



### Section 19.15.025—DOWNTOWN COMMERCIAL ZONE

**PURPOSE AND INTENT:** The Downtown Commercial (DC) zone implements the Downtown Commercial Comprehensive Plan designation. The purpose of the DC zone is to foster a vibrant, compact, pedestrian oriented area by allowing high density residential development in combination with office, retail and commercial uses, government activities, and restaurants, entertainment and cultural uses. Mixed use developments are encouraged, including well-designed townhouses and condominiums, providing a convenient living environment and making downtown a community focal point and center, as well as a lively place in the evening and on the weekends. Residential densities re limited only by physical constraints such as height, bulk, parking and infrastructure capacities. Moderate to high rise buildings, pedestrian amenities and facilities that help define downtown Burien’s distinctive qualities are encouraged.

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

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

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

**19.15.025.1: SPECIAL REGULATIONS:**

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

G. MAXIMUM GROSS FLOOR AREA: The maximum *gross floor area* allowed on a *site* is determined by multiplying the *lot area* of the *site* (prior to any required *right-of-way* dedication] by the first number in the floor area ratio (FAR). The base FAR is 3.5:1. Using the Public Benefit Incentive System in Section 19.15.025.1.J below, the maximum *gross floor area* allowed on a *site* can be increased up to an FAR of 7:1. For the purposes of this section, *gross floor area* does not include any area designed and used for parking.

H. DESIGN GUIDELINES: See BMC 19.47 for downtown design standards and BMC 19.65.105 for information on the Administrative Design Review process.

I. On-site pedestrian pathways and amenities and *pedestrian-oriented space* do not count toward the maximum allowable *impervious surface coverage*.

J. PUBLIC BENEFIT INCENTIVE SYSTEM: A *building* may exceed the *gross floor area* and/or *building height* limits as allowed in Sections 19.15.025.1.F and G above, only if the requirements of this section are met.

i. After a project uses the maximum area of public benefit feature eligible for bonus, additional bonus floor area for that public benefit will not be awarded.

ii. The applicant shall dedicate *right-of-way* to the City (if additional *right-of-way* is needed, based on an adopted City street or *right-of-way* plan) in order to participate in the Public Benefit Incentive System. Dedication of *right-of-way* is eligible for bonus floor area as described in Table 19.15.025.1.

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

Table 19.15.025.1

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

<sup>1</sup> Director determination.

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

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

<div style="border: 1px solid black; padding: 5px; display: inline-block;">DC Zone</div> USE ↓	↓REGULATIONS	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.025.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)		
		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage				Building Height	
				Front Setback	Interior Setback	Building Coverage					Impervious Surface Coverage
19.15.025.2 <i>Mixed Use</i>	None	None	0'	0'	85%	95%	See Sec. 19.15.025.1 .F	E	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Must have at least two <i>uses</i> listed in Sec. 19.15.025.  2. At least 75% of the <i>gross floor area</i> located at <i>street level</i> must be devoted to non-residential <i>uses</i> .  3. The following are not permitted: motor vehicle sales and rental; boat sales and rental; <i>recycling center</i> ; pawn shops and <i>self-service storage facility</i> .	
19.15.025.3 <i>Retail</i>	None	None	0'	0'	85%	95%	See Sec. 19.15.025.1 .F	E	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. The following are not permitted: motor vehicle sales and rental; boat sales and rental; <i>recycling center</i> ; pawn shops and <i>self-service storage facility</i> .	
19.15.025.4 <i>Dwelling Units</i>	None	None	0'	0'	85%	95%	See Sec. 19.15.025.1 .F	E	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Not permitted at <i>street level</i> abutting a <i>Class A Pedestrian-Oriented Street</i> .  2. All resident parking must be in structured parking (such as garages or <i>under-building</i> or underground parking). Carports are not considered structured parking.  3. Exterior hallways and corridors are not allowed.	

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		Special Review Process (See Ch. 19.65)	Lot Area	SETBACKS		Lot Coverage				Building Height	
				Front Setback	Interior Setback	Building Coverage					Impervious Surface Coverage
19.15.025.5 <i>Community Facility</i>  <i>Cultural Facility</i>  <i>Eating and Drinking Establishment</i>  <i>Government Facility</i>  <i>Lodging Facility</i>  <i>Office</i>  <i>Private Club</i>  <i>Public Park and Recreation Facilities</i>  <i>Recreational Facility</i>  <i>School</i>  <i>Theater</i>	None	None	0'	0'	85%	95%	See Sec. 19.15.025.1 .F	E	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Auto rental is permitted as an <i>accessory use</i> to a <i>lodging facility</i> . The maximum number of cars allowed is the lesser of 30 cars or 5% of the total number of parking spaces on the <i>site</i> . The rental desk must be inside the <i>lodging facility building</i> .	
19.15.025.6 <i>Family Day Care Home I and II</i>	None	See Special Regulation 1							1. Must comply with requirements of the <i>primary use</i> .  2. <i>Family Day Care Home II</i> : Must provide State certification of safe passenger loading area.		
19.15.025.7 <i>Day Care Center</i>	None	None	0'	0'	85%	95%	See Sec. 19.15.025.1 .F	E	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Must provide State certification of safe passenger loading area.	

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<div style="border: 1px solid black; padding: 5px; text-align: center;"> <b>DC Zone</b> </div> <p style="text-align: center;">USE ↓</p>	↓REGULATIONS	Special Review Process (See Ch. 19.65)	MINIMUMS		MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.025.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)	
			Lot Area	SETBACKS		Lot Coverage					Building Height
				Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage				

19.15.025.8 <i>Religious Facility</i> [Ord. 479 § 1, 2007]	None	None.	0'	0'	85%	95%	See Sec. 19.15.025.1 .F	E	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	
19.15.025.9 <i>Public Utility</i>	Type 1	None	0'	0'	85%	95%	35 feet	E	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts.
19.15.025.10 <i>Essential Public Facility</i>	Type 3									1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts.  2. Shall comply with criteria for siting found in the Burien Comprehensive Plan.
19.15.025.11 <i>Personal Wireless Service Facility</i>	See Chapter 19.50									

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

Figure 19.15.025-1  
 Downtown Commercial Height Limits  
 City of Burien

