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JUL 06 2011

CITY OF BURIEN

To the Burien Planning Commission

To the Burien City Council

July 6, 2011

RE Item for the Comprehensive Plan Update-Land Use in the Lake Burien Neighborhood

To the Planning Commissioners and the City Council Members;

The Lake Burien Neighborhood(162 petitioners) have requested that the land use for the Lake Burien Neighborhood be placed on the Comprehensive Plan Update docket that will be occurring during the next year-2011. This is the appropriate time that neighborhoods and citizens have the right to request that land use in the city be reviewed. We asked for this at the last Planning Commission Meeting and were turned down based on an argument put forth by Mr. Helms-Planning Commissioner. Mr. Helms's position was that all critical areas in all neighborhoods should be treated equally and therefore should be reviewed when the Critical Areas Ordinance comes up for review-2014. Therefore the Lake Burien Neighborhood should be looked at only when the Critical Areas Ordinance comes up for review-2014. Strangely the City Staff did not clearly explain the flaw of this argument to Mr. Helms and the other Planning Commissioners. **These are the flaws** in that argument;

1. The Comprehensive Plan is the guiding document for Land Use in the city. The Critical Areas Ordinance does not set the policy for land use. Therefore land use issues and policies should be reviewed when the Comprehensive Plan comes up for review-right now.

2. Once the new Shoreline Master Plan (SMP) goes into effect, the Lake Burien and the shorelines around it will no longer be regulated by the Critical Areas Ordinance. It will be controlled by the Shoreline Master Plan and the Critical Areas Ordinance embedded in that plan. Therefore any review of the Critical Areas Ordinance in 2014 will not include the Lake Burien or a major portion of the surrounding neighborhood. And any Best Available Science Studies done for critical areas, 2014-in the city will not include Lake Burien.

3. We have requested that the city include a land use study in the new SMP and the city has flatly refused to do that claiming that the appropriate time for that is during a review of the Comprehensive Plan 2011-which is now.

4. Under the Growth Management Act, this is the appropriate time to ask for a land use study of the area and the Planning Commission is now claiming that this should happen during the Critical Areas Ordinance. The City Staff has clearly not communicated to the Planning Commissioners when land use policies should be examined and evaluated per citizen request during the Comprehensive Plan update.

5. Lake Burien and the surrounding shorelines are a one of a kind item in this city. Flatly there are no other freshwater lake shorelines in the City of Burien that have the kinds of critical areas that Lake Burien has. It cannot be looked at by Mr. Helms's invented standard of fairness that all neighborhoods that have critical areas be treated equally-as all of the critical areas in the city are not all equal and how these critical areas impact the neighborhood are not equal. That is not the standard set for critical area protection by the Growth Management Act.

6. To suggest per the last vote of the Planning Commission, that the next available time that land use in the Lake Burien Neighborhood can be examined is in the year 2019 or 2020 is lunacy. The SMP and the Critical Areas Ordinances cannot be used as excuses for why land use is not being examined during the Comprehensive Plan. Also, they cannot be used as excuses for why the Best Available Science standard is not being employed for the protection of a shoreline with critical areas under land use policies.

Lake Burien is a shoreline with critical areas and as such warrants protection under the Growth Management Act. The 1997 Environmental Impact Statement (EIS)-which the city is still using for this Comp Plan Update-clearly states that the land use around Lake Burien is to be low density land use-the Preferred Model. None of the Addendums to this EIS have provided any studies, mitigations, significant changes in regulations or funding plan changes that have altered the 1997 EIS for the Lake Burien Neighborhood.

Also, we-the neighbors of the Lake Burien Neighborhood- believe that the City Staff has the responsibility to educate the City Council as well as the Planning Commissioners on the purposes, contents and roles of the respective plans that drive the City's policies and regulations. It is clear that not all of the Planning Commissioners or City Council members understand the how these documents are to be used and applied. Of course it remains the responsibility of the City Council and Planning Commissioners to at least read these documents and ask the appropriate questions of the staff. Staff has the responsibility to give honest, clear responses to questions. Under the Growth Management Act, responses should be given so that a citizen of normal intelligence is able to understand the answer or the written response. That is not the way that answers are currently being provided to the public in Burien. Frequently citizen requests are not even given the courtesy of a response by the staff, Council or Planning Commission.

In a response to the Puget Sound Regional Council-2005, the City of Burien argued that the neighborhoods west of Ambaum would remain low density due to their critical areas. The same land use standard should be applied to the Lake Burien Neighborhood following that logic.

Therefore, the Lake Burien Neighbors are requesting that the land use be examined for the Lake Burien Neighborhood-per its status as a shoreline with critical areas- and be included in this update to the Comp Plan and that this land use item be put on the work docket for the Comp Plan.

Sincerely,
Chestine Edgar and
The Lake Burien Neighborhood

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To the Burien Planning Commission
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To the Planning Commissioners;

At the last Planning Commission meeting, things were in a fair amount of confusion as to how issues and items were to be voted on in order to get on the Comprehensive Plan work docket for 2011-2012. It would help if the City Staff provided better guidance/education to the commissioners about how items were to be voted or approved by commission. It would save meeting time also.

Additionally the topic of neighborhood plans being added to the Comp Plan work docket was voted on and approved by the commissioners. During that voting/discussion process, the Chair of the Planning Commission-Jim Clingan-stated that the concept of neighborhood plans started in 2002-2003 and at that time the city probably only thought there were five neighborhoods in the city.

It is important to keep the historical record straight on the issue of neighborhood plans. Neighborhoods were always a key component of the Comprehensive Plan starting in 1997. In 1999, the concept of developing specific neighborhood plans was written into the Comprehensive Plan. At that point in time, it was planned that two neighborhood plans would be developed per year. The intent of these plans was to give neighborhoods a legitimate avenue/ method of input into the updates to the Comprehensive Plan.

Already in 1999, there were more than five recognized neighborhoods in the city. For those of us who lived here then, the recognized neighborhoods were:

Shorewood
Seahurst
Lake Burien
Hurstwood
Gregory Heights
Manhattan/Woodside
Sunnydale
Chelsea Park
Hazel Valley
Northeast Development Area/Neighborhood
Downtown City Area.

These areas are documented in the city records and at different times citizens of these neighborhoods have spoken of their concerns. Since 1999, we have added new neighborhoods to this city.

Now the City Staff has stated at one of the Planning Commission meetings that they are not sure of what is a neighborhood. The concept of neighborhood is defined in the Comp Plan and it seems to be a definition that many cities accept as a definition. As a matter of fact, it is a definition that is frequently used in textbooks that are used to train planners.

What is missing in the City of Burien's Comp Plan is the mechanism for how neighborhoods get the right to have staff assigned to work with them to develop neighborhood plans. Research shows that successful, thriving cities have strong neighborhoods that provide the infrastructure for safe living in the neighborhoods and flourishing businesses in those neighborhoods. These neighborhoods are what make up the sense of community and draw people to buy property or reside in that neighborhood. These neighborhoods are the voice of the citizens that networks to the bureaucracy called city government. Again this topic is part of the any planner's textbook for Planning 101- planning for successful cities.

In Burien, close to 80% of the city staff does not live in Burien, shop in Burien or use the services in Burien. The only way for the city staff/the city bureaucrats to have a real pulse on what Burien citizens want, need or aspire to be is to listen to the neighborhoods and citizen groups that speak before the Planning Commission or City Council. Currently the avenue of neighborhood plans and voices is closed to the citizens of Burien. We are requesting that the Planning Commission recognize that the Planning Commissioners need not get bogged down in whether there should be neighborhood plans or what year they were first discussed in. That has been already been determined by policy in the Comprehensive Plan 1999. Rather the Planning Commission needs to focus on the mechanism for helping neighborhoods to get their plans developed and supported by the city. Hopefully, this will happen in the update to the Comprehensive Plan 2011.

Sincerely,
Bob Edgar