



PLANNING COMMISSION AGENDA
February 12, 2014, 7:00 p.m.
Multipurpose Room/Council Chamber
Burien City Hall, 400 SW 152nd Street
Burien, Washington 98166

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

1. ROLL CALL

2. AGENDA CONFIRMATION

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

4. APPROVAL OF MINUTES January 22, 2014

5. OLD BUSINESS None

6. NEW BUSINESS Comprehensive Plan Update: Introduction to Housing Element

**7. PLANNING COMMISSION
COMMUNICATIONS**

8. DIRECTOR'S REPORT

9. ADJOURNMENT

Future Agendas (Tentative)

February 26, 2014

- 2014 Comprehensive Plan Housing Element

March 18, 2014

- 2014 Comprehensive Plan Docket Public Hearing

Planning Commissioners

Jim Clingan (Chair)

Ray Helms

**Greg Duff
Brooks Stanfield**

**Joey Martinez (Vice Chair)
Butch Henderson**

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.

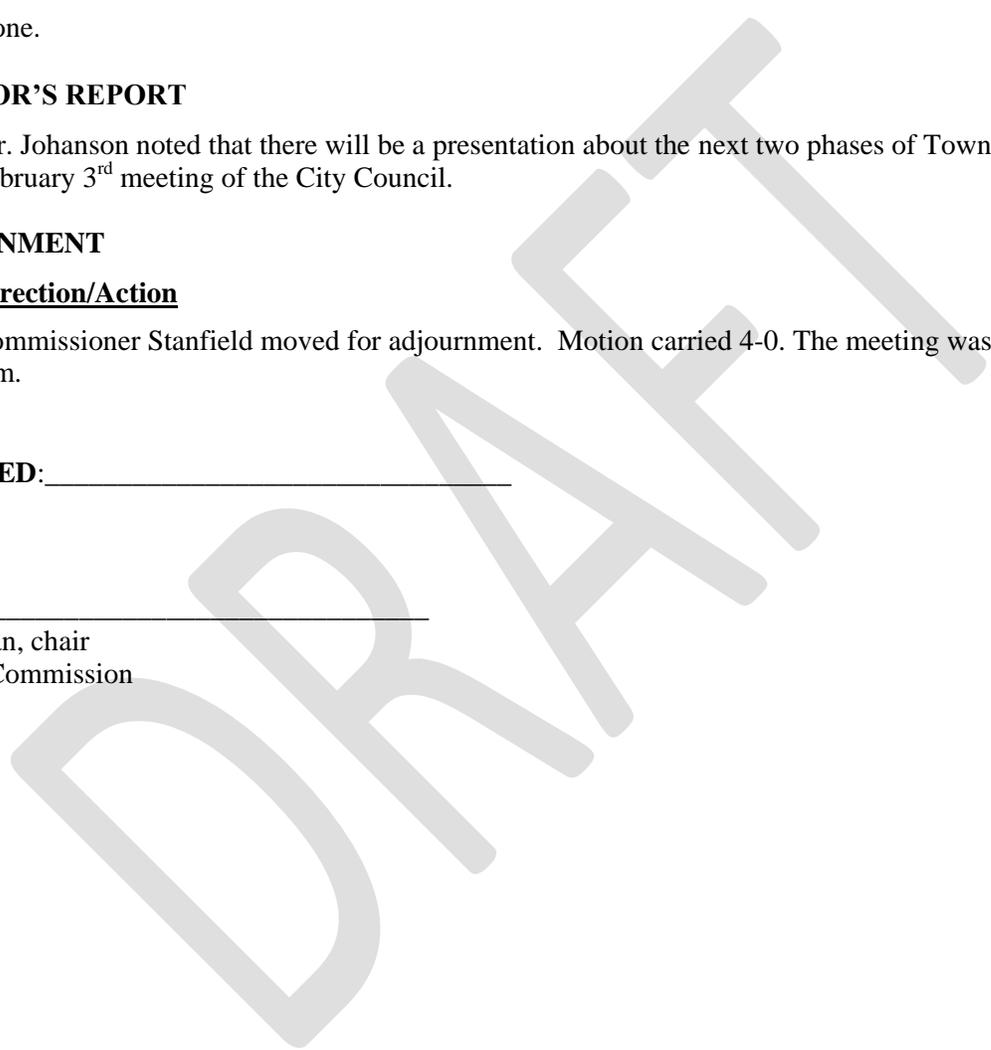
ADJOURNMENT

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, WASHINGTON MEMORANDUM

DATE: February 12, 2014

TO: Burien Planning Commission

FROM: David Johanson, AICP, Senior Planner

SUBJECT: Comprehensive Plan Text Amendments, Housing Element introduction.

PURPOSE

The purpose of this agenda item is to resume Planning Commission deliberations regarding comprehensive plan text updates. The focus of this meeting will be on the housing element and more specifically providing background data that will be used to evaluate housing in Burien. Ultimately the data and subsequent discussions could result in amendments to the goals and policies within the housing element itself.

BACKGROUND

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

Later in the year the Commission will make a recommendation on the 2014 docket however until then we will continue to work on portions of the plan that will be need updating. The Commission will eventually review the entire Comprehensive Plan as part of the State-mandated update requirements and the aforementioned docket.

Questions for the Planning Commission to consider.

Are there particular housing related issues that need particular attention?

Do the existing goals and policies adequately express or are consistent with the Burien Vision.

Given our region is forecasted to grow and our housing capacity is on the margin how do we accommodate the forecasted growth? And in what part of Burien should it be encouraged?

ACTION

No formal action is necessary at this time.

Staff is requesting that the Planning Commission review and discuss the information provided in the presentation. The discussion following the presentation will play a large role in how we proceed with updates to the housing element.

NEXT STEPS

At the next meeting we will continue discussions regarding the Housing Element. Ultimately the Planning Commission will make a recommendation on proposed goal and policy amendments to the City Council.

Attachments:

- 1) Comprehensive Plan-Housing Element
- 2) Vision for Burien

2.4 HOUSING ELEMENT

Goal HS.1

Encourage the provision of a variety of attractive, well-designed housing types and densities that reinforce and retain the character of the neighborhoods and meet the needs of existing and future City residents, while recognizing the need for a range of affordable housing.

Pol. HS 1.2 New residential development in the form of single family homes, townhouses, duplexes and accessory apartments should be allowed in areas designated for higher densities around downtown to promote pedestrian access to commercial areas, employment, schools, services and park or recreational areas.

Pol. HS 1.3 The City should encourage multi-family residential uses in appropriate commercial land use districts, subject to development standards and design guidelines.

Discussion: Mixed-use development provides a residential lifestyle that many people find desirable. Residents can minimize transportation costs and travel time by residing in commercial areas close to employment, shopping, and leisure activities. Mixed-use development also provides businesses with consumers in the immediate vicinity. Mixed use can increase the perception of safety in commercial areas by providing “eyes on the street” at all times of the day. Allowing some of the new residential growth to locate in commercial areas will also help to protect the character of existing single family neighborhoods.

Pol. HS 1.4 Residential neighborhoods should be adequately buffered from noise, odors, microwave antennas, high voltage power lines, excessive light and glare, and other environmental stresses.

Pol. HS 1.5 Historically significant housing sites and structures, as designated by the City of Burien as locally significant historic resources (as designated by the criteria in the land use element), should be appropriately protected, conserved, or sensitively rehabilitated.

Pol. HS 1.6 Neighborhood design considerations should be included in City land use policies and regulations, such as site standards, landscaping requirements and building design guidelines.

Note: Policy numbers may not be consecutive. Through the Comprehensive Plan amendment process, some policies have been deleted from this chapter while existing policy numbers have retained their original sequence. Information on past Comprehensive Plan amendments is available at the City of Burien Community Development Department.

Pol. HS 1.7 The installation of appropriate supporting infrastructure, such as water, sewer, stormwater management, and street facilities, are required in areas that are designated for new multifamily housing.

Affordable Housing

Pol. HS 1.8 The City's affordable housing strategy shall place a high priority on conserving and improving the City's existing housing stock. The City should accomplish this through code enforcement, appropriate zoning, and participation in housing rehabilitation programs.

Discussion: The comprehensive plan recognizes the existing housing stock as the most affordable form of housing within the community. Burien's existing housing stock is some of the most affordable in the Greater Seattle region, and its preservation is an appropriate mechanism for pursuing affordable housing choices for residents. This policy is particularly important because certain residential areas could transition to other uses due to airport noise, disinvestment, or other impacts. .

Pol. HS 1.10 The City's strategy for affordable housing will also include:

- a. allowing quality designed prefabricated housing within single family neighborhoods;
- b. allowing limited amounts of multiple family developments in appropriate but limited areas, near downtown and in close proximity to services and facilities; and
- c. allowing accessory apartments in single family neighborhoods.

Pol. HS 1.11 The development of accessory dwelling units in single-family residences should be allowed to continue. In addition:

- a. regulatory guidelines should minimize procedural requirements, but should address neighborhood compatibility;
- b. owner-occupation shall be a requirement of either the primary or accessory unit, and the City should determine and implement a means of enforcing this criteria;
- c. on large lots accessory units may be either attached or detached from the primary unit;
- d. a limitation shall be placed on the size of the accessory unit relative to the primary unit; and
- e. regulatory guidelines for accessory units shall include a provision for off-street parking.

Discussion: One option for achieving affordable housing in existing neighborhoods is to more efficiently use the existing housing stock. Accessory units can help meet the need for housing by opening up surplus

space in single family homes through the conversion of a garage, basement, attic or extra bedroom.

Income from these units can help first time home buyers purchase a home, allow seniors to remain in their homes after their children have grown, assist single parents in their living arrangements such as for child care, and provide an option for elderly with some need for assistance such as property maintenance or everyday errands. This income can also help preserve the City's existing housing by supplementing residents' maintenance costs and thereby extending the life of a dwelling.

- Pol. HS 1.12 Existing mobile home parks in the City provide an important affordable housing choice for low-income residents and should be protected from closures without adequate relocation plans. The City should ensure that sufficient relocation plans are in place prior to closure of any housing that serves low-income residents.

Discussion: Within Burien, mobile home parks could be closed in the future due to airport noise or redevelopment. In such cases, mobile home park residents must either sell their home or relocate it. The costs of relocating a mobile home can be prohibitive for many low and moderate-income residents. By state law, mobile home park owners must give a year's notice before closing their park.

The City will require mobile home park owners to prepare a relocation plan that outlines the options available to each tenant, and includes information on locations and phone numbers of mobile home parks with vacancies, apartment complexes with rent levels equivalent to monthly housing payments in mobile home parks, and data on any available state or regional relocation funding programs. In cases where the mobile home park is noise impacted, and the park owner requests a rezone, the City will require cooperation with the Port's Noise 150 program that passes relocation funding assistance to tenants before a rezone is granted.

- Pol. HS 1.13 The City should encourage the development of affordable housing through incentives such as density bonuses.
- Pol. HS 1.14 The City will coordinate its affordable housing analysis with the affordable housing policies of the King County Countywide Planning Policies.
- Pol. HS 1.15 The City should compile and make available housing and housing agency services information to assist both low and moderate income families in finding adequate housing and to assist non-profit developers in locating suitable sites for affordable housing.

- Pol. HS 1.16 The City should evaluate its development standards and regulations for effects on housing costs, and, where appropriate, modify development regulations which unnecessarily add to housing costs.
- Pol. HS 1.17 The City should encourage local participation in state programs that facilitate home ownership by low and moderate income families, such as the Housing Assistance Program and the State Housing Finance Commission's homeownership loan program.
- Pol. HS 1.18 The City should ensure that affordable housing created or preserved using local public resources or by regulation retains its affordability over time.
- Pol. HS 1.19 The City should establish a process for measuring the effectiveness of policies and regulations in meeting the housing needs of Burien residents.
- Pol. HS 1.20 The City should create a Demonstration Housing Program to test innovative residential designs that would encourage affordable housing production. The pilot program should test alternative development standards that increase the diversity of housing types and levels of affordability.

Discussion: Since Burien's incorporation in 1993, a low percentage of new housing has been introduced to the community relative to the total housing stock. Encouraging quality new affordable housing development in Burien is an important step towards providing housing for all residents and reaching Burien's housing target set for the year 2022 by the King County Growth Management Planning Council (GMPC). A pilot program could test new or more flexible regulations and processes that are not currently allowed under existing land use regulations in efforts to:

- Encourage housing production, particularly types of housing that are not readily available in Burien, or are not currently being produced, but that are in demand regionally.
- Stimulate innovative housing design that is consistent with the housing goals of a neighborhood, and that fits in with or improves the character of the neighborhood.
- Encourage the development of housing that will serve as a catalyst to stimulate housing production and/or improvement, particularly in neighborhoods where new or rehabilitated residential development has been limited.
- Serve as a model for other neighborhoods, demonstrating housing solutions that could have broader application in other neighborhoods.
- Increase the diversity of housing types and levels of affordability to meet the varied needs and goals of a neighborhood.

Demonstration projects, which could include cottage housing or other clustered small-lot planning concepts, should be evaluated against program goals to determine whether amendments to the City's Land Use Code are appropriate to allow these housing types generally.

Goal HS.2

Ensure adequate housing for all current and future residents of Burien by achieving and maintaining a high quality residential housing stock.

- Pol. HS 2.1 Burien's plans and regulations should facilitate home ownership and rental opportunities for all economic segments of the community.
- Pol. HS 2.2 The City's existing housing stock should be conserved through:
- a. Code enforcement;
 - b. Appropriate zoning;
 - c. Supporting the maintenance, soundproofing, weatherization, rehabilitation, and long-term preservation of existing housing, especially for low and moderate-income citizens;
 - d. Discouraging conversion to inappropriate nonresidential uses.
- Pol. HS 2.3 Development standards and regulations for single family areas should avoid unnecessary barriers to the renovation and improvement of homes in established neighborhoods built to past standards.
- Pol. HS 2.4 The City should give special attention to improving the quality of low-income neighborhoods and seek to implement programs which encourage rehabilitation of deteriorating structures and facilities in such neighborhoods.

Goal HS.3

Develop and preserve a variety of housing options for Burien citizens with special needs due to age, disability, or personal circumstance.

- Pol. HS 3.1 Equal access to housing should be ensured for all people, without regard to special need, race, color, national origin, religion, sex, family status, or disability.
- Pol. HS 3.2 The City should implement non-discriminatory zoning regulations for group homes that is consistent with the Federal Fair Housing Act, enabling different classes of group homes to be permitted in appropriate residential neighborhoods.
- Pol. HS 3.3 The City should encourage the dispersal of special needs and senior housing throughout the City. However, special needs and senior housing

must still meet the development requirements of the underlying zone. Some clustering of special needs and senior housing may be appropriate if proximity to public transportation, medical facilities or other essential services is necessary.

Discussion: Special needs housing serves persons with disabilities or other circumstances that face difficulty living independently and who require supportive services on a transitional or long-term basis.

Pol. HS 3.4 In coordination with other local and regional agencies, the City should support and plan for assisted housing opportunities using available federal, state, and county resources.

Discussion: Because of the need for deep subsidies, assisted housing must be addressed in conjunction with regional, state and federal resources. The City recognizes the role which other levels of government play in assisted housing, and supports such efforts.



A vibrant and creative community, where the residents embrace diversity, celebrate arts and culture, promote vitality, and treasure the environment

VISION FOR BURIEN

Our Future. Our Choices.

COMMUNITY



Genuine
Engaged
Stable

Burien residents are welcoming, know their neighbors, and work together.
Burien residents enjoy robust civic and cultural participation.
Burien strives for stability by encouraging provision of basic services for all of its residents.

DIVERSITY



Inclusive
Multicultural
Multi-centered

Burien embraces diversity and welcomes all residents.
Burien celebrates the many cultures and backgrounds of its residents.
Burien cultivates a thriving array of business and community centers.

ENVIRONMENT



Natural
Green
Livable

Burien conserves its natural environment and public waterfronts.
Burien treasures parks and open spaces, and welcomes opportunities for more.
Burien makes sustainable land, energy, water, and transportation choices.

PROSPERITY



Local
Expansive
Creative

Burien values local services and supports local businesses.
Burien encourages businesses in order to expand its economic base.
Burien promotes and supports its rich palette of arts, culture, and heritage.

EDUCATION & YOUTH



Teaching
Learning
Nurturing

Burien believes that quality schools are essential to its long-term success.
Burien actively promotes early childhood education and life-long learning.
Burien supports its youth with programs to augment its schools.

HEALTH & SAFETY



Healthy
Active
Peaceful

Burien promotes community vitality with health and wellness services for all ages.
Burien encourages active living to support physical and mental health.
Burien ensures public safety through both crime prevention and law enforcement.

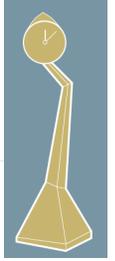
GOVERNANCE



Responsive
Effective
Collaborative

Burien's city government operates in an open & accountable manner.
Burien's city government strives for organizational excellence.
Burien fosters partnerships with others in pursuit of common objectives.

VISION FOR **BURIEN**



Our Future. Our Choices.

