

CITY OF BURIEN, WASHINGTON
ORDINANCE NO. 614

**AN ORDINANCE OF THE CITY OF BURIEN,
WASHINGTON, RELATING TO 2014 COMPREHENSIVE
PLAN AND ZONING MAP AMENDMENTS, AMENDING
THE COMPREHENSIVE PLAN TEXT, ADOPTING
FINDINGS, PROVIDING FOR SEVERABILITY, AND
ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the City Council adopted the Comprehensive Plan of the City of Burien on November 17, 1997, pursuant to RCW Chapter 35A.63 and as required by the Growth Management Act ("GMA") of 1990, as amended; and

WHEREAS, the City Council adopted Resolution No. 356 on April 7, 2014, which established the docket of possible Comprehensive Plan amendments to be considered as part of the City's annual amendment package; and

WHEREAS, public notice was provided and the City of Burien Planning Commission held a public hearing on October 8, 2014 pertaining to proposed amendments to the zoning map, comprehensive plan map and zoning code amendments; and

WHEREAS, the City Council has received recommendations from the Planning Commission regarding the proposed amendments; and

WHEREAS, the City Council held public meetings on November 24, 2014, December 1, 2014 and December 15, 2014 to discuss the proposed amendments; and

WHEREAS, the City of Burien has complied with the requirements of the State Environmental Policy Act and the City Environmental Procedures Code; and

WHEREAS, the City of Burien provided the proposed comprehensive plan amendment to the Washington State Department of Commerce on September 4, 2014 and received a comment letter on November 20, 2014; and

WHEREAS, based on careful consideration of the facts and law, including without limitation, the King County Countywide Planning Policies, public testimony and the records and files on file with the office of the City Clerk including the following:

- Planning Commission meeting minutes of February 9, 2014, February 26, 2014, March 26, 2014, April 9, 2014, May 14, 2014, May 28, 2014, June 25, 2014,

August 13, 2014, September 10, 2014, September 24, 2014, October 8, 2014, October 22, 2014 and November 12, 2014;

- City Council findings (attached Exhibit B)
 - o Comprehensive Plan Text Amendments
 - o Docket Ref. No. 26, Miller Creek Development Comprehensive Plan Map Amendment, Rezone Request and zoning map amendment;
 - o Docket Ref. No. 30, Lake Burien Comprehensive Plan Map Amendment, Rezone Request and zoning map amendment;

The City Council finds that approval of amendments to the Comprehensive Plan text attached hereto as Exhibit A and amendments to the Comprehensive Plan and Zoning Maps attached hereto as Exhibit C comply with the requirements of the Washington State Growth Management Act and the City of Burien Zoning Code;

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

Section 1. Amendments to the Comprehensive Plan Text. The City Council hereby adopts the amendments to the Burien Comprehensive Plan Text, attached as Exhibit A, and further adopts the findings in support of said amendments, attached as Exhibit B, which Exhibits A and B are incorporated by this reference as if fully set forth herein

Section 2. Amendments to the Comprehensive Plan and Zoning Maps. The City Council hereby adopts the amendments to the Burien Comprehensive Plan Map and Zoning Map, attached as Exhibit C, and further adopts the findings in support of said amendments, attached as Exhibit B, which Exhibits B and C are incorporated by this reference as if fully set forth herein.

Section 3. Severability. Should any section, subsection, 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, or a summary thereof, shall be published 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 15TH DAY OF DECEMBER, 2014, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS 15TH DAY OF DECEMBER, 2014.

CITY OF BURIEN

/s/

Lucy Krakowiak, Mayor

ATTEST/AUTHENTICATED:

/s/ Monica Lusk, City Clerk

Approved as to form:

/s/ Chris Bacha, Kenyon Disend, PLLC

Interim City Attorney

Filed with the City Clerk: December 9, 2014

Passed by the City Council: December 15, 2014

Ordinance No. 614

Date of Publication: December 22, 2014

Ordinance 614

Exhibit A

Housing Element Text Amendments

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.~~

Burien should promote an economically diversified housing supply, including low, middle, an upper income levels, to serve a broad range of community needs.

Discussion: Burien currently maintains a housing supply that has a significant majority that is affordable to very low and moderate income households. Burien will continue to provide its fair share of affordable housing and supports a regional approach ensuring that housing is affordable to all income levels.

Pol. HS 1.3

The City should encourage multi-family residential uses near and within designated commercial nodes and within its urban center ~~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~~ nodes 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~~ nodes 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.

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

There is an important distinction between “affordable housing” and “market rate housing”. The term “affordable housing” could apply to many different household income levels and will vary depending on the total household income. “Market rate housing” may be a better term to use when describing housing costs for average incomes however, it is important that housing be available to all income levels and preferably near employment opportunities. Low income housing is particularly challenging to provide and is not often created by developers without some sort of subsidy financial assistance or incentives. Under the guidelines used by the federal Department of Housing and Urban Development, housing is considered affordable if monthly housing costs are no greater than 30% of a household’s monthly income. The Countywide Planning Policies categorize affordability levels and establishes affordability targets to be applied to the Countywide Growth Targets as set forth in Table 2LU 2.1, and are as follows:

Moderate - 16% of target (50-80% of Average Median Income)

Low income - 12% of target (30-50% of Average Median Income)

Very low income - 12% of target (0-30% of Average Median Income)

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. ~~facilitating the construction of allowing limited amounts of multiple-family developments in appropriate but limited areas, and near downtown and in nodes which are~~ in close proximity to services and facilities; and
- c. allowing accessory ~~apartments~~ dwelling units in single family neighborhoods.
- d. encouraging and allowing mixed use developments within identified commercial nodes.

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 or redeveloped. ~~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~~ including 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 both non and for profit developers in locating suitable sites for affordable housing.

Pol. HS 1.16

The City should periodically evaluate its development standards and regulations for effects on housing costs, and, where appropriate, modify development regulations ~~which~~ that unnecessarily add to housing costs.

Pol. HS 1.17

The City should advocate for additional funding at County, Federal, State, and other levels to expand programs encourage local participation in state programs that facilitate home ownership by low and moderate income families, and provide assistance for repair, rehabilitation, energy efficiency, and weatherization. ~~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~~23~~5 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.

Pol. HS 2.5 (NEW)

The city should consider established housing targets when evaluating land use designation changes.

Pol. HS 2.6 (NEW)

As necessary evaluate the performance of multifamily zoning designations and adjust development standards to increase efficient use of land.

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.

Utilities Element Text Amendments

The City of Burien does not directly provide utility services to its residents and businesses; rather, it is served by a number of utility districts providing water, sewer and electrical services. Other services are provided by privately owned companies such as telecommunication and solid waste service providers. ~~Each utility district maintains a franchise agreement with the City to provide the basic utility service.~~ Each utility district has and maintains a system plan containing information about its system inventory, system capacity, ~~and~~ capital improvement program and ~~as well as~~ a wealth of other information about the district and the services it provides. Most, if not all, districts ~~also~~ are overseen by state or federal departments to ensure they meet operational and quality standards.

The following is a list of the essential utility providers for the City of Burien.

Domestic Water

Water District 20

Water District 49

Water District 75

Water District 125

Seattle Public Utilities, Water

Sanitary Sewer

Midway Sewer District

Southwest Suburban Sewer District

Valley View Sewer District

Electrical Power

Seattle City Light

Puget Sound Energy

Solid Waste Collection

Recology[®] CleanScapes

Stormwater

City of Burien

Goal UT.1

Ensure that the utility services needed to support current and future development are available when they are needed.

Pol. UT 1.1

~~The City does not provide natural gas, electrical power, sanitary sewer, solid waste collection services, domestic water or communication services. Other public agencies or private companies currently provide these facilities and services.~~ To facilitate the coordination of providing utility these services, the City will discuss and exchange population forecasts, development plans and technical data with the service providers.

Pol. UT 1.2

Electrical power, sanitary sewer, domestic water, solid waste disposal and stormwater drainage (as addressed in the stormwater management element) are herein designated essential utility services.

Pol. UT 1.3

Development shall be allowed only when and where all essential utility services are adequate in accord with their level of service guidelines, and only when and where such development can be adequately served by essential utilities without reducing levels of service below the level of service guidelines elsewhere. Alternative means of providing essential utility services shall be allowed only when consistent with the policies of this element.

Pol. UT 1.4

A development shall not be approved if it causes the level of service of an essential utility service to decline below the guidelines set forth in Pol. UT 1.6, unless improvements to accommodate the impacts are made concurrent with the development for the purposes of this policy. "Concurrent with the development" shall mean that improvements are in place at the time of the development or that a financial commitment is in place to complete the improvements.

Pol. UT 1.5

If adequate essential utility services are currently unavailable and public funds are not committed to provide such facilities, developers must provide such facilities at their own expense in order to develop. Where appropriate, reimbursement agreements may be utilized by developers.

Pol. UT 1.6

The following level of service guidelines should be used to evaluate whether there is sufficient capacity available to accommodate the demands of new development:

Electrical Power: Adequate electrical power connections must be available for any development within the City.

Water:

Fire Flow Requirements*:

1. ~~Single Family Residential Areas: 1,000 gallons per minute for two hours.~~

~~Schools: 2,500 gallons per minute.~~

~~Multifamily and Commercial: 2,500 gallons per minute~~

~~Industrial: 4,000 gallons per minute.~~

~~These standards relate to at least 6 inch lines in residential areas and 8 inch lines in commercial areas. Larger industrial or commercial complexes may require 12 inch lines. Fire hydrants should be spaced at no more than 600 feet apart.~~

Pursuant to the Fire Code, single-family, multi-family, public facilities, commercial and industrial developments require different minimum available fire-flows based on the type of construction and amount of floor area. Available fire-flow serving the land use designations as set forth in the City of Burien long range land use map (Map LU-1) shall meet or exceed standards consistent with those designations. Water service providers shall plan and design system improvements to provide minimum fire flows consistent with a reasonable range of anticipated long-term land use designations.

2. Sprinkler systems may only be approved by the City as an alternative to meeting fire flow requirements when no other means of achieving the standard is practical, subject to the requirements of the ~~1994~~ International Uniform Fire Code (UFC) as locally adopted and amended. However, as described in the UFC, sprinklers may be required in addition to adequate fire flow under specific conditions.
3. All new short plats and formal subdivisions shall meet fire flow requirements. Sprinkling shall be approved only as an alternative fire protection method where domestic water service is not available, ~~or~~ planned, or adequate.

~~Standby Water Storage Requirements†:~~

- ~~1. In accordance with the Washington State Department of Health (DOH) recommendations, the City's guidelines for standby storage are 800 gallons per connection for single source pressure zones and approximately 200 gallons per connection for multiple source pressure zones.~~
- ~~2. Approval by the DOH will be accepted in lieu of meeting these general requirements for standby storage.~~

* Fire flow is the flow of a water supply, measured at 20 psi residual pressure, that is available for firefighting. These standards represent generally recognized fire flow requirements, from the Comprehensive Plan of Water District 49.

† Standby water storage is the storage necessary to augment the available supply in the event that an equipment malfunction or other such unforeseen temporary event occurs which interrupts the supply.

Water Quality LOS:

The water system quality shall be in compliance with Washington Administrative Code requirements for water quality.

Sewer:

1. All new development must be served by or provision made for an adequate public sewage disposal system.
- ~~2. For public sewage disposal treatment, a treatment capacity of 750 cubic feet per month per equivalent residential unit (ERU) must be available.~~
- ~~3. On-site sewage disposal systems may be allowed for new single family homes where no other alternative is cost effective and technically feasible, if approved by the Seattle-King County Department of Public Health, in accordance with the Seattle-King County Board of Health rules and regulations.~~
3. Existing residential on-site disposal systems will not be required by the City to connect to sewer unless their current systems fail.

Solid Waste Disposal Services:

Curbside collection for solid waste and recycling must be available for any single-family home, multifamily dwelling and business development†.

Stormwater Drainage:

As provided in the Stormwater Management Element policies.

* In the case of sewer facilities, level of service standards are typically based on population. For sewer service, the standards are usually expressed in terms of gallons or cubic feet per day of treatment capacity per capita or equivalent residential unit (ERU). An ERU is the consumption of water required for a residential unit.

† Solid waste and recycling services shall be available to any new development, but are considered a voluntary service. Requiring service to be provided does not eliminate a citizen's right to haul his or her own waste.

Pol. UT 1.7

Natural gas and communication services (including cable TV and cellular telephone services) are herein designated as optional utility services. Optional utility services should be available to serve new development, but are not a requirement for development approval.

Pol. UT 1.8

When franchising and working with the communication utilities the City will encourage upgrades to the system improving capacity, speed and reliability. This will improve the City's competitive advantage in business retention and recruitment while also supplying residents with improved service and access to information and communication technologies. ~~the the installation of fiber optics, including T-1 lines, in the downtown area~~

Pol. UT 1.9

Street lights commensurate with an area's character and ultimate level of density should be provided, based upon the following prioritized criteria:

- a. Enhancement of pedestrian and vehicular safety;
- b. Existing and projected traffic volumes;
- c. Location of school or transit stops;
- d. High-density land uses;
- e. Proximity to nearest intersection; and
- f. Other relevant state, federal, local or utility design requirements.

Pol. UT 1.10

~~Development proposals should be reviewed by the various providers of services, such as sewer and water providers, for available capacity to accommodate development and needed system improvements.~~

Pol. UT 1.11

New or expanded facilities should be compatible with surrounding land uses; such facilities should have a minimal impact on the natural or built environment.

Pol. UT 1.12

All facilities provided in accordance with these policies shall be constructed consistent with at-the design standards as specified in each provider's system plan.

Pol. UT 1.13

Land use and utility planning should be coordinated to allow for the siting and construction of necessary facilities.

Pol. UT 1.14

Coordinate facility planning so that utilities may locate in transportation corridors and dedicated right-of-way.

Pol. UT 1.15

Utility plans should use and support Burien's land use plan. The City shall adopt procedures for the City's review of and comment on the proposed plans, policies and actions of public and private utility providers.

Pol. UT 1.16

The City should actively work with water utility service providers to ensure that areas of low water flow are upgraded. Water service shall be provided at acceptable levels for the adequate provision of emergency fire response services.

Goal UT.2

Minimize impacts associated with the siting, development, and operation of utility services and facilities on adjacent properties and the natural environment.

Pol. UT 2.1

The City shall ensure that utility facilities are designed, located, constructed and buffered (through extensive screening and/or landscaping) to blend in with their surroundings and to reasonably minimize significant, individual and cumulative adverse impacts on adjacent properties, and to protect environmentally sensitive areas. When sited within or adjacent to residential areas, special attention should be given to minimizing noise, light and glare impacts.

Pol. UT 2.2

The City shall encourage or require implementation of resource conservation practices and best management practices according to the USDA Soil Conservation Service during the construction, operation, and maintenance of utility structures and improvements.

Pol. UT 2.3

The City shall work with surrounding municipalities, King County and the state during the siting and development of utility facilities of regional significance.

Pol. UT 2.4

The City shall encourage joint use of utility corridors and properties for recreational facilities.

Goal UT.3

Ensure provision ~~Provide of the most cost-effective, high quality, and efficient water and sewer service to residents of within Burien's urban growth area.~~

Pol. UT 3.1

New industrial and commercial development shall not be allowed on community or on-site sewage systems.

Pol. UT 3.2

The City ~~should~~ shall require sewer connections, where connection is available, for all new plats.

Pol. UT 3.3

The City should encourage conversion from on-site wastewater disposal systems as sewer lines become available, ~~and should require~~ ing connections when possible.

Pol. UT 3.4

~~New development should provide an adequate water supply and distribution system for all domestic use, fire flow and fire protection at all times.~~

Pol. UT 3.5

The City should support cooperative regional efforts in pursuing options for the development of additional water sources for future needs. The City should also support efforts to encourage the efficient use of water from existing sources.

Pol. UT 3.6

The City will maintain information on water and sewer service rates and hook-up/system development charges for public review.

Goal UT.4

Maintain an adequate and effective solid waste and recycling program to serve the needs of Burien's residents and businesses, which maintains public health, environmental and land use quality.

Pol. UT 4.1

The City shall encourage private and public sector involvement in recycling programs and in the use of recycled products, primarily through an enhanced public education campaign.

Pol. UT 4.2

The City should strive to achieve an overall waste diversion rate ~~of reduction and recycling~~ goal of 65% by the year 2024.

Pol. UT 4.3

~~As part of this goal,~~ The City should strive to achieve:

- a. a 95% recycling participation rate in the single family sector;
- b. a 75% recycling participation rate in the multifamily sector; and
- c. a 60% recycling participation rate in the commercial sector.

Pol. UT ~~4.34~~

The City should build upon existing recycling programs, and initiate new programs that will result in a significant impact at a reasonable cost.

Discussion: The commercial and multi-family sectors should be targeted as a ~~first~~ priority, because ~~this~~ these sectors generates the majority of the City's solid waste ~~are very low performing with regard to waste diversion rates.~~

Potential Annexation Area Text Amendments

~~Potential Annexation Area~~

Goal AN.1

Annex the portion of the North Highline unincorporated area shown on Figure 2-AN1.1 to the City of Burien.

~~Pol. AN 1.1~~

~~The portion of the North Highline unincorporated area shown on Figure 2-AN1.1 is designated as the City's Potential Annexation Area (PAA).~~

~~Pol. AN 1.2~~

~~If annexation is approved, the City should adopt interim zoning and comprehensive plan land use designations comparable to existing King County designations. A planning process to confirm or change these interim designations should be completed within two years of annexation.~~

~~Pol. AN 1.3~~

~~Prior to an annexation election in North Highline, the City should have a clear business plan on how the services and capital needs of the annexed area can be funded over time. The business plan should describe in detail King County and other agencies financial commitments to supporting a successful annexation. As of November, 2006, Burien has identified several areas in which King County support is requested, including but not limited to:~~

- ~~a. Funding of Burien's operating deficit related to annexation for a 10-20 year period following annexation.~~
- ~~b. Completion and/or funding of capital facility needs such as the Evergreen Pool and six-year capital improvement program for the annexed area; and appropriate transfer of ownership to Burien of County-owned properties in North Highline and Burien.~~
- ~~c. Supporting regional economic development partnerships such as possible redevelopment of Park Lake Homes II and a Burien Transit Center parking structure.~~

Discussion: ~~The city's North Highline annexation studies conclude that the cost of providing urban services and meeting capital needs in the PAA could exceed the revenues that could be reasonably generated within the area. Annexation of the PAA would create the least financial impact on Burien residents and businesses as compared to no annexation or a larger annexation.~~

~~Pol. AN 1.4~~

~~Prior to an annexation election in North Highline, the City Council should work with King County and both the Burien and North Highline communities to prepare a transition plan for transitioning services from King County to Burien.~~

Figure 2-AN 1.1 Potential Annexation Area

Shoreline Master Program Consistency Text Amendments

- Pol. SA 1.6 Public access to the City's shorelines should be designed to provide for public safety and to minimize potential impacts to private property and individual privacy rights.
- Pol. SA 1.4 The City should seek opportunities to develop new public access areas in locations dispersed throughout the shoreline. ~~waterfront access points or other shoreline access through:~~
- ~~a. tax title properties;~~
 - ~~b. donations of land and waterfront areas; and~~
 - ~~c. acquisition using grants and bonds.~~
- Pol. SA 1.10 The vacation or sale of street-ends, other public right of ways and tax title properties that abut shoreline areas shall be prohibited except as provided for in RCW 35.79.035 (Streets-Vacation). The City should protect these areas for public access and public viewpoints.
- Pol. SA 1.2 The City should manage and develop water front street ends by:
- a. Supporting their use by residents city-wide, yet ensuring that the street ends and their supporting facilities are developed at a level or capacity which are appropriate to the neighborhood character, promotes safety, and is consistent with City risk management practices;
 - b. Ensuring that public parking is available and limited to a level appropriate to the capacity of the public access site, and is harmonious with the surrounding neighborhood;
 - c. Ensuring that the waterfront street ends are preserved and maintained with limited enhancements, such as places to sit or rest which fit in with the natural environment character of the area;
 - d. Installing signs that indicate the public's right of access, the rules of use, and penalties for misuse encourage appropriate use;
 - e. Installing limited trail improvements and enhancements to allow access to the water;
 - f. Protecting adjacent private property including but not limited to protecting individual privacy rights and ensuring public safety ~~Minimizing the potential impacts associated with their use on adjacent private property;~~ and
 - g. Developing a street ends plan that promotes waterfront access and public safety.
- Pol. EV 3.3 The City should require development proposals to include non-structural measures to stabilize soils, hillsides, bluffs and ravine sidewalls and to promote wildlife habitat by retaining or restoring native vegetation.

- Pol. OS 1.6 The City ~~shall~~ ~~should~~ work with property owners and encourage non-purchase options such as conservation easements, current use easements, and development covenants to preserve open spaces and greenbelts within the city's neighborhoods; ~~including using conservation easements, current use assessment, and development covenants~~. The City should also accept donations of properties where public access is anticipated or planned.
- Pol. EV 2.2 ~~Maintain and restore~~ Stream banks and stream channels should be maintained or restored to their natural condition wherever such conditions or opportunities exist.

TABLE 2-LU 2.1
Countywide Growth Targets (2006 to 20315)

Existing Housing ¹	Housing Target ²	Housing Capacity ⁴³
13,916	4,440	4,575
<u>19,828</u>	<u>5,150</u>	<u>5,180</u>
Existing Employment ³¹	Employment Target ²	Employment Capacity ⁴³
11,572	4,960	7,308
<u>12,062</u>	<u>8,780</u>	<u>8,848</u>

1 - Washington State Office of Financial Management, April 2012, <http://www.ofm.wa.gov/pop/april1/default.asp> 2014 King County Buildable Lands Report

2 - Countywide Planning Policies 9-21-11-2014 King County Buildable Lands Report , including Annexation Area Targets

3 - PSRC 2011 Covered Employment Estimates by Jurisdiction Burien Land Use Capacity Analysis, 2012 and 2014 King County Buildable Lands Report

4 - Burien Land Use Capacity Analysis, 2012

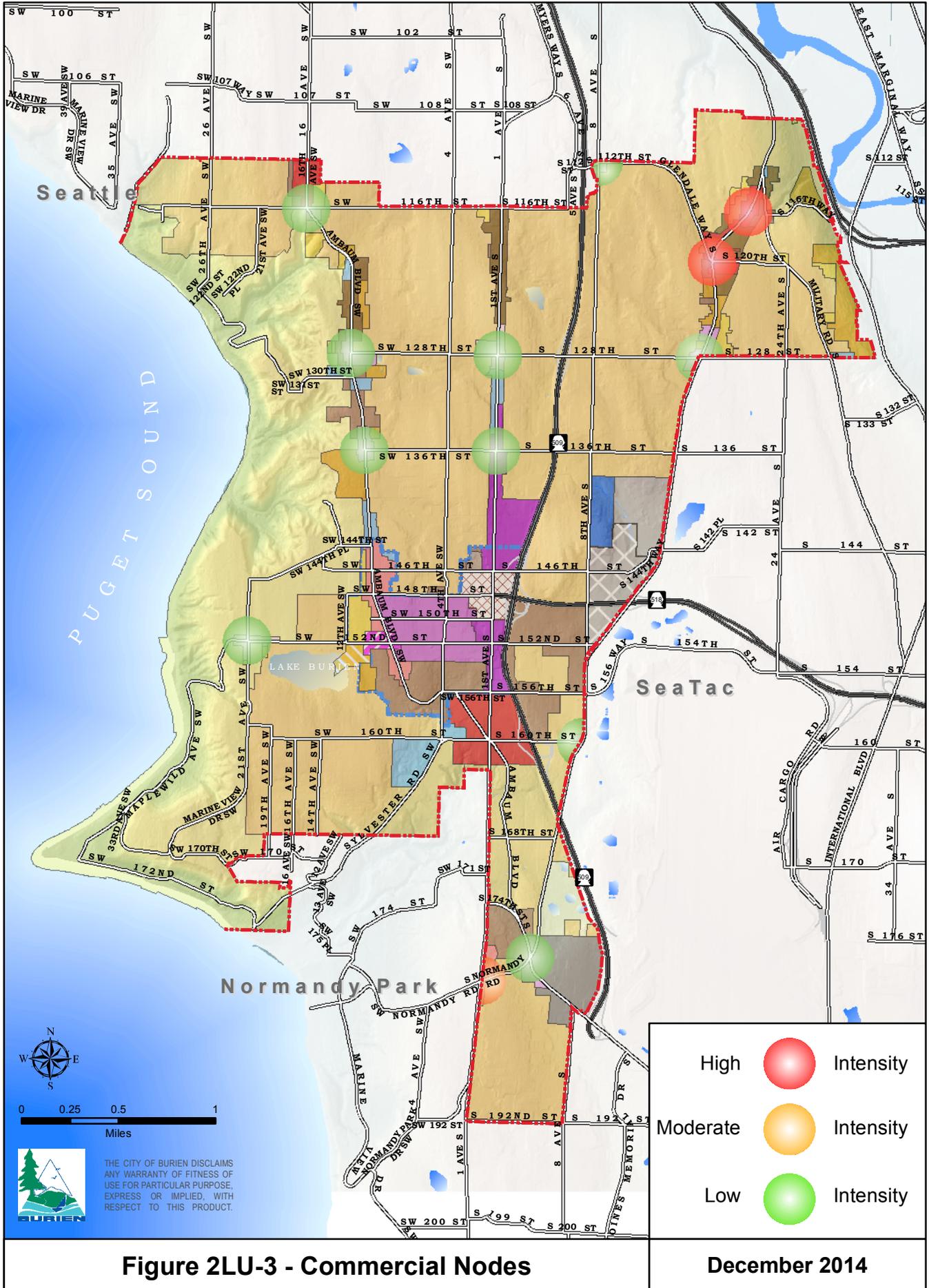


Figure 2LU-3 - Commercial Nodes

December 2014

Ordinance 614

EXHIBIT B

CITY OF BURIEN
Dept. of Community Development
400 SW 152nd Street, Suite 300
Burien, WA 98166
(206) 248-5510

2014 Comprehensive Plan Text Amendments

APPLICANT(S): City of Burien

LOCATION: Comprehensive Plan Text Amendments Apply Citywide.

REQUEST: Amendments to Burien's Comprehensive Plan. Text amendments generally include the following:

- Align goals and policies with State, regional and county planning documents
- Update countywide growth targets
- Amend text for consistency with approved Shoreline Master Program
- Update Housing Element
- Update Utilities Element
- Remove Potential Annexation Policies

TAX PARCEL NUMBER(S): Not applicable

FINDINGS

REVIEW OF CRITERIA FOR COMPREHENSIVE PLAN AMENDMENT

Zoning Code section 19.65.095.4 contains the criteria for review of a proposed Comprehensive Plan amendment. To be approved, the proposed amendment must meet all of the following criteria:

A. The request is the best means for meeting an identified public benefit; and

The request to amend the Comprehensive Plan was made prior to March 1, 2014, as required in BMC 19.65.095.

The proposed amendments set the policy framework on what land use and other related decisions occurring over the next 20 years. A portion of the amendments will align the goals and policies with the Growth Management Act, Vision 2040 and the Countywide Planning Policies. In addition, the text amendments strengthen coordination with other organizations and service providers while also improving alignment with current service standards and mutually identified objectives. These all benefit the public.

B. The proposed amendment is consistent with the Growth Management Act, applicable Puget Sound Regional Council (PSRC) plans, King County Countywide Planning Policies and Burien Comprehensive Plan; and

Goals of the GMA state that development should occur in urban areas where adequate public facilities and services exist and there is an efficient multimodal transportation system. The goals also state that the environment should be protected. The GMA, PSRC plans and King County Countywide Planning Policies all contain various requirements related to land use, environmental protections, transportation services, and require

communities to adequately plan for future growth. The Countywide Planning Policies establish specific growth and affordable housing targets. The proposed amendments will ensure consistency with the Growth Management Act, PSRC plans and Countywide Planning Policies by incorporating policy language illustrating how the Burien meets its needs and the needs of the region including but not limited to having sufficient capacity for anticipated employment and housing growth.

Affordable housing targets have been added along with language being amended to further support coordination and cooperation with other agencies and organizations that provide affordable housing. Other amendments updated in the utilities element bring the plans in more alignment with utility service providers plans.

Updating the Comprehensive Plan to bring it into compliance with the Growth Management Act (GMA), regional planning documents (Vision 2040, CPPs) fulfills a public benefit.

A specific public benefit identified in the regional and county plans is to accommodate forecasted population growth and ensure there is sufficient infrastructure such as housing and transportation facilities. The proposed amendments will also improve long-term certainty in the land use decision-making process. The plan amendments will solidify a long-term land use management approach that will coordinate development with infrastructure improvements and adjacent uses while encouraging efficient use of land.

C. The proposed amendment will result in a net benefit to the community; and

The proposed amendments will provide guidance for housing, utilities and increases recycling goals. Coordinated development with utility providers along with encouraging a broad range of housing options benefits the community. Increased recycling goals provide clear direction on emphasizing reduction of Burien's carbon footprint that benefits not only local residents but the region.

D. The revised Comprehensive Plan will be internally consistent; and

The proposed amendments will be consistent with other portions of the Comprehensive Plan and documents including but not limited to Burien's Shoreline Master Program.

E. The capability of the land can support the projected land use; and

Policy language has been added to further encourage more efficient use of the land to accommodate forecasted housing needs. In locations where more efficient land use is desired (multi-family zones), the necessary infrastructure is available or can be made available therefore the designated land can support the project land use. Any new development is required to obtain all necessary approvals before construction is allowed and, if appropriate, projects will be reviewed in detail when applications are submitted.

F. Adequate public facility capacity to support the projected land use exists or can be provided by the property owner(s) requesting the amendment, or can be cost-effectively provided by the City or other public agency; and

Not applicable; see item E above. The proposed amendments do not propose specific land uses that could impact public facility capacity.

G. The proposed amendment will be compatible with nearby uses; and

Not applicable. The proposed text amendments do not propose specific land uses nor affect specific parcels of land.

H. The proposed amendment will not prevent the City from achieving its Growth Management Act population and employment targets; and

The proposed text amendments do not propose specific land uses nor affect specific parcels of land affecting the city's capability to provide sufficient housing or employment capacity.

The change in housing and employment capacity figures is a result of King County adopting new growth targets however based on an updated land-use capacity analysis, the city has sufficient capacity to accommodate forecasted growth based on using updated buildable lands methodology. Policy amendments are being proposed to support more efficient use of land for multi-family uses.

I. For a Comprehensive Plan map change, the applicable designation criteria are met and either of the following is met:

i. Conditions have so markedly changed since the property was given its present Comprehensive Plan designation that the current designation is no longer appropriate;

ii. The map change will correct a Comprehensive Plan designation that was inappropriate when established.

The proposed text amendments do not propose changes to the Comprehensive Plan Land Use map.

J. The City Council may approve an area-wide rezone only if all of the following criteria are met:

i. The rezone is consistent with the comprehensive plan; and

ii. The rezone will advance the public health, safety, or welfare; and

iii. The rezone will not have significant adverse environmental impacts that are materially detrimental to adjacent properties or other affected areas.

The proposed text amendments do not propose changes to the zoning map.



CITY OF BURIEN, WASHINGTON

Department of Community Development

400 SW 152nd Street, Suite 300, Burien, Washington 98166

Phone: (206) 241-4647 Fax: (206) 248-5539

Ordinance 614

EXHIBIT B

2014 Comprehensive Plan Map and Rezone Request – Miller Creek Development

AMENDMENT

REFERENCE NUMBER: PLA 14-0441 (2014-1)

APPLICANT: JRA Architecture & Planning for John MacLean of Westland, Property Owner

LOCATION: 246 South 162nd Street (see Attachment 1-Vicinity Map)

CURRENT LAND USE: Multi-family Residential

TAX PARCEL #s: 553100-0040; 553100-0030; 553100-0020; 553100-0010

REQUESTS:

- 1) Change the Comprehensive Plan Designation from Community Commercial to High Density Multi-family Neighborhood; and
- 2) Change the Zoning Designation from Community Commercial 2 (CC-2) to Residential Multi-family-24 (RM-24)

RECOMMENDATION:

- 1) Amend the Comprehensive Plan Designation from Community Commercial to Moderate Density Multi-family Neighborhood; and
- 2) Amend the Zoning Designation from Community Commercial 2 (CC-2) to Residential Multi-family-24 (RM-24)

FINDINGS AND CONCLUSIONS

COMPREHENSIVE PLAN MAP HISTORY

1983 (before incorporation): King County Highline Community Plan designates the subject property as High/Maximum Density Multi-family.

1993: The City of Burien Interim Land Use Plan (Ordinance no. 027) shows the subject property designated as High/Maximum Density Multi-family.

1997: The City of Burien Comprehensive Plan (Ordinance no. 212) changes the subject property designation to Community Commercial.

ZONING MAP HISTORY

1993 (before incorporation): The King County Zoning Map designated the property as Residential Multi-family (RM-900)

1994: The City of Burien Interim Zoning Code (Ordinance 087) designates the property as Residential Multi-family with a maximum density of 24 units per acre.

1999: The City of Burien Zoning Map (Ordinance 264) changes the designation to Community Commercial for consistency with the Comprehensive Plan designation.

ADJACENT COMPREHENSIVE PLAN, ZONING DESIGNATIONS AND USES:

Direction	Comp. Plan Designation	Zone	Current Uses
North	Community Commercial	Community Commercial-2 (CC-2)	Five Corners shopping center across South 160 th Street
South	Moderate Density Residential Neighborhood	Residential Single-family (RS 7200)	Single-family residential
East	Community Commercial	Community Commercial-2 (CC-2)	State Route 509 on-ramp and Multi-family Development
West	Community Commercial	Community Commercial-2 (CC-2)	Multi-family and commercial development

BACKGROUND

The 3.05 acre (132,858 square foot) site is currently designated as Community Commercial in the City’s Comprehensive Plan and is zoned Community Commercial-2. Consistent with this zoning designation, a binding site plan application for a mixed-use development (46 residential units and three office buildings) was approved by the Hearing Examiner on October 25, 2007. As required by the zoning regulations for the Community Commercial-2 zone, the proposed development did not exceed the maximum density of 24 units per acre and met the requirement that 25% of the gross floor area of the development must be designed and used for retail, office, or eating and drinking establishment uses.

In the fall of 2008, construction permits were issued for site clearing and construction of all residential and commercial structures within the development and work was commenced and nearly

completed on the 46 residential units and the foundation of one of the three commercial buildings. Prior to completion of this work and commencement of work on the other two commercial buildings, the original developer (162nd Street LLC) encountered financial difficulties, ceased work on the development, and allowed control of the property to revert to the lender. In the fall of 2012, a new developer (Miller Creek Court) acquired the property, assumed all permits, and completed the 46 residential units and 1 of the 3 planned office buildings. Miller Creek Court affirmed that due to the current economic downturn, the local commercial market is not conducive for completion of the remaining two commercial buildings and requested that construction of the commercial buildings be deferred pending consideration of a Comprehensive Plan Amendment and Rezone application to allow revision of the binding site plan to omit the remaining two commercial buildings.

On September 17, 2013, after a public hearing and vote by the City Council, the City entered into a Development Agreement with Miller Creek Court (Attachment 4). The Development Agreement allowed the issuance of a certificate of occupancy for the 46 residential units and 1 office building and deferred the construction of the remaining two planned commercial office buildings until consideration of a Comprehensive Plan Amendment and Rezone application. If approved, the requested Comprehensive Plan Amendment and Rezone would allow the binding site plan to be rescinded and the commercial office areas to be developed with residential uses.

REVIEW CRITERIA FOR COMPREHENSIVE PLAN MAP AMENDMENT

Burien Municipal Code section 19.65.095.6 contains criteria for review of a proposed Comprehensive Plan amendment. To be approved, the proposed amendment must meet all of the following criteria (in bold, followed by staff response).

A. The proposed amendment is the best means for meeting an identified public benefit.

As indicated by the Applicant's submitted materials (Attachment 5), marketing analysis determined that commercial uses would not be viable on this site given its location off of a dead end street (South 162nd Street). Commercial buildings that would have no demand or low use in the primarily residential neighborhood along South 162nd Street would likely have a negative impact on the neighborhood. Vacant buildings can project a less than robust local economy and attract illegal activities. The proposed Comprehensive Plan map amendment is the only means to allow the project to go forward without the completion of the remaining 28,883 square feet of commercial office space.

B. The proposed amendment is consistent with the Growth Management Act, applicable Puget Sound Regional Council (PSRC) Plans, King County Countywide Planning Policies and Burien Comprehensive Plan.

The proposed amendment is consistent with the overall intent of the relevant goals and policies of Burien's Comprehensive Plan and by extension the Growth Management Act and the Countywide Planning Policies. See Attachment 5 (page 3, Section B) for the Applicant's detailed review of the proposed amendment's consistency with the Growth Management Act goals and the County-wide planning policies.

C. *The proposed amendment will result in a net benefit to the community.*

The proposed amendment will result in a net benefit to the community by ensuring that commercial buildings that are projected to have no demand or low use will not be constructed and sit vacant in the community. The amendment will also maintain the residential character of the neighborhood along South 162nd Street.

Multi-family uses, specifically the existing multi-family units on the site, can also provide an appropriate transition between the single-family designated properties located to the south of the site and the commercial development (5-corners shopping center) to the north of the site.

D. *The revised Comprehensive Plan will be internally consistent.*

The proposed amendment will not create an internal inconsistency in the Comprehensive Plan.

E. *The capability of the land can support the projected land use.*

A detailed analysis of the subject property was conducted as part of the Binding Site Plan review (PLA 07-0854) to address site constraints and the applicant submitted a critical area study defining and delineating a wetland area on the site. The presence of a wetland area has been accommodated in the approved Binding Site Plan and the land has the capability to support the projected land use.

F. *Adequate public facility capacity to support the projected land use exists or, can be provided by the property owner(s) requesting the amendment, or can be cost-effectively provided by the City or other public agency.*

The applicant has demonstrated the adequacy of public facility capacity to serve the projected land use as part of the analysis for the approved Binding Site Plan (PLA 07-0854).

G. *The proposed amendment will be compatible with nearby uses.*

Properties immediately to the west of the subject site are designated Community Commercial and are developed with the Century Plaza Apartments, a 73-unit complex constructed in 1969, and Five Corners RV, a business that rents, repairs and stores recreational vehicles. The property to the east of the site is designated Community Commercial and is developed with the Alder Lane Apartments, a 30-unit complex constructed in 1986. The on-ramp to State Route 509 is also located to the west of the site. Properties to the north of the site, across South 160th Street, are designated Community Commercial and are developed with the Five Corners Shopping Center. Properties to the South of the site are designated as single-family residential and are developed as single family homes. A 19-lot single-family subdivision is currently being constructed in this area.

The proposed amendment would change the land use designation and zoning back to residential designations that were in place prior to 1997 and the multi-family development as currently developed on-site (without the addition of the two commercial buildings) is compatible with the predominantly residential character of the nearby uses.

H. The proposed amendment would not prevent the City from achieving its Growth Management Act population and employment targets.

As reported in the 2014 King County Buildable Lands Report, Burien is responsible to plan for a 2035 employment target of 8,780. Under current zoning, Burien has an employment capacity of 8,848. Consequently, the proposed amendment and the resulting loss of two commercial buildings that are projected to be economically nonviable in this location will not prevent the City from achieving its Growth Management Act population and employment targets and will contribute more towards achieving the City's population targets.

I. For a Comprehensive Plan map change, the applicable designation criteria are met and either of the following is met:

- i. Conditions have so markedly changed since the property was given its present Comprehensive Plan designation that the current designation is no longer appropriate; or,**
- ii. The map change will correct a Comprehensive Plan designation that was inappropriate when established.**

Applicable Designation Criteria

The applicable designation criteria for the High Density Multi-family Neighborhood land use designation is found in Policy RE 1.9 of the Comprehensive Plan. In addition to listing the applicable designation criteria, this policy states that "***The High Density Multi-family neighborhood designation allows multiple-family residential uses at a maximum density of 48 units per net acre. Accessory and non-residential uses that are compatible with a high density multi-family area also may be allowed, including offices in a mixed use development. This designation is implemented by the RM-48 zoning category.***"

Given that the Applicant is requesting a rezone request to RM-24 in conjunction with this Comprehensive Plan map amendment, the **Moderate Density Multi-family Neighborhood**, which implements the RM-18 and RM-24 zoning categories, is the appropriate land use category to request.

Policy RE 1.8 of the Comprehensive plan states that "***The Moderate Density Multi-family Neighborhood designation allows multiple-family residential uses at a maximum density of 18-24 units per net acre. Accessory and non-residential uses that are compatible with a moderate density multi-family area also may be allowed, including offices in a mixed use development. This designation is implemented by the RM-18 and RM-24 zoning category.***"

Policy RE 1.8 also lists the criteria for designating **Moderate Density Multi-family Neighborhood**, which is shown below followed by Staff's analysis.

1. The area is already primarily characterized by multi-family residential development at 12-24 dwelling units per acre or more.

The site is currently developed with multi-family residential at an overall density of 15 units per acre; however, if the comprehensive plan map amendment and rezone request are approved, the Applicant may build residential units in the area that was originally proposed for

commercial use and the residential density of the site would increase. The Alder Lane apartment site, located to the east of the site, has a density of 40 dwelling units per acre and the Century Plaza Apartments, located to the west of the site has a density of 36 dwelling units per acre.

- 2. The area is within 1/8 mile of moderate and high commercial service node (as shown on Figure 2 LU-3, Commercial Nodes) as measured along an arterial. The designation is also appropriate within the urban center boundary or within 1/8 mile of the urban center boundary as measured along an arterial.**

The site is located within 1/8 of a mile (or 660 feet) from the Five Corners intersection. This intersection was not identified as a moderate or high intensity service node in Figure 2 LU-3; however, it is functioning as a high intensity commercial node with multiple grocery stores, restaurants and other services that are common amenities to multi-family housing location.

- 3. The area is located within ¼ mile of a transit route with peak transit frequency of at least every 10-20 minutes.**

The site is located within a ¼ mile of Metro King County's F line on South 156th Street. The F line has a peak transit frequency of every 10 minutes.

- 4. The area does not have critical areas, except critical aquifer recharge areas.**

A wetland located in the west central portion of the site was identified, delineated and placed in a 9,800 square foot protective tract as part of the development review process for the existing multi-family development located on-site. The rest of the site does not have critical areas.

- 5. The area is located adjacent to or has adequate access to a primary or minor arterial**

The site is located adjacent to South 160th Street which is identified as a minor arterial in the Burien Comprehensive Plan (Figure 2-TR2.3).

- 6. The area is served by adequate and/or planned recreational facilities such as athletic fields or playgrounds.**

The site is located approximately 1/3 mile from Sylvester middle school athletic field and track and Lake View Park, both located off of South 160th Street.

Criteria ii, Inappropriate Designation:

There are six separate criteria for designating areas as Community Commercial listed in Burien Comprehensive Plan Policy Business (BU) 1.7. The criteria that "Areas have direct access to an auto/truck priority route" has not been met. The site is bordered to the North by South 160th and to the South by South 162nd Street, a dead end street, neither of which are designated as an auto/truck priority route (as illustrated in Figure 2- TR2.5 of the Comprehensive Plan). Consequently, it appears that a Comprehensive Plan map change will correct an inappropriate designation.

REVIEW CRITERIA FOR A REZONE

The City of Burien Zoning Code (BMC 19.65.090.3.C) contains the criteria for review of a proposed rezone. To be approved, the proposed rezone must meet **all** of the following criteria.

1. *The rezone is consistent with the Comprehensive Plan.*

A change of the current Community-Commercial 2 zoning designation to Residential Multi-family 24 is consistent with the accompanying Comprehensive Plan re-designation from Community Commercial to Moderate Multi-family Neighborhood.

2. *The rezone will advance the public health, safety or welfare.*

The proposed rezone will advance the public health, safety and welfare by ensuring that commercial buildings that are projected to have no demand or low use will not be constructed and sit vacant in the community. Vacant buildings can project a less than robust local economy and attract illegal activities. The rezone will also maintain the residential character of the neighborhood along South 162nd Street.

3. *The rezone will not have significant adverse environmental impacts that are materially detrimental to adjacent properties or other affected areas.*

Potential impacts of the project were identified and reviewed as part of the Binding Site Plan review process and no significant adverse environmental impacts were identified.

4. *The rezone is necessary because at least one of the following is met: a) Conditions in the immediate vicinity or neighborhood have changed so that it is in the public interest to approve the rezone; or b) the rezone will correct a zone classification or zone boundary that was inappropriate when established; or c) The rezone is necessary to achieve consistency with the Comprehensive Plan land use map.*

As discussed above in Criteria I of the Review of Criteria for the Comprehensive Plan Amendment, The proposed Comprehensive Plan map change will correct an inappropriate designation since the site does not have direct access to an auto/truck priority route as illustrated in Figure 2- TR2.5 of the Comprehensive Plan.



CITY OF BURIEN, WASHINGTON

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Ordinance 614 **EXHIBIT B**

2014 Comprehensive Plan Map and Rezone Request – Lake Burien Neighborhood

AMENDMENT REFERENCE NUMBER

PLA 14-1886

APPLICANT

Included by City Council on the 2014 Comprehensive Plan Docket as Item #30

TAX PARCEL NUMBER

Various (See Attachment 3, Application Properties)

REQUESTS

1. Change Comprehensive Plan designation of Lake Burien Neighborhood, as defined by applicant, from Moderate Density Single-Family Residential to Low Density Single-Family Residential.
2. Rezone Lake Burien Neighborhood, as defined by applicant, from RS-7,200 (Residential Single-Family) to RS-12,000 (Residential Single-Family).

STAFF RECOMMENDATIONS

1. Approve Comprehensive Plan designation change of Lake Burien Neighborhood, as defined by applicant, from Moderate Density Single-Family Residential to Low Density Single-Family Residential.
2. Approve rezone of Lake Burien Neighborhood, as defined by applicant, from RS-7,200 (Residential Single-Family) to RS-12,000 (Residential Single-Family).

FINDINGS

HISTORY

Comprehensive Plan Land Use Designations:

1993: The City of Burien Interim Land Use Plan and Map (Ordinance 27) designated the subject properties as Single Family (RS-7,200).

1997: The City of Burien Comprehensive Plan Map designated the subject properties as Single-Family (3 units per acre).

1999: The Burien Comprehensive Plan map designated the subject properties as Moderate Density Single-Family (5 – 6 units per acre). See Attachment 2, Comprehensive Plan Map for current designation.

Zoning Designations:

1981: The King County Zoning Map designated the subject parcels RS-7,200 Single-Family Residential.

1994: Ordinance 87 map attachment shows the subject parcels zoned R-6 Single-Family Residential (6 units per acre).

1997: Ordinance 252 map attachment shows the subject parcels zoned RS-7,200 Single-Family Residential.

1999: Ordinance 264 map attachment shows the subject parcels zoned RS-7,200 Residential Single-Family. See Attachment 1, Zoning and Land Use Map for current designation.

CURRENT LAND USE: Single-family residences are the predominant land use.

ADJACENT COMPREHENSIVE PLAN/ZONING DESIGNATIONS

Direction	Comp. Plan Designation	Zone	Current Uses
North	Moderate Density Residential Neighborhood	RS-7,200 (Single-Family Residential)	Single-Family Residences
Northwest	Neighborhood Commercial and Low Density Multi-Family Residential Neighborhood	CN (Neighborhood Center) and RM-12 (Multi-Family Residential)	Neighborhood Commercial and Multi-Family Residences
South	Moderate Density Residential Neighborhood	RS-7,200 (Single-Family Residential)	Single-Family Residences
West	Low Density Residential Neighborhood	RS-12,000 (Single-Family Residential)	Single-Family Residences and Private Elementary School
East	Special Planning Area 2 (NAVOS/Ruth Dykeman Children's Center) and High Density Multi-Family Neighborhood	Special Planning Area 2 (NAVOS/Ruth Dykeman Children's Center) and RM-18 Residential Multi-Family	Juvenile Treatment Facility and Multi-Family Residences

DISCUSSION

The current Comprehensive Plan and Zoning designations for the Lake Burien Neighborhood allow for single-family uses with minimum lot sizes of 7,200 square feet. Of the approximately 139 lots, the majority are developed with single-family residences (see Attachment 4, Air Photo). The applicant indicates that Lake Burien is a critical area and warrants the extra protection afforded by a more environmentally compatible comprehensive plan map designation. The applicant contends that the Lake Burien Neighborhood meets the designation criteria of a Low Density Residential Neighborhood as presented in the 2013 Burien Comprehensive Plan. The applicant also contends that there is a conflict between the comprehensive plan text and map for the area surrounding Lake Burien. The requested Comprehensive Plan amendment and rezone request from Moderate Density Residential to Low Density Residential and from RS-7,200 Single-Family Residential to RS-12,000 Single-Family Residential is proposed to address all of these concerns.

The area surrounding Lake Burien has been delineated as a moderate density residential area since the incorporation of the City of Burien. With the exception of a brief period in 1997, the zoning designation for the Lake Burien area has been 6-units per acre since 1981 when King County controlled the zoning. The overall density of development in the area is approximately 3.1 units per acre. There is no apparent conflict between the text and the plan map in this regard.

In regard to the protection of critical areas, the requested Comprehensive Plan amendment and rezone would have less impact on the generation of surface water runoff and other aspects for protection of water quality resulting from existing development. Regulations are already in place, as part of the Critical Areas portion of the zoning code or targeted low impact development measures could be pursued through the permitting process to better achieve environmental protection. The proposed amendment involves only that portion of Miller Creek sub-basin M-13 immediately adjacent to Lake Burien (see Attachment 6, Lake Burien Drainage Basin Map).

The requested change would primarily impact the relatively small number of lots that could be developed in the future and the difference in maximum impervious surface coverage and other development standards in the RS-7,200 and RS-12,000 may create non-conformances for existing developed properties with regard to impervious surface coverage. The zoning change would however be more restrictive on the amount of impervious surface that would be allowed. The RS-7,200 zone allows a maximum of 70% impervious surface while the RS-12,000 zone allows a maximum of 45%. There are provisions in the zoning code to address those lots which exceed this development standard.

REVIEW OF CRITERIA FOR COMPREHENSIVE PLAN AMENDMENT

Zoning Code section 19.65.095.4 contains the criteria for review of a proposed Comprehensive Plan amendment. To be approved, the proposed amendment **must meet all of the following criteria** (shown in bold italics, followed by staff response):

A. The proposed amendment is the best means for meeting an identified public benefit.

The applicant has identified public benefits of creating consistency in the Comprehensive Plan and maps and providing added protection for critical areas in the vicinity of Lake Burien. As previously mentioned, the Lake Burien Neighborhood has been designated as a moderate density residential area before and since incorporation of Burien. The overall density of

development for the area is not inconsistent with current Comprehensive Plan definitions. A better argument for an identified public benefit can be made for added protection of identified critical areas and the larger drainage basin. The proposed amendment will restrict the further subdivision of existing lots as a means of addressing the environmental issues affecting properties surrounding Lake Burien such as increased storm water runoff and reducing the maximum amount of impervious surfaces allowed on any given parcel.

B. The proposed amendment is consistent with the Growth Management Act, applicable Puget Sound Regional Council (PSRC) plans, King County Countywide Planning Policies and Burien Comprehensive Plan.

As stated in the Burien Comprehensive Plan (Policy RE 1.5), the intent of the Low Density Residential Neighborhood Designation is to provide for low density residential development. Development in this designation includes existing neighborhoods that are zoned for four units per acre or less.

Properties designated Low Density Residential neighborhood should reflect the following criteria (shown in italics, followed by staff response):

1. The area is already generally characterized by single family residential development at four units per acre or less; and

The request complies because the neighborhood is generally characterized by residential development of four units per acre or less.

2. Relative to other residential areas within the City, the area is characterized by lower intensity development as shown on Figure 2 LU-2, Planned Land Use Intensity.

The neighborhood is designated for medium intensity development as shown on Figure 2LU-2 and when compared to other residential areas within the City, Lake Burien Neighborhood is characterized by lower intensity development.

3. The land is designated as a potential landslide hazard area, steep slope area, or wetland on the City of Burien's Critical Area Map,

The request complies due to a few areas of the neighborhood, immediately adjacent to the lake, are designated as wetlands on the Critical Areas Map. It should be noted that the City has very limited site specific studies documenting the presence of wetlands. As development occurs more affirmative information will become available.

4. The existing and planned public facilities for the area cannot adequately support a higher density.

The request complies because there are sufficient existing and planned public facilities to support the existing and proposed density.

5. The area is subject to existing impacts from high levels of airport-related noise.

The request complies because the area is subject to airport-related noise, but is not subject to high levels of airport-related noise.

The Moderate Density Residential Neighborhood designation is characterized by single-family residential uses at greater than four units per acre, with existing public facilities that are adequate to support residential development at densities greater than four units per net acre and the area should not be constrained by critical areas. The above analysis of the proposed amendment demonstrates that the Lake Burien Neighborhood meets the criteria established in the Burien Comprehensive Plan (Policy RE 1.5) for the Low Density Residential Neighborhood.

The proposed amendment is by extension consistent with the Growth Management Act, PSRC plans and King County Countywide Planning Policies by way of its focus on environmental protection and conformance with the criteria established in the Burien Comprehensive Plan.

C. The proposed amendment will result in a net benefit to the community.

The applicant has demonstrated that the proposed amendment will result in a net benefit to the community from increased protection of water quality and protection of critical areas by restricting further division of land adjacent to Lake Burien. Restricting further development in conjunction with measures already in place as a result of other Comprehensive Plan policies, Critical Area and storm water regulations will result in expanded environmental protection.

D. The revised Comprehensive Plan will be internally consistent.

The applicant has not demonstrated any existing inconsistency in the Comprehensive plan and approval of the proposed amendment will be consistent with existing Comprehensive Plan policies.

E. The capability of the land can support the projected land use.

The proposed amendment, contrary to the applicant's claim, will not have an impact on existing residential density and since the benefits of changing the designation from moderate to low density will be minimal, the capability of the land to support the projected land use classification will not be adversely affected.

F. Adequate public facility capacity to support the projected land use exists, or, can be provided by the property owner(s) requesting the amendment, or, can be cost-effectively provided by the City or other public agency.

Adequate public facility capacity exists to support the requested amendment.

G. The proposed amendment will be compatible with nearby uses.

The proposed amendment will be compatible with the properties located on a portion of the north boundary and a portion of the west boundary of the subject area. The proposed amendment will not necessarily be compatible with properties located on a portion of the west boundary that are designated Multi-Family and Neighborhood Commercial and on a portion on the east boundary that are designated Special Planning Area 2 and Multi-Family.

H. The proposed amendment would not prevent the City from achieving its Growth Management Act population and employment targets.

A very high level of analysis, similar to but not as detailed as the buildable lands analysis was performed on the Lake Burien Neighborhood to determine the approximate number of residential lots lost as a result of the proposed rezone request. Recognizing that there may be further constraints such as access and the value of existing residences that could impact lot availability, staff estimates that approximately 27 lots could still be developed following the proposed amendment (see Attachment 7, Lake Burien Lot Sizes Map).

The proposed amendment will result in the loss of capacity to meet other needed land uses such as housing, as the applicant acknowledges in the application. Population and employment targets are citywide and the loss of housing capacity resulting from approval of the proposed amendment can likely be offset by increased residential densities in other areas or by requiring higher dwelling unit per acre yields for developments in existing multi-family zoned areas. The approval of this area wide rezone will require the City to take actions to increase housing capacity in other areas of the City to ensure there is sufficient capacity to accommodate future growth as required by GMA.

I. For a Comprehensive Plan map change, the applicable designation criteria are met and either of the following is met:

- i. Conditions have so markedly changed since the property was given its present Comprehensive Plan designation that the current designation is no longer appropriate; or,***
- ii. The map change will correct a Comprehensive Plan designation that was inappropriate when established.***

The applicant has not demonstrated that the map change is required to correct a designation that was inappropriate when established. The existing designation as Moderate Density Residential Neighborhood was established as a result of a public planning process and has been in place before and since Burien's incorporation in 1993. The operative criterion here is that the conditions have changed since the property was given its present comprehensive plan designation so that the current designation is no longer appropriate. The applicant has demonstrated that the environmental impacts associated with continued development of properties adjacent to Lake Burien are better addressed through a designation of Low Density Residential Neighborhood than under the current designation. If the primary objective is to use all of the available tools, such as lower densities, to improve the environment and water quality for Lake Burien and the downstream watershed, it is appropriate to reduce density near the lake.

REVIEW OF CRITERIA FOR REZONE

Zoning Code section 19.65.090.3 contains the criteria for review of a proposed rezone. To be approved, the proposed amendment **must meet all of the following criteria** (shown in bold italics, followed by staff response):

A. *The rezone is consistent with the Comprehensive Plan.*

The proposed rezone to RS-12,000 Single-Family Residential would be consistent with the proposed Comprehensive Plan if the Comprehensive Plan designation is changed. Staff is recommending that the Comprehensive Plan change be approved (see discussion above).

B. *The rezone bears a substantial relation to the public health, safety or welfare.*

The rezone would provide additional protection for critical areas adjacent to Lake Burien in regard to water quality, given the relatively minor difference in impervious surface coverage requirements for future development as a result of the requested rezone. Adverse storm water impacts associated with existing development will not be significantly addressed by the proposed rezone. More effective avenues already exist for addressing critical area protection and surface water impacts on Lake Burien (see discussion above). Consequently, the rezone will bear a relation to the public's health, safety and welfare.

C. *The rezone will not be materially detrimental to uses or property in the immediate vicinity of the property.*

There is no evidence to support that a rezone would be materially detrimental to uses in the immediate vicinity of the subject area.

D. *The rezone has merit and value for the community as a whole.*

The rezone does have merit and value for the community as a whole (see discussion above).



CITY OF BURIEN, WASHINGTON

Department of Community Development
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Phone: (206) 241-4647 Fax: (206) 248-5539

Ordinance 614 **EXHIBIT B**

2014 Comprehensive Plan Map and Rezone Request – Lake Burien Neighborhood

AMENDMENT REFERENCE NUMBER

PLA 14-1886

APPLICANT

Included by City Council on the 2014 Comprehensive Plan Docket as Item #30

TAX PARCEL NUMBER

Various (See Attachment 3, Application Properties)

REQUESTS

1. Change Comprehensive Plan designation of Lake Burien Neighborhood, as defined by applicant, from Moderate Density Single-Family Residential to Low Density Single-Family Residential.
2. Rezone Lake Burien Neighborhood, as defined by applicant, from RS-7,200 (Residential Single-Family) to RS-12,000 (Residential Single-Family).

STAFF RECOMMENDATIONS

1. Approve Comprehensive Plan designation change of Lake Burien Neighborhood, as defined by applicant, from Moderate Density Single-Family Residential to Low Density Single-Family Residential.
2. Approve rezone of Lake Burien Neighborhood, as defined by applicant, from RS-7,200 (Residential Single-Family) to RS-12,000 (Residential Single-Family).

FINDINGS

HISTORY

Comprehensive Plan Land Use Designations:

1993: The City of Burien Interim Land Use Plan and Map (Ordinance 27) designated the subject properties as Single Family (RS-7,200).

1997: The City of Burien Comprehensive Plan Map designated the subject properties as Single-Family (3 units per acre).

1999: The Burien Comprehensive Plan map designated the subject properties as Moderate Density Single-Family (5 – 6 units per acre). See Attachment 2, Comprehensive Plan Map for current designation.

Zoning Designations:

1981: The King County Zoning Map designated the subject parcels RS-7,200 Single-Family Residential.

1994: Ordinance 87 map attachment shows the subject parcels zoned R-6 Single-Family Residential (6 units per acre).

1997: Ordinance 252 map attachment shows the subject parcels zoned RS-7,200 Single-Family Residential.

1999: Ordinance 264 map attachment shows the subject parcels zoned RS-7,200 Residential Single-Family. See Attachment 1, Zoning and Land Use Map for current designation.

CURRENT LAND USE: Single-family residences are the predominant land use.

ADJACENT COMPREHENSIVE PLAN/ZONING DESIGNATIONS

Direction	Comp. Plan Designation	Zone	Current Uses
North	Moderate Density Residential Neighborhood	RS-7,200 (Single-Family Residential)	Single-Family Residences
Northwest	Neighborhood Commercial and Low Density Multi-Family Residential Neighborhood	CN (Neighborhood Center) and RM-12 (Multi-Family Residential)	Neighborhood Commercial and Multi-Family Residences
South	Moderate Density Residential Neighborhood	RS-7,200 (Single-Family Residential)	Single-Family Residences
West	Low Density Residential Neighborhood	RS-12,000 (Single-Family Residential)	Single-Family Residences and Private Elementary School
East	Special Planning Area 2 (NAVOS/Ruth Dykeman Children's Center) and High Density Multi-Family Neighborhood	Special Planning Area 2 (NAVOS/Ruth Dykeman Children's Center) and RM-18 Residential Multi-Family	Juvenile Treatment Facility and Multi-Family Residences

DISCUSSION

The current Comprehensive Plan and Zoning designations for the Lake Burien Neighborhood allow for single-family uses with minimum lot sizes of 7,200 square feet. Of the approximately 139 lots, the majority are developed with single-family residences (see Attachment 4, Air Photo). The applicant indicates that Lake Burien is a critical area and warrants the extra protection afforded by a more environmentally compatible comprehensive plan map designation. The applicant contends that the Lake Burien Neighborhood meets the designation criteria of a Low Density Residential Neighborhood as presented in the 2013 Burien Comprehensive Plan. The applicant also contends that there is a conflict between the comprehensive plan text and map for the area surrounding Lake Burien. The requested Comprehensive Plan amendment and rezone request from Moderate Density Residential to Low Density Residential and from RS-7,200 Single-Family Residential to RS-12,000 Single-Family Residential is proposed to address all of these concerns.

The area surrounding Lake Burien has been delineated as a moderate density residential area since the incorporation of the City of Burien. With the exception of a brief period in 1997, the zoning designation for the Lake Burien area has been 6-units per acre since 1981 when King County controlled the zoning. The overall density of development in the area is approximately 3.1 units per acre. There is no apparent conflict between the text and the plan map in this regard.

In regard to the protection of critical areas, the requested Comprehensive Plan amendment and rezone would have less impact on the generation of surface water runoff and other aspects for protection of water quality resulting from existing development. Regulations are already in place, as part of the Critical Areas portion of the zoning code or targeted low impact development measures could be pursued through the permitting process to better achieve environmental protection. The proposed amendment involves only that portion of Miller Creek sub-basin M-13 immediately adjacent to Lake Burien (see Attachment 6, Lake Burien Drainage Basin Map).

The requested change would primarily impact the relatively small number of lots that could be developed in the future and the difference in maximum impervious surface coverage and other development standards in the RS-7,200 and RS-12,000 may create non-conformances for existing developed properties with regard to impervious surface coverage. The zoning change would however be more restrictive on the amount of impervious surface that would be allowed. The RS-7,200 zone allows a maximum of 70% impervious surface while the RS-12,000 zone allows a maximum of 45%. There are provisions in the zoning code to address those lots which exceed this development standard.

REVIEW OF CRITERIA FOR COMPREHENSIVE PLAN AMENDMENT

Zoning Code section 19.65.095.4 contains the criteria for review of a proposed Comprehensive Plan amendment. To be approved, the proposed amendment **must meet all of the following criteria** (shown in bold italics, followed by staff response):

A. The proposed amendment is the best means for meeting an identified public benefit.

The applicant has identified public benefits of creating consistency in the Comprehensive Plan and maps and providing added protection for critical areas in the vicinity of Lake Burien. As previously mentioned, the Lake Burien Neighborhood has been designated as a moderate density residential area before and since incorporation of Burien. The overall density of

development for the area is not inconsistent with current Comprehensive Plan definitions. A better argument for an identified public benefit can be made for added protection of identified critical areas and the larger drainage basin. The proposed amendment will restrict the further subdivision of existing lots as a means of addressing the environmental issues affecting properties surrounding Lake Burien such as increased storm water runoff and reducing the maximum amount of impervious surfaces allowed on any given parcel.

B. The proposed amendment is consistent with the Growth Management Act, applicable Puget Sound Regional Council (PSRC) plans, King County Countywide Planning Policies and Burien Comprehensive Plan.

As stated in the Burien Comprehensive Plan (Policy RE 1.5), the intent of the Low Density Residential Neighborhood Designation is to provide for low density residential development. Development in this designation includes existing neighborhoods that are zoned for four units per acre or less.

Properties designated Low Density Residential neighborhood should reflect the following criteria (shown in italics, followed by staff response):

1. The area is already generally characterized by single family residential development at four units per acre or less; and

The request complies because the neighborhood is generally characterized by residential development of four units per acre or less.

2. Relative to other residential areas within the City, the area is characterized by lower intensity development as shown on Figure 2 LU-2, Planned Land Use Intensity.

The neighborhood is designated for medium intensity development as shown on Figure 2LU-2 and when compared to other residential areas within the City, Lake Burien Neighborhood is characterized by lower intensity development.

3. The land is designated as a potential landslide hazard area, steep slope area, or wetland on the City of Burien's Critical Area Map,

The request complies due to a few areas of the neighborhood, immediately adjacent to the lake, are designated as wetlands on the Critical Areas Map. It should be noted that the City has very limited site specific studies documenting the presence of wetlands. As development occurs more affirmative information will become available.

4. The existing and planned public facilities for the area cannot adequately support a higher density.

The request complies because there are sufficient existing and planned public facilities to support the existing and proposed density.

5. The area is subject to existing impacts from high levels of airport-related noise.

The request complies because the area is subject to airport-related noise, but is not subject to high levels of airport-related noise.

The Moderate Density Residential Neighborhood designation is characterized by single-family residential uses at greater than four units per acre, with existing public facilities that are adequate to support residential development at densities greater than four units per net acre and the area should not be constrained by critical areas. The above analysis of the proposed amendment demonstrates that the Lake Burien Neighborhood meets the criteria established in the Burien Comprehensive Plan (Policy RE 1.5) for the Low Density Residential Neighborhood.

The proposed amendment is by extension consistent with the Growth Management Act, PSRC plans and King County Countywide Planning Policies by way of its focus on environmental protection and conformance with the criteria established in the Burien Comprehensive Plan.

C. The proposed amendment will result in a net benefit to the community.

The applicant has demonstrated that the proposed amendment will result in a net benefit to the community from increased protection of water quality and protection of critical areas by restricting further division of land adjacent to Lake Burien. Restricting further development in conjunction with measures already in place as a result of other Comprehensive Plan policies, Critical Area and storm water regulations will result in expanded environmental protection.

D. The revised Comprehensive Plan will be internally consistent.

The applicant has not demonstrated any existing inconsistency in the Comprehensive plan and approval of the proposed amendment will be consistent with existing Comprehensive Plan policies.

E. The capability of the land can support the projected land use.

The proposed amendment, contrary to the applicant's claim, will not have an impact on existing residential density and since the benefits of changing the designation from moderate to low density will be minimal, the capability of the land to support the projected land use classification will not be adversely affected.

F. Adequate public facility capacity to support the projected land use exists, or, can be provided by the property owner(s) requesting the amendment, or, can be cost-effectively provided by the City or other public agency.

Adequate public facility capacity exists to support the requested amendment.

G. The proposed amendment will be compatible with nearby uses.

The proposed amendment will be compatible with the properties located on a portion of the north boundary and a portion of the west boundary of the subject area. The proposed amendment will not necessarily be compatible with properties located on a portion of the west boundary that are designated Multi-Family and Neighborhood Commercial and on a portion on the east boundary that are designated Special Planning Area 2 and Multi-Family.

H. The proposed amendment would not prevent the City from achieving its Growth Management Act population and employment targets.

A very high level of analysis, similar to but not as detailed as the buildable lands analysis was performed on the Lake Burien Neighborhood to determine the approximate number of residential lots lost as a result of the proposed rezone request. Recognizing that there may be further constraints such as access and the value of existing residences that could impact lot availability, staff estimates that approximately 27 lots could still be developed following the proposed amendment (see Attachment 7, Lake Burien Lot Sizes Map).

The proposed amendment will result in the loss of capacity to meet other needed land uses such as housing, as the applicant acknowledges in the application. Population and employment targets are citywide and the loss of housing capacity resulting from approval of the proposed amendment can likely be offset by increased residential densities in other areas or by requiring higher dwelling unit per acre yields for developments in existing multi-family zoned areas. The approval of this area wide rezone will require the City to take actions to increase housing capacity in other areas of the City to ensure there is sufficient capacity to accommodate future growth as required by GMA.

I. For a Comprehensive Plan map change, the applicable designation criteria are met and either of the following is met:

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REVIEW OF CRITERIA FOR REZONE

Zoning Code section 19.65.090.3 contains the criteria for review of a proposed rezone. To be approved, the proposed amendment **must meet all of the following criteria** (shown in bold italics, followed by staff response):

A. *The rezone is consistent with the Comprehensive Plan.*

The proposed rezone to RS-12,000 Single-Family Residential would be consistent with the proposed Comprehensive Plan if the Comprehensive Plan designation is changed. Staff is recommending that the Comprehensive Plan change be approved (see discussion above).

B. *The rezone bears a substantial relation to the public health, safety or welfare.*

The rezone would provide additional protection for critical areas adjacent to Lake Burien in regard to water quality, given the relatively minor difference in impervious surface coverage requirements for future development as a result of the requested rezone. Adverse storm water impacts associated with existing development will not be significantly addressed by the proposed rezone. More effective avenues already exist for addressing critical area protection and surface water impacts on Lake Burien (see discussion above). Consequently, the rezone will bear a relation to the public's health, safety and welfare.

C. *The rezone will not be materially detrimental to uses or property in the immediate vicinity of the property.*

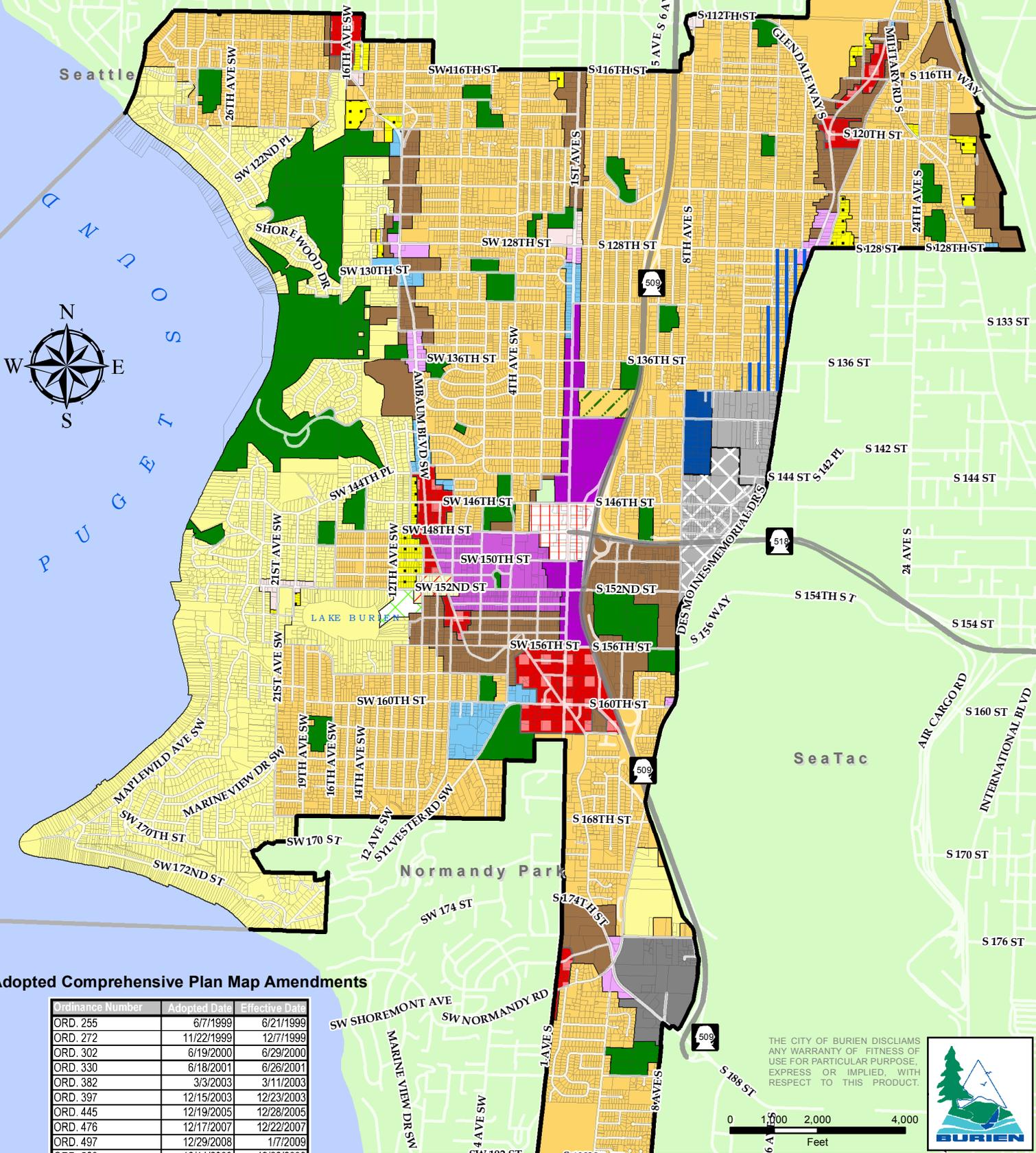
There is no evidence to support that a rezone would be materially detrimental to uses in the immediate vicinity of the subject area.

D. *The rezone has merit and value for the community as a whole.*

The rezone does have merit and value for the community as a whole (see discussion above).

City of Burien Comprehensive Plan (Map LU-1)

Revised by ORD. 614 - December XX, 2014



Adopted Comprehensive Plan Map Amendments

Ordinance Number	Adopted Date	Effective Date
ORD. 255	6/7/1999	6/21/1999
ORD. 272	11/22/1999	12/7/1999
ORD. 302	6/19/2000	6/29/2000
ORD. 330	6/18/2001	6/26/2001
ORD. 382	3/3/2003	3/11/2003
ORD. 397	12/15/2003	12/23/2003
ORD. 445	12/19/2005	12/28/2005
ORD. 476	12/17/2007	12/22/2007
ORD. 497	12/29/2008	1/7/2009
ORD. 528	12/14/2009	12/22/2009
ORD. 559	12/12/2011	12/20/2011
ORD. 573	4/1/2013	4/9/2013
ORD. 591	12/2/2013	12/10/2013
ORD. 614	12/XX/2014	12/XX/2014

THE CITY OF BURIED DISCLAIMS ANY WARRANTY OF FITNESS OF USE FOR PARTICULAR PURPOSE, EXPRESS OR IMPLIED, WITH RESPECT TO THIS PRODUCT.

Comprehensive Land Use Planning

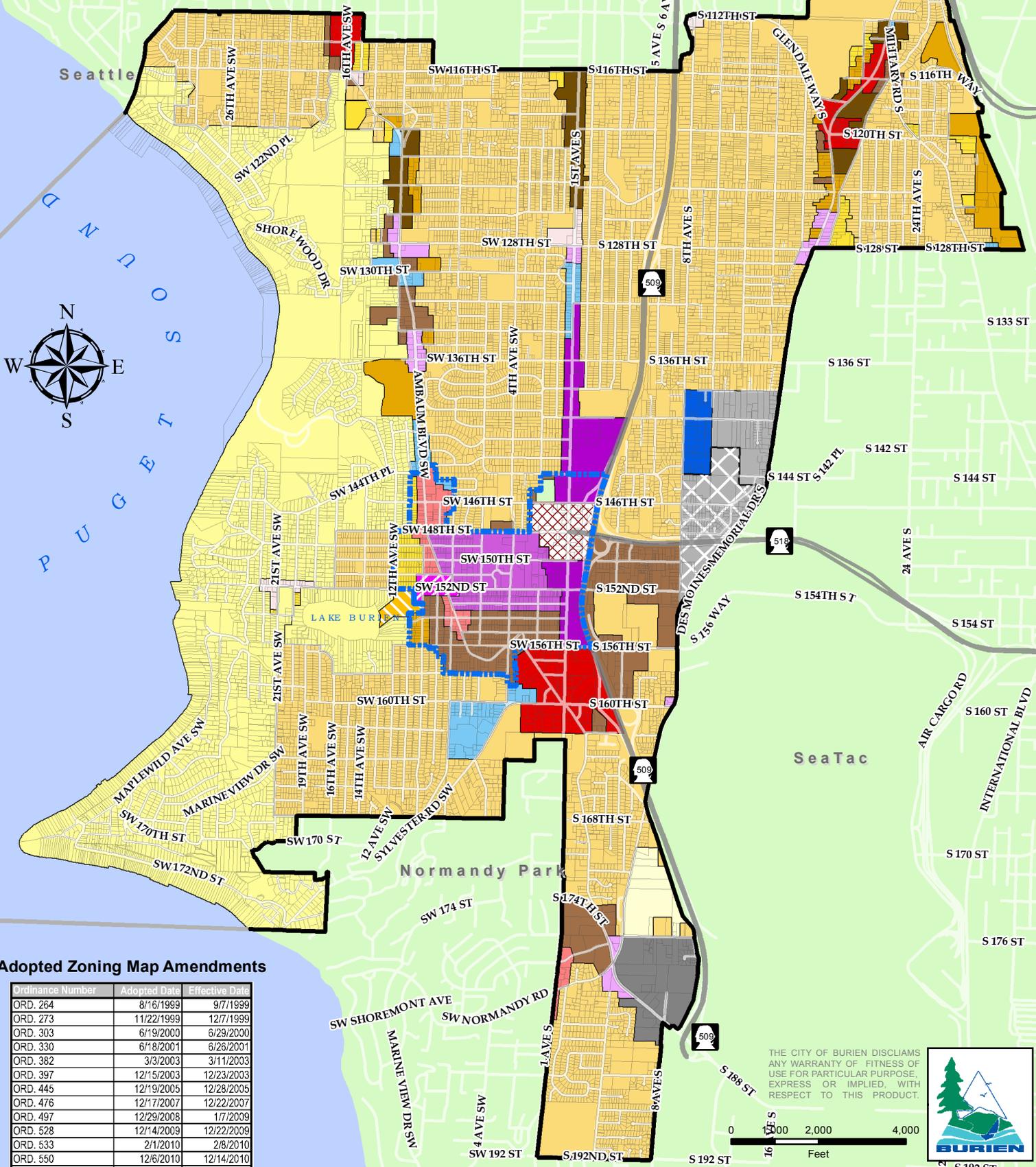
- Low Density Residential Neighborhood
- Moderate Density Residential Neighborhood
- Low Density Multi-Family Neighborhood
- High Density Multi-Family Neighborhood
- Intersection Commercial
- Neighborhood Commercial
- Downtown Commercial
- Community Commercial
- Regional Commercial
- Office
- Professional/Residential
- Industrial
- Airport Industrial with Auto Mall/Commercial Retail
- Airport Industrial
- Public Parks/Schools/Recreation/ Open Space
- Quasi-Public Parks/Schools/Recreation/Open Space
- Special Planning Area 1
- Special Planning Area 2
- Special Planning Area 3

Boundary of Burien

Northeast Special Planning Area

City of Burien Zoning

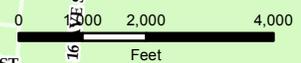
Revised by ORD. 614 - December XX, 2014



Adopted Zoning Map Amendments

Ordinance Number	Adopted Date	Effective Date
ORD. 264	8/16/1999	9/7/1999
ORD. 273	11/22/1999	12/7/1999
ORD. 303	6/19/2000	6/29/2000
ORD. 330	6/18/2001	6/26/2001
ORD. 382	3/3/2003	3/11/2003
ORD. 397	12/15/2003	12/23/2003
ORD. 445	12/19/2005	12/28/2005
ORD. 476	12/17/2007	12/22/2007
ORD. 497	12/29/2008	1/7/2009
ORD. 528	12/14/2009	12/22/2009
ORD. 533	2/1/2010	2/8/2010
ORD. 550	12/6/2010	12/14/2010
ORD. 559	12/1/2011	12/20/2011
ORD. 573	4/1/2013	4/9/2013
ORD. 591	12/2/2013	12/10/2013
ORD. 614	12/XX/2014	12/XX/2014

THE CITY OF BURIEDIS CLAIMS ANY WARRANTY OF FITNESS OF USE FOR PARTICULAR PURPOSE, EXPRESS OR IMPLIED, WITH RESPECT TO THIS PRODUCT.



ZONING			
	Urban Center		RM-18 Residential Multi-Family
	RS-A Residential Single Family		RM-24 Residential Multi-Family
	RS-7,200 Residential Single-Family		RM-48 Residential Multi-Family
	RS-12,000 Residential Single-Family		PR Professional/Residential
	RM-12 Residential Multi-Family		Office
	DC Downtown Commercial		CR Regional Commercial
	AI-1 Airport Industrial 1		CI Intersection Commercial
	AI-2 Airport Industrial 2		CN Neighborhood Center
	SPA-1		CC-2 Community Commercial 2
	SPA-2		CC-1 Community Commercial 1
	SPA-3		I Industrial
	Boundary of Burien		