

CITY OF BURIEN, WASHINGTON

ORDINANCE NO. 620

AN ORDINANCE OF THE CITY OF BURIEN, WASHINGTON, AMENDING TITLE 19 OF THE BURIEN MUNICIPAL CODE RELATED TO VARIOUS MINOR ZONING CODE TEXT AMENDMENTS PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in June, 1999, the City of Burien adopted a zoning code establishing zoning regulations for the City of Burien; and

WHEREAS, the City desires to amend BMC Title 19 amending various minor zoning code text;

WHEREAS, the City provided the proposed zoning amendments to the Washington State Department of Commerce and did not receive any comments during the 60-day notice and comment period; and

WHEREAS, the City has complied with RCW 43.21C State Environmental Policy Act; and

WHEREAS, the Planning Commission had three public meetings and conducted a public hearing to receive public comments on October 8, 2014; and

WHEREAS, the City Council has received recommendations from the Planning Commission regarding the proposed amendments at a public meeting on December 2, 2014; and

WHEREAS, the City Council held public meetings on two public meetings and a study session on April 27, 2015 to review and discuss the proposed amendments; and

WHEREAS, the Planning Commission had four public meetings and conducted a public hearing to receive public comments on November 18, 2015 to discuss revisions to the proposed amendments;

WHEREAS, the City Council has received recommendations from the Planning Commission regarding the proposed amendments at a public meetings on January 25, 2016 and February 1, 2016; and

WHEREAS, the Planning Commission and City Council evaluated the proposed zoning code amendments and confirmed they comply with the decision criteria for zoning code amendments of BMC 19.65.

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

Section 1: Amendments to BMC Title 19. The City Council of the City of Burien hereby amends BMC Title 19 as shown on Exhibit A, and incorporated by reference as if fully set forth herein.

Section 2: 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: Savings. The enactments of this ordinance shall not affect any case, proceeding, appeal or other matter currently pending in any court or in any way modify any right or liability, civil or criminal, which may be in existence on the effective date of this ordinance.

Section 5: Effective Date. This ordinance 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 THIS 1ST DAY OF FEBRUARY, 2016, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS 1ST DAY OF FEBRUARY, 2016.

CITY OF BURIEN

/s/ Lucy Krakowiak, Mayor

ATTEST/AUTHENTICATED:

/s/ Monica Lusk, City Clerk

Approved as to form:

/s/ Soojin Kim, City Attorney

Filed with the City Clerk: February 1, 2016
Passed by the City Council: February 1, 2016
Ordinance No. 620
Date of Publication: February 4, 2016

EXHIBIT A

MINOR ZONING CODE TEXT AMENDMENTS

1. BMC 19.10.290, Repeal definition of “Interim Zoning Code”

~~19.10.290 — Interim zoning code — The Interim Zoning Code of the City of Burien, as adopted by Ordinance 28, as amended.~~

2. BMC 19.17.090.5.I.iv, Home Occupations

iv. Use or store hazardous substances in excess of those normally allowed in a residential area under the ~~Uniform~~ International Building Code and ~~Uniform~~ International Fire Code;

3. BMC 19.25.070.2.B & D Landscaping – Surface parking areas and BMC 19.25.120.4 Significant trees – Retention Required

B. *Uses* requiring Landscape Category C, ~~or D~~ or F shall provide interior planting areas at a rate of:

i. Twenty square feet per parking stall when 10 to 30 parking stalls are provided; and

ii. Twenty-five square feet per parking stall when 31 or more parking stalls are provided;

D. *Evergreen* or canopy-type *deciduous* trees shall be provided and distributed throughout the parking area at a rate of:

i. One tree for every 10 parking stalls for a *use* requiring landscape category C, ~~or D~~ or F; or

ii. One tree for every five parking stalls for a *use* requiring landscape category B.

4. Landscape categories C, ~~and D~~ and F: Five percent of the *significant trees* located on the *site*, excluding *critical areas* or their *buffers*.

4. BMC 19.30.070.1 General requirements for all signs

1. Sight distance: In addition to any setbacks require by the Chapter, all signs (except for governmental signs related to traffic safety) shall comply with the sight distance requirements in ~~BMC 18.30.200~~ BMC 19.17.240, as amended.