaff, Paralegal
RE: 2013 Citizen Action Report

This report reflects the caseload for December and includes all backlog cases open as of December 31, 2013. As of that date, there were 64 open cases. 37 of the open cases are more than five weeks old and are considered backlog. There were 35 cases opened during the month of December, 15 cases initiated by staff/police/fire, and 20 cases initiated by residents. 11 of the cases opened during the month of December were closed within the month.

Citizen Action Case Status



	Dec '12	Jan '13	Feb '13	Mar '13	Apr '13	May '13	Jun '13	Jul '13	Aug '13	Sept '13	Oct '13	Nov '13	Dec '13
Cases Closed	17	18	6	19	18	21	9	26	11	13	114	7	11
Cases Received	36	50	25	39	42	49	26	64	50	30	167	35	35
% Cases Closed/Received	47%	36%	24%	49%	43%	43%	35%	41%	22%	43%	68%	20%	31%
Backlogged Cases	61	55	44	41	38	34	34	34	47	47	39	49	37
Total Open Cases	84	84	77	63	60	63	52	75	91	66	91	78	64
% of Backlog	73%	65%	57%	65%	63%	54%	65%	45%	52%	71%	43%	63%	58%

As usual, please let me know if you have any questions or suggestions for additional improvements to this report.

Cc: Chip Davis, Community Development Director
 Jim Bibby, Code Enforcement Officer
 Maiya Andrews, Public Works Director

Michael Lafreniere, Parks Director
 Jan Vogee, Building Official



Monthly Report to the City Manager
Citizen Action Request Case Status

Report Date: 01/08/2014

Days Old	Department	CAR #	Date Received	Nature of Request	Complaint Information	Last Action	Date	Status
788	Code Enforcement	CAR-11-0486	11/10/2011	Nuisance	18331 MAPLEWILD AV SW Nuisance-Golka-Zone 3	Other - See Notes	11/07/2013	Open
666	Fire Department	CAR-12-0112	03/21/2012	Fire Department Issue	15800 4TH AV S Fire Issue-Woodcrest Apt-Zone 4	Other - See Notes	12/03/2013	Open
592	Code Enforcement	CAR-12-0203	05/24/2012	Nuisance	12657 12TH AV S Nuisance, Vehicles, House-Towls-Zone 2	Other Letter	11/05/2013	Open
563	Fire Department	CAR-12-0284	07/02/2012	Fire Department Issue	12448 AMBAUM BL SW Fire Issue-Clifton Apts-Zone 1	NOV Issued	04/16/2013	Open
510	Code Enforcement	CAR-12-0338	08/14/2012	Business License	502 SW 138TH ST Business License/Home Occ.-Parkers Moving-Zone 1	Other Letter	02/28/2013	Open
482	Code Enforcement	CAR-12-0431	10/01/2012	Fire Department Issue	18050 DES MOINES MEMORIAL DR S Fire/Building-New Owner-Zone 4	Enforcement Letter 1	11/21/2012	Open
361	Building	CAR-13-0018	01/10/2013	Building	14901 28TH AV SW Building/ROW Issue-Winston-Zone 3	Enforcement Letter 1	09/30/2013	Open
342	Code Enforcement	CAR-13-0036	01/29/2013	Nuisance	13825 DES MOINES MEMORIAL DR S Vehicles/Trash-Haberzettl -Zone 4	Other Letter	12/03/2013	Open
342	Code Enforcement	CAR-13-0051	01/29/2013	Housing Concerns	12456 ROSEBERG AV S Housing, No Water-Prasad, Rental-Zone 2A	NOV issued	11/07/2013	Open
287	Code Enforcement	CAR-13-0120	03/25/2013	Nuisance	949 SW 130TH ST Nuisance, Trash debris-Taylor-Zone 1	Phone Call	05/15/2013	Open
256	Public Works	CAR-13-0159	04/25/2013	ROW Issue	3502 SW 172ND ST ROW Issue, Fence-Saxwold-Zone 3	Enforcement Letter 1	07/17/2013	Open

Days Old	Department	CAR #	Date Received	Nature of Request	Complaint Information	Last Action	Date	Status
220	Code Enforcement	CAR-13-0212	05/31/2013	ROW Issue	2824 SW 171ST ST ROW Rockery collapse-Hwang-Zone 3	NOV Issued	09/09/2013	Open
189	Code Enforcement	CAR-13-0248	07/01/2013	Nuisance	12602 OCCIDENTAL AV S Nuisance, Vehicles-Brown-Zone 2	NOV Issued	01/03/2014	Open
164	Code Enforcement	CAR-13-0296	07/26/2013	Nuisance	12615 14TH AV S Vacant-Haydon-Zone 2	NOV Issued	01/03/2014	Open
159	Code Enforcement	CAR-13-0301	07/31/2013	Housing Concerns	646 SW 152ND ST Housing, Illegal Dwelling-Phung-Zone 3	NOV Issued	10/08/2013	Open
154	Code Enforcement	CAR-13-0308	08/05/2013	Planning / Zoning	Planning/Zoning-Dunn-Zone 2	NOV Issued	12/12/2013	Open
145	Code Enforcement	CAR-13-0323	08/14/2013	Nuisance	153 S 120TH ST Nuisance-Azpitarte-Zone 2	Enforcement Letter 1	09/12/2013	Open
145	Code Enforcement	CAR-13-0324	08/14/2013	Nuisance	147 S 120TH ST Nuisance-Hickey-Zone 2	Phone Call	09/10/2013	Open
123	Code Enforcement	CAR-13-0361	09/05/2013	Sign Violation	801 SW 148TH ST Abandoned Signs-Skippers, Miloler-Zone 3	Enforcement Letter 2	12/28/2013	Open
103	Code Enforcement	CAR-13-0388	09/25/2013	Nuisance	651 SW 120TH ST Nuisance, Trash-Dealvarado-Zone 1	Enforcement Letter 1	12/09/2013	Open
98	Code Enforcement	CAR-13-0385	09/30/2013	Nuisance	1432 S 129TH ST Nuisance, Trash,Illegal ADU-Jiminez-Zone 2	NOV Issued	11/08/2013	Open
95	Code Enforcement	CAR-13-0418	10/03/2013	Planning / Zoning	14230 8TH AV S RV Living-Singh-Zone 2	Enforcement Letter 1	10/21/2013	Open
94	Code Enforcement	CAR-13-0510	10/04/2013	Business License	420 SW 154TH ST B/L-OCAMPOS HOUSE CLEANING SERV.-ZONE 3	Case Closed	12/23/2013	Open
80	Code Enforcement	CAR-13-0532	10/18/2013	Building	12917 12TH AV S Bldg Permit-Medina-Zone 2	Enforcement Letter 1	12/11/2013	Open

Days Old	Department	CAR #	Date Received	Nature of Request	Complaint information	Last Action	Date	Status
89		CAR-13-0534	10/18/2013		15097 24TH AV SW Building Permit-Dickman-Zone 3	Enforcement Letter 1	11/21/2013	Open
74	Code Enforcement	CAR-13-0539	10/24/2013	Nuisance	17002 AMBAUM BL S Nuisance, Vehicles, B/L-Merz-Zone 4	Enforcement Letter 1	11/04/2013	Open
70	Code Enforcement	CAR-13-0560	10/28/2013	Sign Violation	245 SW 152ND ST ABS-Hara-Zone 3	Enforcement Letter 1	11/01/2013	Open
62	Code Enforcement	CAR-13-0555	11/05/2013	Sign Violation	15304 AMBAUM BL SW Sign Violations-Prasad-Zone 3	Enforcement Letter 1	11/13/2013	Open
62	Code Enforcement	CAR-13-0562	11/05/2013	Sign Violation	14202 1ST AV S ABS LaCelbita-BRC MPI LLC-Zone 2	Enforcement Letter 1	11/08/2013	Open
61	Code Enforcement	CAR-13-0567	11/06/2013	Nuisance	12004 3RD AV S Nuisance, Vehicles, Buildings Trash etc-Wetzel-Zone 2	Phone Call	11/16/2013	Open
61	Code Enforcement	CAR-13-0558	11/06/2013	Parking	14456 18TH AV SW Vehicle Parking, Parrent, Zone 1	Enforcement Letter 1	11/22/2013	Open
60	Code Enforcement	CAR-13-0559	11/07/2013	Nuisance	Vacant/Unsecure-HUD-Zone 2	Enforcement Letter 1	11/21/2013	Open
59	Code Enforcement	CAR-13-0565	11/08/2013	Business License	251 SW 153RD ST Business License-Austin-Zone 3	Enforcement Letter 1	12/27/2013	Open
55	Code Enforcement	CAR-13-0568	11/12/2013	Nuisance	12217 10TH AV S Nuisance, Vehicles, Vegetation, Trash, Un-secured House-Huh-Zone 2	Case Received	11/12/2013	Open
48	Code Enforcement	CAR-13-0580	11/19/2013	Nuisance	11404 10TH AV S Building Permit, Nuisance, Trash, Vehicles in ROW-Ngo-Zone 2	Enforcement Letter 1	11/21/2013	Open
47	Code Enforcement	CAR-13-0581	11/20/2013	Business License	11632 24TH AV S Business License-Cheatham-Zone 2	Enforcement Letter 1	12/11/2013	Open
45	Code Enforcement				13811 1ST AV SW			

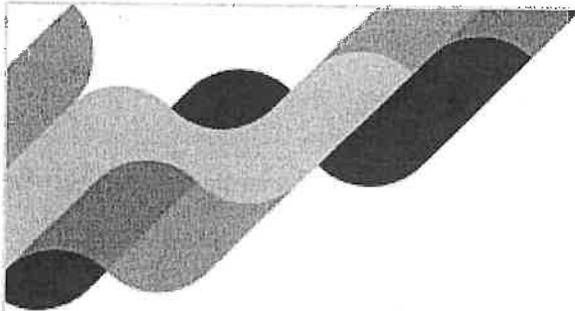
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Sheet_name: Monthly Report to the City Manager

Days Old	Department	CAR #	Date Received	Nature of Request	Complaint Information	Last Action	Date	Status
		CAR-13-0582	11/22/2013	Accessory Dwelling Unit	Illegal ADU-Nguyen-Zone 1	Phone Call	12/26/2013	Open
42	Code Enforcement	CAR-13-0587	11/25/2013	Nuisance	234 SW 137TH ST Nuisance, Trash-Smith-Zone 1	Enforcement Letter 1	12/12/2013	Open
41	Code Enforcement	CAR-13-0585	11/26/2013	Nuisance	410 SW 138TH ST Vacant-Young-Zone 1	Case Received	11/26/2013	Open
41	Code Enforcement	CAR-13-0588	11/26/2013	Sign Violation	119 SW 152ND ST ABS Bruno's Shoe-Neirub2-Zone 3	Enforcement Letter 1	12/02/2013	Open
40	Code Enforcement	CAR-13-0593	11/27/2013	Nuisance	12623 14TH AV S Nuisance, Trash, Vehicles-Martinez-Zone 2	Enforcement Letter 1	12/05/2013	Open
35	Code Enforcement	CAR-13-0589	12/02/2013	Nuisance	12041 2ND AV S Vacant/Unsecure-Dalland-Zone 2	Case Received	12/02/2013	Open
33	Code Enforcement	CAR-13-0595	12/04/2013	Fire Department Issue	14856 AMBAUM BL SW Fire Issue, Sprinkler System-Walgreens-Zone 1	Enforcement Letter 1	12/06/2013	Open
32	Code Enforcement	CAR-13-0597	12/05/2013	Nuisance	16604 11TH AV SW Nuisance,Trash-Broughton-Zone 3	Enforcement Letter 1	12/06/2013	Open
28	Code Enforcement	CAR-13-0602	12/09/2013	Building	428 SW 124TH ST Building/Electrical Permits/	Case Received	12/10/2013	Open
27	Code Enforcement	CAR-13-0601	12/10/2013	Business License	2225 S 112TH ST Business License-Noffke's Towing-Zone 2	Case Received	12/10/2013	Open
26	Code Enforcement	CAR-13-0603	12/11/2013	Fire Department Issue	Fire Department-Highline HS-Highline Sch. Dist.-Zone 4	Case Received	12/11/2013	Open

Days Old	Department	CAR #	Date Received	Nature of Request	Complaint Information	Last Action	Date	Status
26	Code Enforcement	CAR-13-0604	12/11/2013	Critical Area Concerns	1240 SW 124TH ST Critical Area Dumping-Ventoza-Zone 1	Case Received	12/11/2013	Open
25	Code Enforcement	CAR-13-0605	12/12/2013	Nuisance	831 SW 116TH ST Nuisance House, Vacant-Weiler-Zone 1	Enforcement Letter 1		
25	Code Enforcement	CAR-13-0624	12/12/2013	Graffiti	121 SW 143RD ST Graffiti-Garrison-Zone 1	Case Received	12/18/2013 12/30/2013	Open Open
21	Code Enforcement	CAR-13-0606	12/16/2013	Nuisance	14016 8TH AV S Nuisance-Royal-2	Case Received	12/16/2013	Open
20	Code Enforcement	CAR-13-0607	12/17/2013	Nuisance	12832 AMBAUM BL SW Nuisance, Trash Dumping-Ngo-Zone 1	Enforcement Letter 1	12/20/2013	Open
31	Code Enforcement	CAR-13-0599	12/06/2013	Sign Violation	11860 DES MOINES MEMORIAL DR S Sign Permit Violation-Rojas-Zone 2	Enforcement Letter 1	12/10/2013	Open
18	Code Enforcement	CAR-13-0611	12/19/2013	Nuisance	145 SW 153RD ST Nuisance, Trash-Boukalis-Zone 3	Case Received	12/19/2013	Open
14	Code Enforcement	CAR-13-0614	12/23/2013	Nuisance	14837 8TH AV SW Vegetation-Nyberg-Zone	Enforcement Letter 1	12/26/2013	Open
14	Code Enforcement	CAR-13-0615	12/23/2013	Home Occupation	15104 12TH AV SW Home Occupation-Elliott Bay Landscape, Benevides-Zone 3	Case Received	12/23/2013	Open
14	Code Enforcement	CAR-13-0616	12/23/2013	Nuisance	1050 SW 181ST ST Nuisance, Illegal Dump Furniture-Royal Arms Apts-Zone 3	Case Received	12/23/2013	Open
10	Code Enforcement	CAR-13-3617	12/27/2013	Nuisance	16631 16TH AV SW Nuisance, Garbage, Trash-Emerly-Zone 3	Enforcement Letter 1	01/02/2014	Open
10	Code Enforcement	CAR-13-0618	12/27/2013	Nuisance	131 SW 157TH ST Nuisance, Trash, Graffiti, semitrailers-Value Village-Zone 3	Case Received	12/27/2013	Open

Days Old	Department	CAR #	Date Received	Nature of Request	Complaint Information	Last Action	Date	Status
7	Code Enforcement	CAR-13-0619	12/30/2013	Building	15815 10TH AV SW Expired Bldg Permit-Boban-Zone 3	Enforcement Letter 1	01/03/2014	Open
7	Code Enforcement	CAR-13-0620	12/30/2013	Building	812 S 132ND ST Expired Bldg Permit-Singh-Zone 2	Case Received		
7	Code Enforcement	CAR-13-0621	12/30/2013	Building	14026 8TH AV S Expired Bldg Permit-Patton-Zone 2	Enforcement Letter 1	12/30/2013 01/02/2014	Open Open
7	Code Enforcement	CAR-13-0622	12/30/2013	Nuisance	12846 AMBAUM BL SW Nuisance, Trash, Debris, Vehicles-Paz-Zone 1	Enforcement Letter 1	01/02/2014	Open
7	Code Enforcement	CAR-13-0623	12/30/2013	Nuisance	120 SW 144TH ST Nuisance Trash, Vehicles, Debris-Hatch-Zone 1	Case Received	12/30/2013	Open



NEWS RELEASE

For Immediate Release

Date: January 17, 2014

Contact: Jason Kelly 206-787-6406

Tara Mattina 253-428-8674

Ports of Tacoma and Seattle to discuss response to shipping industry changes

(Seattle – January 17, 2014) – Today the ports of Seattle and Tacoma issued the following joint statement:

“The ports of Seattle and Tacoma will file a discussion agreement with the Federal Maritime Commission on Friday that will allow us under federal regulations to gather and share information to identify potential options for responding to unprecedented industry pressures.

“While the ports of Tacoma and Seattle have many advantages, such as naturally deep water and strong highway and rail connections to the second-largest concentration of warehouses and distribution centers on the West Coast, we must leverage our strengths in the face of continued soft demand and increasing competition.

“The ports of Seattle and Tacoma face fierce competition from ports throughout North America and must adjust to shifts in the global maritime industry. Global shipping lines,

continuing to lose millions of dollars each year, are investing in larger vessels with more capacity, sharing those vessels, consolidating terminals and reducing the number of ports at which they call.

“These discussions are aimed at increasing our collective market share and generating more container cargo moving through Puget Sound, the nation’s third-largest container gateway. We value our responsibility to serve the citizens of Pierce and King counties—and the manufacturers and agricultural exporters throughout the state—to continue to support thousands of jobs and generate significant tax revenues to state and local governments.

“The agreement allows the two ports, with appropriate legal oversight, to share information about their respective operations, facilities and rates. Both port commissions agree that a change in governance, such as a merger, will not be part of this discussion and no subsequent outcomes are presupposed.

“Both ports are committed to financially viable business models that support customer success, benefit the citizens of both counties and ensure the ability of the ports to reinvest in terminal assets and infrastructure.”

See the [full discussion agreement](#) filed with the Federal Maritime Commission.

###

About Port of Seattle

The Port of Seattle's economic impact from the Seaport and Airport generate nearly 200,000 jobs throughout the region with a payroll in excess of \$9.5 billion. Five elected commissioners, serve four-year terms and establish Port policy. The chief executive officer, in carrying out these policies leads 1,700 employees in five divisions.

The Port owns and operates Seattle-Tacoma International Airport, four container cargo terminals, two cruise ship terminals, four public marinas, and manages a number of real estate assets for financial return and economic advantage.



Notice of Application

City of Burien 400 SW 152nd Street (Suite 300) Burien, Washington 98166-3066

Date	January 23, 2014
Applicant	City of Burien Public Works Department
Proposal	Applicant requests an approval from WA State Department of Ecology for a Construction Stormwater General Permit to demolish 4 existing buildings and removal of the concrete slabs at Sunny Terrace Elementary School. The shallow depressions left by the slabs will be backfilled with approximately 1,300 cubic yards of 1 ¼" minus crushed rock. The concrete will be recycled. A private company will be hired to do the asbestos abatement.
File No.	PLA 14-0106 File is available for viewing at Burien City Hall during regular business hours.
Location	1010 S 146 th Street, Burien WA
Tax Parcel No.	202304-9005
Current Zoning	Airport Industrial – 1 with Automall/Commercial
Application Submitted/Complete	Submitted: January 17, 2014 Complete: January 21, 2014
Other Permits Needed	A State Department of Ecology Construction Stormwater General Permit, City of Burien Demolition Permit, City of Burien Clearing & Grading Permit Puget Sound Clean Air Agency Asbestos/Demolition Notification & Asbestos Survey
Existing Environmental Info.	1952 Soil Survey, USDA Soil Conservation Service November 2002 City of Burien Northeast Special Planning Area Final Supplemental Environmental Impact Statement (Final SEIS) Prepared by EDAW March 2009 Burien NERA Critical Area Study November 2009 City of Burien Northeast Redevelopment Area (NERA) Final Supplemental Environmental Impact Statement (Final SEIS) Prepared by Otak
Environmental Review	For this proposal, the City of Burien is using the "optional Determination of Non Significance (DNS) process" under the State Environmental Policy Act (WAC 197-11-355). The City expects to issue a DNS for the proposal. Individuals who submit timely written comments to the City (as indicated below) will become parties of record and will be notified of any decision and environmental determination made on this project. A copy of any decision and environmental determination made on this project may also be obtained upon request. The decision on the proposal and environmental determination, once made, may be appealed. All documents submitted or requested as part of this application are available for review at City Hall during regular business hours.
Review Process and Public Comment	The decision on this application will be made by the Community Development Director. Prior to the decision, there is an opportunity for the public to submit written comments. Written comments must be received prior to 5:00 p.m. on Thursday, February 6, 2014. Send written comments to the project planner (see below). Please indicate your name and address and refer to the file indicated above. Only people who submit comments as indicated above may appeal the decision on this application.
Project Planner (for written comments and more information)	Brandi Eyerly, AICP Department of Community Development City of Burien 400 SW 152 nd Street, Suite 300 Burien, WA 98166-3066 Phone: (206) 248-5519 E-Mail: brandie@burienwa.gov
Published in the Seattle Times	Date of Notice: January 23, 2014

cc: Burien City Council
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 Burien Daily



Notice of Application

City of Burien 400 SW 152nd Street (Suite 300)

Burien, Washington 98166

Date January 17, 2014

Applicant Randy Smith, RB Smith Development Company

Proposal Short Plat One (1) Residential Lot Into two (2) Residential Lots.

File No. PLA 13-2386
File is available for viewing at Burien City Hall during regular business hours.

Location 13433 12th Ave South, Burien, Washington

Tax Parcel No. 011100-0340

Current Zoning RS-7,200 Single-Family Residential Zone

Application Submitted/Complete Submitted: November 8, 2013
Complete: January 13, 2014

Other Permits Needed Building Permit and Right-of-Way Permit

Other Studies Needed None

Existing Environmental Info. None

Review Process and Public Comment The decision on this application will be made by the Community Development Director. Prior to the decision, there is an opportunity for the public to submit written comments. **Written comments must be received prior to 5:00 p.m. on February 17, 2014.** Send written comments to the project planner (see below). Please indicate your name and address and refer to the file indicated above. Only people who submitted comments as indicated above may appeal the decision on this application.

Project Planner (for written comments and more information) Liz Olmstead
Department of Community Development
City of Burien
400 SW 152nd Street, Suite 300
Burien, WA 98166
Phone: (206) 812-7575 E-Mail: elizabetho@burienwa.gov

Published in the Seattle Times Date of Notice: January 17, 2014

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- Web site: www.burienwa.gov
- Burien Daily



Notice of Decision

City of Burien 400 SW 152nd Street, Suite 300 Burien, Washington 98166-3066

Date	January 10, 2014
Applicant	Mario Segale, Property Owner
Proposal	Construction of a Single-Family home within a geologic hazard area and modification of a stream buffer.
File No.	PLA 13-1349
Location	12406 Standing Lane SW, Burien, WA
Tax Parcel No.	122303-9090
Decision	Approval of Type 1 Land Use Review, subject to conditions
Appeals	The City of Burien has issued the decision described above. Parties of record may appeal this decision to the Hearing Examiner pursuant to Burien Municipal Code Section 19.65.065.5. The deadline for filing a written Notice of Appeal with the City Clerk is prior to 5:00 p.m. on January 24, 2014 . Copies of the "Notice of Appeal" document may be obtained at the Department of Community Development. There is a non-refundable current filing fee for the submittal of an appeal. For more information please contact the project planner (see below).
Property Tax Revaluation	Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation. For more information, please contact the King County Assessor's Office at (206) 296-7300.
Project Planner	David Johanson Department of Community Development City of Burien 400 SW 152 nd Street, Suite 300 Burien, WA 98166 Phone: (206) 248-5522 E-Mail: davidj@burienwa.gov
Attachments	Conditions of approval

CONDITIONS OF APPROVAL

Mario Segale

**Type 1 Land Use, Critical Area Review
for Construction of a Single-Family Residence
File No. PLA 13-1349**

- A. The applicant is responsible for ensuring compliance with all provisions contained in the Burien Municipal Code (including but not limited to the Zoning Code, Building Code and Fire Code), the 2009 King County Surface Water Design Manual and BMC Chapter 12.05, City of Burien Road Design and Construction Standards. See Attachment 1 for summaries of critical area development standards and other agency and code requirements.
- B. Prior to issuance of any development permits or site alterations, the applicant shall:
1. Identify clearing limits in the field, protect disturbed areas to prevent sediment from entering runoff, construction traffic areas shall be stabilized to minimize erosion and tracking of sediment offsite and if dewatering is necessary, steps must be taken to treat any discharge from those activities.
 2. The applicant shall comply with the conditions set forth by the City of Burien Development Review Engineer in the memo dated August 6, 2013 (see Attachment 8) prior to the issuance of development permits for the proposed project. Specifically the Surface Water Engineer requires that the storm water facilities and drainage site plan for the project shall be in accordance with the 2009 King County Surface Water Design Manual (KCSWDM), the 2009 the Stormwater Pollution Prevention Manual (SPPM) as adopted by the City of Burien (ref. BMC § 13.10.020), and the Burien Municipal Code (BMC), Chapter 13.10.
 3. Address the requirements of the Fire Marshal as outlined in the Fire Hydrant Availability Certificate.
 4. Demonstrate how the project will comply with BMC 12.40.070 requiring undergrounding of all utilities.
 5. Incorporate the recommendations made in the critical area study prepared by Cedarock Consultant, Inc., dated June 26, 2013 to ensure that the proposed alterations to the critical area vegetation are effectively mitigated.
 6. Submit a letter from GeoEngineers stating that they have reviewed all building plans and that all recommendations made in their August 8, 2013 report have been addressed in all submitted plans and construction drawings per BMC 19.40.290.4.H.
 7. Submit a performance bond or other approved financial surety to the City of Burien.
 8. Submit to the City required fees for the signed and notarized Critical Areas Notice and Hold Harmless Agreement to be recorded with King County. The notice shall be recorded to run with the land per BMC 19.40.160.6 and 19.40.210.1.
 9. Clearly stake, using permanent survey markers installed by a licensed surveyor, the outer edge of any required critical area buffer, tract or protective easement. The survey markers and a temporary construction fence shall be installed at applicant expense and accepted by the Director prior to issuance of any permits for site clearing or construction. The temporary construction fence shall be a sturdy wire, chain link or wood fence between 3 feet and 6 feet high as required by the Director.

10. Submit to the City, required fees for the signed and notarized Critical Area Protective Easement to be recorded with King County. The notice shall be recorded to run with the land per BMC 19.40.220.

C. Prior to final inspection the applicant shall:

1. Follow the recommendations of the Salmon Creek Critical Area Study, dated June 26, 2013, and comply with the mitigation and monitoring plan as specified therein.
2. Provide written confirmation from GeoEngineers that the project has been constructed in accordance with the recommendations in the geotechnical report prepared by GeoEngineers dated August 8, 2013 and the approved construction plans pursuant to BMC 19.40.290.4.I.
3. Complete all mitigation work specified in the critical area study dated June 26, 2013 and project plans shown in attachment 5.
4. Have the mitigation installation accepted by both the stream biologist and the City of Burien.

D. An "as-built" mitigation report shall be submitted to the City within one (1) month of mitigation installation. Acceptance of the as-built report by the City will be made after a site investigation is performed by the City.

CRITICAL AREA DEVELOPMENT STANDARDS

FILE NO. PLA 13-1349, APPLICANT: Mario Segale

DATE: January 10, 2014

19.40.160.6 Indemnification. Prior to issuance of any development permits, the applicant shall sign and submit to the City for recording, an indemnification or hold harmless agreement for all clearing, grading or construction. The form of the agreement shall be approved by the City Attorney.

19.40.170 Mitigation, Maintenance and Monitoring. The *Director* may require the *applicant* to provide, at the applicant's expense, *mitigation*, maintenance and *monitoring* measures to protect *critical areas* and *buffers*. A written report describing the results of any *mitigation*, maintenance or *monitoring* measures shall be submitted to the *Director* for review and further action, if needed. Where *monitoring* reveals a significant deviation from predicted impacts or a failure of *mitigation* or maintenance measures, the *applicant* shall be responsible for appropriate corrective action which, when approved, shall be subject to further *monitoring*.

19.40.180 Bonds. The *Director* may require a bond or other security in a form and amount deemed acceptable by the *Director* to ensure compliance with any aspect of this chapter or any decision or determination made under this chapter.

19.40.190 Vegetation Management Plan. Prior to issuance of any development permits, the applicant shall submit a vegetation management plan for City review and approval. The vegetation management plan shall incorporate all City requirements relating to protection, maintenance and planting of vegetation and shall identify the proposed clearing limits for the project and any areas where vegetation in a *critical area* or its *buffer* is proposed to be disturbed. The vegetation management plan may be incorporated into a temporary erosion and sediment control plan or landscaping plan where either of these plans is required. Vegetation within critical areas and their buffers may be trimmed, pruned or removed only upon prior written approval by the Director. Where alteration of the critical area or buffer has occurred during construction, revegetation with native vegetation will be required unless the Director approves a substitute vegetation with the same or better functions than the original buffer area.

19.40.200 Critical area markers and signs. The outer edge of any required critical area buffer, tract or protective easement shall be clearly staked using permanent survey markers installed by a licensed surveyor.

19.40.210 Notice on Title. Prior to issuance of any development permits, the property owner shall submit to the City, a signed notice approved by the *Director* for recording with the King County. The notice shall inform the public of the presence of *critical areas* or *buffers* on the *site*, of the application of this chapter to the property, of the requirement for engineered structure design (if applicable), and that limitations on actions in or affecting such *critical areas* or *buffers* may exist. The notice shall run with the land.

19.40.220 Permanent protection of critical areas and buffers. Critical areas and their buffers shall be permanently protected from alteration by tracts or easements.

19.40.290[3.C] Erosion Control. Prior to issuance of any development permits or site alterations, the applicant shall submit an *erosion* control plan to the *Director* for review and approval.

19.40.290[3.E] Landscaping. The disturbed area of a site shall be landscaped to provide erosion control and to enhance wildlife habitat. Landscape plantings should include trees and shrubs with a mix of shade, flowering, and coniferous and broad-leaf evergreens that are either native to the Puget Sound area or are valuable to western Washington birds and wildlife as listed by the Department of Fish and Wildlife.

ATTACHMENT 1

19.40.290[3.F] Vegetation Maintenance. Limited trimming and pruning of vegetation for the creation and maintenance of views is allowed in accordance with the pruning standards of the International Society of Arboriculture; provided, that the soils are not disturbed and the activity will not increase the risk of landslide or erosion.

BMC 19.40.290 [4. F]. Landslide Hazard Affidavit.

BMC 19.40.290 [4. H & I]. Geotechnical review of building plans and construction.

19.40.350 Streams – Performance Standards.

1. General Requirements.

- B. The use of *hazardous substances*, pesticides and fertilizers in the *stream* corridor and its *buffer* are prohibited by the City of Burien unless approved by the City.
- C. Plantings in a *wetland* or *buffer* should be native to Western Washington or increase the functions of the *wetland* or *wildlife habitat*;
- D. No vegetation removal, including mowing, shall be allowed in a *stream buffer* unless authorized by the *Director*. Removal of *noxious weeds* is permitted if done manually.

19.40.370 Streams – Mitigation requirements.

1. General Requirements.

- C. *Mitigation* minimum requirements shall include:
 - i. All work shall be carried out under the direct supervision of a *qualified professional*;
 - vi. The channel, bank and *buffer* areas shall be replanted with vegetation *native* to Western Washington which replicates the original vegetation in *species*, sizes and densities; and
 - vii. The original biologic functions of the *stream* shall be recreated.

3. Mitigation Schedule.

- A. A *mitigation monitoring* schedule shall be established for a period of five (5) years.
- B. An “as-built” *mitigation* report shall be submitted to the City within one (1) month of *mitigation* installation. Acceptance of the as-built report by the City will be made after a site investigation is performed by the City, and all changes requested by the City are completed.
- C. *Mitigation* monitoring reports shall be submitted annually to the City and shall show that the mitigated area is meeting performance standards and goals set forth in the *mitigation* plan.

4. Financial Surety. A performance bond, or other approved financial surety, is required before building and *clearing* and grading permits are issued. The purpose of the financial surety is to hold an applicant accountable for implementing the *mitigation*, monitoring, and contingency plans. The release of financial surety is contingent on satisfactory completion by the applicant of the proposed construction, *mitigation*, *monitoring*, and contingency plans as determined by the *Director*.

City Manager



SEPA Determination of Nonsignificance (DNS) WAC 197-11-970

City of Burien 400 SW 152nd Street (Suite 300) Burien, Washington 98166

Date January 9, 2014

Applicant Pace Engineers for Southwest Suburban Sewer District

Proposal **Type 1 SEPA Checklist Review for a Shoreline Substantial Development Permit to upgrade & improve Lift Station 14; approximately 60± lineal feet of new sheet pile/bulkhead at a depth of 18± feet below grade with concrete cap and guard rail extending above. Existing rockery will remain and surround new bulkhead. Abandonment of Lift Station 15 and transferring flows via Three Tree Point Lane to Lift Station 14 via construction of a 637± lineal foot gravity main.**

File No. PLA 13-2148 '
File is available for viewing at Burien City Hall during regular business hours.

Location Beginning at the intersection of SW 171st Street and Three Tree Point Land to the end of SW 170th Street via Three Tree Point Lane.

Lead Agency City of Burien WA

Environmental Determination The lead agency for this proposal has determined that the proposal does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2) (c). This decision was made after a review of a completed environmental checklist and other information on file with the lead agency.

This Determination of Nonsignificance (DNS) is issued after using the optional DNS process WAC 197-11-355. There is no further comment period on the DNS. This DNS is specifically conditioned on compliance with the applicable regulations set forth in the Burien Municipal Code.

All information relating to this proposal is available to the public upon request.

Public Comment and Appeal Process This DNS is issued under 197-11-355. There is a 14-day appeal period on this agency decision. An appeal of the decision requires that a Notice of Appeal form and a \$300 fee be submitted by **January 23, 2014**. Appeal forms are available at the Department of Community Development or the city's website www.burienwa.gov. Questions regarding procedures for appealing this agency decision may be directed to Brandi Eyerly, Planner at (206) 248-5519 or brandie@burienwa.gov.

SEPA Responsible Official Charles W. "Chip" Davis, AICP
Community Development Director
City of Burien
400 SW 152nd Street, Suite 300
Burien, WA 98166

Signature: 



CITY OF BURIEN, WASHINGTON
Department of Community Development

**PLA 13-2148 Pace Engineers, Inc. for Southwest Suburban Sewer District
Conditions for Shoreline Substantial Development Permit Approval**

This application is subject to the applicable requirements contained in the Burien Municipal Code (including but not limited to the Zoning Code, Building Code and Fire Code), the 2009 King County Surface Water Design Manual, as amended, the 2009 Stormwater Pollution Prevention Manual, as adopted, Burien Municipal Code, Chapter 13.10 and 2008 Burien Road Standards. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these documents. When a condition of approval set out below conflicts with a development requirement the condition of approval shall be followed.

The project is consistent with the Shoreline Substantial Development Permit review criteria outlined in WAC section 173-27-150(1) and is therefore approved with the following conditions:

- Prior to construction permit approval the applicant shall submit a copy of the Hydraulic Project Approval from the Washington State Department of Fish & Wildlife (KCSM 25.16.180.L).
- Prior to construction permit approval, the Applicant shall submit a "Habitat Assessment" checklist as required by the Federal Emergency Management Agency (FEMA).
- Pursuant to RCW 90.58.140(5), construction pursuant to this permit shall not begin or be authorized until 21 days from the date the permit decision was filed with the Department of Ecology or until all review proceedings are terminated.

As conditioned, the proposal is vested and consistent with the policies and procedures of the Shoreline Management Act of 1971, as amended; the provisions of the WAC, Chapter 173-27 Shoreline Management Permit and Enforcement Procedures; and Title 25, Shoreline Management of the King County Code, which is the master program for the area.

- Prior to beginning any work in the public right-of-way, the applicant shall apply for and obtain Right-of-Way use /or Right-of-Way Construction Permits for all work to be completed in public rights-of-way.
- Revise and resubmit to the City Public Works and Building Departments the Lift Station Upgrade Plans and the TESC Plans showing compliance to 1 through 5 of the November 22, 2013 Peer Review Letter from SDA Engineering Consultants for the City of Burien Public Works Departments.

Burien

Washington, USA

400 SW 152nd, Suite 300, Burien, WA 98166

Phone: (206) 241-4647 • FAX (206) 248-5539

www.burienwa.gov

DATE: January 21, 2014
FOR RELEASE: Immediately
CONTACT: City Clerk's Office, (206) 248-5517

**CITY OF BURIEN
COUNCIL SPECIAL MEETING
NOTICE**

The Burien City Council will hold a Special Meeting for the purpose of holding an Executive Session to discuss a personnel matter per RCW 42.30.110(1g) to evaluate qualifications of applicants for public employment on Thursday, January 23, 2014 at 6:00 p.m. followed by an open session to discuss the city manager selection process at 7:00 p.m. at Burien City Hall, 400 SW 152nd Street, 3rd Floor.

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The City of Burien strives to provide alternate communication opportunities. Please contact the City Clerk's office, 206/248-5517, twenty-four hours prior to the meeting, for assistance.

cc:	Burien City Council	Seahurst Post Office
	Burien Staff	White Center Now
	Burien Library	B-Town Blog
	Discover Burien	Web site: www.burienwa.gov
	Highline Times	Burien Daily

*** PLEASE PUT ON COMMUNITY CALENDAR BULLETIN BOARD**



Burien

Washington, USA

400 SW 152nd, Suite 300, Burien, WA 98166
Phone: (206) 241-4647 • FAX (206) 248-5539
www.burienwa.gov

DATE: January 14, 2014
FOR RELEASE: Immediately
CONTACT: Parks, Recreation & Cultural Services Department, 206/988-3700

LOCATION CHANGE

CITY OF BURIEN ARTS COMMISSION MEETING NOTICE

The City of Burien Arts Commission will hold its meetings starting on Tuesday, January 28, 2014, at 6:30 p.m. at the Dottie Harper House, 421 SW 146th Street, Burien.

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The City of Burien strives to provide alternate communication opportunities. Please contact the City Clerk's office, 206/248-5517, twenty-four hours prior to the meeting, for assistance.

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