

June 22, 1987

INTRODUCED BY PAUL BARDEN

PROPOSED NO. 87 - 609

ORDINANCE NO. 8251

AN ORDINANCE relating to Planning, amending the Highline Community Plan and Area Zoning, amending Ordinance 3530, Section 1, 2 and 3, as amended, and K.C.C. 20.12.240.

PREAMBLE:

For the purpose of effective areawide planning and regulation, the King County Council makes the following legislative findings:

(1) The Highline Community Plan, adopted May 11, 1981 by Ordinance 5453, augments and amplifies the King County Comprehensive Plan.

(2) King County has studied a portion of the Highline Community Plan and determined the need to amend the plan pursuant to K.C.C. 20.12.070-20.12.080.

(3) A Declaration of Non-significance was filed by the planning division on January 20, 1987.

(4) Amending the Highline Community Plan will provide for coordination and regulation of public and private development and bears a substantial relationship to, and is necessary for, the public health, safety, and general welfare of King County and its citizens.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 3530, Section 1, 2 and 3 as amended and K.C.C. 20.12.240 are hereby amended to read as follows:

A. The "Highline Communities Plan," attached to Ordinance 3530, is adopted as an addendum to the comprehensive plan for King County. The Highline Communities Plan is amended by those changes identified in the "Highline Area Zoning," to Ordinance 5453 as inconsistent with the plan pursuant to Ordinance 5401. As an amplification and augmentation of the comprehensive plan and the Sea-Tac Communities Plan, it constitutes official county policy for the Highline area.

B. Any further changes and amendments to the plan initiated by King County which relate to the Sea-Tac Airport and its vicinity shall correspondingly change and amend the Sea-Tac Communities Plan. All proposed changes and amendments shall be transmitted to the Port of Seattle for review and official consideration by the Port of Seattle Commission prior to council approval.

C. In adopting the Highline Communities Plan, the council recognizes that cooperation and action by others, including but not limited to citizens, state and local agencies, is essential for proper implementation.

1 D. The land use plan amendment attached to Ordinance 7291 as Appendix A, is
2 adopted as an amendment to the Highline communities plan.

3 E. An amendment to the Highline area zoning, attached to Ordinance 7291 as
4 Appendix B is adopted as the official zoning control for that portion of unincorporated
5 King County defined therein.

6 F. An Amendment to the Highline Area Zoning, attached to Ordinance 7640 as
7 Appendix A is adopted as the official zoning control for that portion of unincorporated
8 King County defined therein.

9 G. The McMicken Heights Land Use Study, attached to Ordinance 7490 as Appendix
10 A, is adopted as an amplification of the Highline Communities Plan.

11 H. The McMickens Heights Area Zoning, attached to Ordinance 7490 as Appendix B is
12 adopted as an amplification of the Highline Communities Plan.

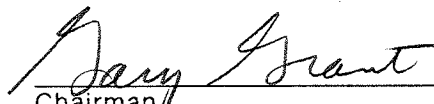
13 I. The Highline Plan Revision Study - Olde Burien attached to Ordinance 8251 as
14 Appendix A, is adopted as an amendment to the Highline Plan.

15 J. An amendment to the Highline Area Zoning, attached to Ordinance 8251 as
16 Appendix B is adopted as the official zoning control for that portion of unincorporated
17 King County defined therein.

18 INTRODUCED AND READ for the first time this 31st day of August, 1987

19 PASSED this 5th day of October, 1987.

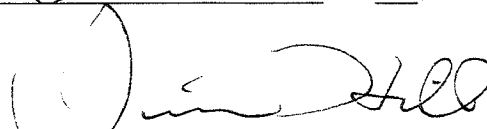
20 KING COUNTY COUNCIL
21 KING COUNTY, WASHINGTON

22 
23 Chairman

24 ATTEST:

25 
26 Clerk of the Council

27 APPROVED this 15th day of October, 1987

28 
29 King County Executive

3251

HIGHLINE PLAN REVISION STUDY
Olde Burien

HIGHLINE PLAN REVISION STUDY

OLDE BURIEN

	<u>Page</u>
I. Introduction	1
II. Issue	2
History	
Existing Development Conditions	
Site Analysis	
Transportation	
Applicable Plans and Policies	
Figures 1, 2, 3	
III. Community Comments	9
IV. Conclusion and Recommendation	10
Consistency with Adopted Plans	
Figures 4, 5	
V. Area Zoning	13
VI. Appendices	14

I. INTRODUCTION

On November 24, 1986 the King County Council directed the Planning Division to prepare a study of the Burien Business District (Motion 6670). This study is called the Burien Activity Center Update.

The Burien Activity Center Update addresses three issues:

- o land use and zoning in the Olde Burien area;
- o land use, zoning, and capital improvement projects in its larger Burien area;
and
- o a business improvement area and a business improvement plan.

This business improvement plan would allow businesses to assess themselves for the purposes of providing landscaping, promotional events, advertising, parking improvements, and other types of services and programs all aimed at bettering Burien and the larger Highline community.

The first step of the Burien Activity Center Update is resolution of land use and zoning issues in Olde Burien.

II. Issue

The first issue addressed by the Burien Activity Center Update is related to the 1981 Highline area zoning. In the Olde Burien area (Figure 1) a problem surfaced when the owner of an office building, 922 SW 152nd St., (Tax lot 9) rebuilt the building after an arson fire. During a site inspection, the building inspector found that the building was not in conformance with the 1981 Highline area zoning which zoned the property Mixed Business-Residential use Community Scale (BR-C). The office building that existed prior to the fire was a legal non-conforming use.

The building inspector informed the owner that modifications were needed in order to bring the building into conformance with the BR-C zone. This required that the owner redesign the building to include a residential component. The owner expressed her preference for maintaining an office/retail type building because that was the type of building she had prior to the fire. Under County regulation, property zoned BR-C must include a residential component either within the same structure or on the same site. Therefore, the property owner wants to reclassify the property to Community Business (BC) to allow the building to remain office/retail use only.

Because King County is interested in pursuing economic development opportunities and maintaining existing businesses all of the BR-C zoned property in the Olde Burien area (Figure 2) was reviewed in addition to the property of the owner mentioned above. This area includes: The Dashly Addition No. 1, block 10, lots 1 through 10, block 7, lots 1, 2, 7, 8, 9 and the Burien Lake View Tracts Division 4, block 15, lots 1 through 7 on the west half of Section 9, Township 3, Range 4.

History

The 1977 Highline Community Plan recognized that certain areas of Highline were suitable for Residential/Retail Mixed-use and designated for this use was Olde Burien (Figure 3). The Residential/Retail-Mixed use concept was designed to provide additional uses and incentives for development of vacant property or redevelopment of older and obsolete commercial buildings. In Highline it was also intended to provide a transition from commercial areas to residential neighborhoods.

The Highline area zoning implemented this land use designation by reclassifying the subject property, and surrounding properties, from Community Business (BC) to Mixed Business-Residential Use, Community Scale (BR-C).

Development in the BR-C Zone

Development in the BR-C zone must occur in the following manner:

- Commercial and residential uses must be combined in the same building or on the same site;
- Commercial or non-residential uses must occupy the floors below the residential uses;
- Residences may occupy the ground floor of buildings if they front on existing residentially zoned property or are separated from the business area by other structures or landscaping;

- Commercial or non-residential uses cannot exceed 1/3 of the total floor area of the project;
- Commercial or non-residential uses must front directly on a sidewalk or a side yard from which automobiles are excluded;
- Storage of material is limited to accessory storage of those items sold at retail on the site; and
- Commercial activity must be conducted indoors except for the storage of nursery stock, the location of parking and loading areas, and the provision of outdoor seating for restaurants.

The first requirement, "commercial and residential uses must be combined in the same building or on the same site", has been the biggest concern to some property owners in the area. Currently, if damage equal to half the value of the building occurs, or if the owner wants to remodel the building and the cost is equal to half the building's value, the owner would be required to redevelop the property with a mixture of business and residential uses whether or not the original building was designated to be used that way.

Development in the BC Zone

The Community Business zone (BC) will allow the uses that exist today to rebuild or redevelop as such. Development in the BC zone must occur in the following manner.

- All uses must conform to the off-street parking requirements, loading requirements and landscaping requirements;
- All uses should be conducted within an entirely enclosed building;
- Products made or treated on the premises must be sold only on the premises and only at retail;
- Repair work is permitted only on products sold on the premises and work space can only occupy 30% of total floor area;
- Any building or structure used to fence animals in connection with small animal hospitals and clinics shall be sound-proofed, surfaces should be concrete or some impervious material. No burning of refuse or dead animals is permitted, and drainage shall be away from adjoining properties;
- Storage is limited to accessory storage of products sold on the premises or materials used in minor assembling of a product sold at retail on the premises;
- No objectionable noise, odor, fumes, gases, smoke, stream, vibration hazard or uses that produce such shall be allowed past the property boundary lines;
- Dwelling units are only permitted with a conditional use permit.

Site Analysis

A field check showed that most of the buildings in Olde Burien study area reflect two distinct development periods.

The King County Historic Sites Survey has identified those properties that front on SW 152nd between Ambaum Boulevard and 10th Avenue SW as the Burien Historic Business District. Merchants and neighborhood residents have adopted the name "Olde Burien" for this historic business district. The buildings in the business district were built between the 1910's and 1930's and the style of the architecture that exists today reflects that period of history. Most of the buildings are small, one story structures with glass store fronts, some measuring only 10-15 feet across. A majority of the buildings have maintained the boom town facade popular in the early 1900's. Types of uses in the district include: a neighborhood food and meat market, a feed store, restaurant, professional office buildings, antique and jewelry stores, book store, a tin shop, beauty salon, bakery, and fabric store. Most of the business are family owned and the buildings are well maintained.

The buildings that occupy properties elsewhere in the study area reflect a later period as the business district outgrew its original area, and expanded both north and east of the area. These buildings are larger in size than those on S.W. 152nd and some of the buildings are two stories high. Most of these buildings are occupied with the exception of one large single story retail building (909 SW 151st Street).

The surrounding area ranges from single family residences to commercial type uses. Directly north and east of the site are community scale businesses. Areas south and west of the site are established residential neighborhoods of both single and multifamily type residences.

The study area is well served by local service providers. Sewer service is provided by Southwest Suburban Sewer District, water by Water District 49 and fire protection by Fire District No. 2.

Transportation

The transportation needs of the Olde Burien area will be considered in the next phases of the Burien Activity Center Update. There may be specific design recommendations for the streets in and around Olde Burien as a result of that study.

Applicable Plans and Policies

The following adopted plans provide policy guidance on land use designations in the Highline/Burien area:

- o 1985 King County Comprehensive Plan
- o 1977 Highline Community Plan
- o 1976 Heritage Sites as Open Space

The King County Comprehensive Plan designates thirteen urban activity centers which are to be the primary location of commercial and industrial development in unincorporated King County. Burien, which Olde Burien is a part of, is designated as an urban activity center. The Comprehensive Plan provides policy direction on the size, function/type, mix of uses, and design that an urban activity center should

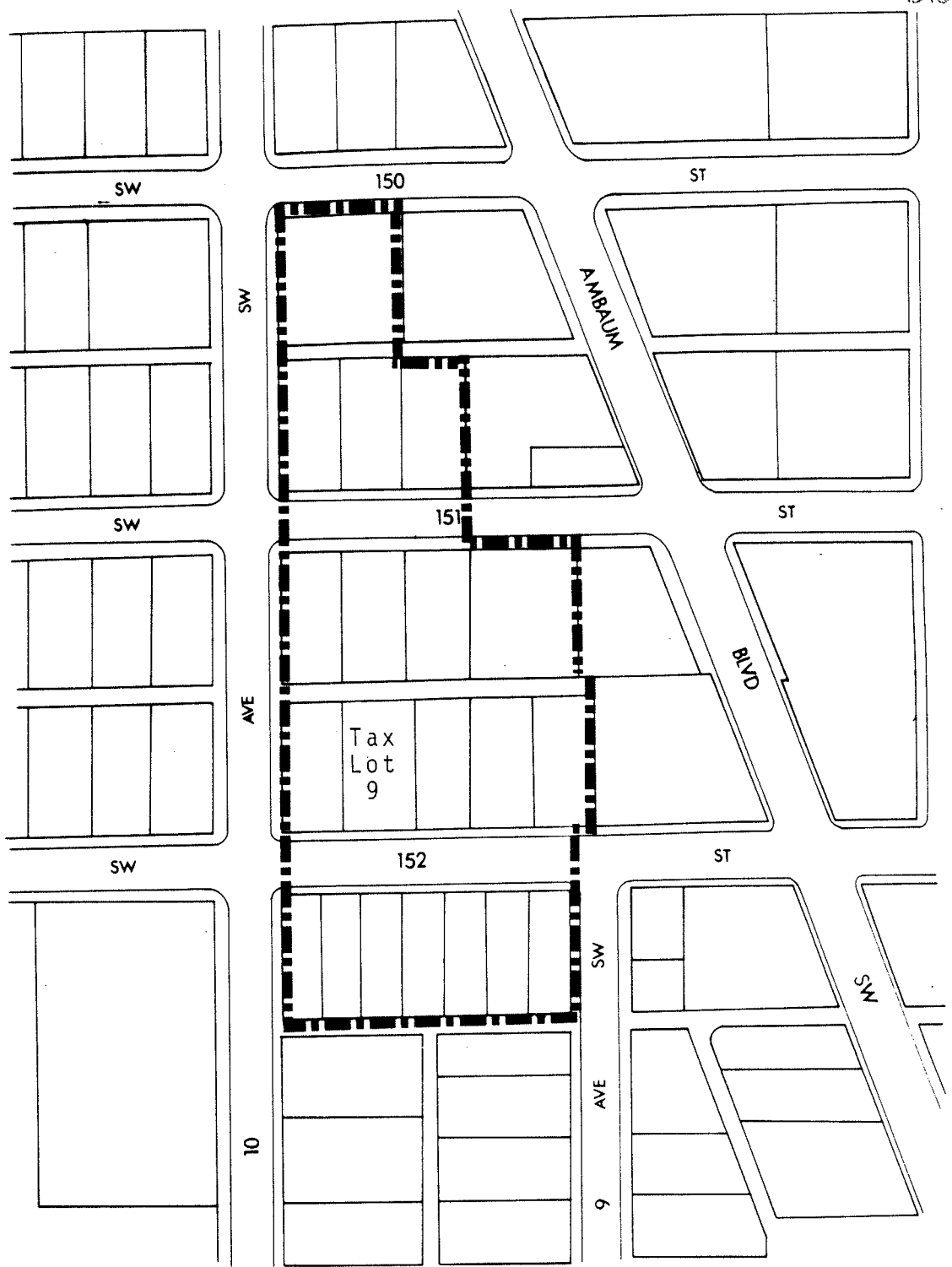
seek to achieve. The plan also provides policies on commercial activities and general development standards in an Urban Activity Center.

A goal of King County is to maintain aesthetic and cultural diversity through the preservation of heritage sites. The King County Historic Sites Survey identified those properties that front on SW 152nd street, between 10th Avenue SW and Ambaum Boulevard, as a historic business district.

Policies HS-103 and HS-104 of the Comprehensive Plan speak specifically on how development in and adjacent to landmark districts should occur. Any future development in the Historic Burien Business district should be compatible with these policies. (Appendix 1)

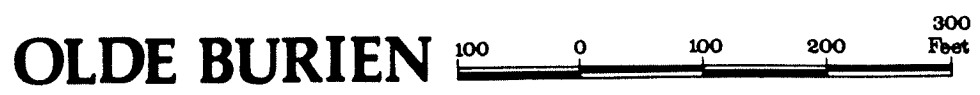
The Highline Community Plan also addresses the issue of development involving a historic landmark. Community plan policy H-19 recognizes that one way to strengthen community identity is to preserve and enhance features having historic significance.

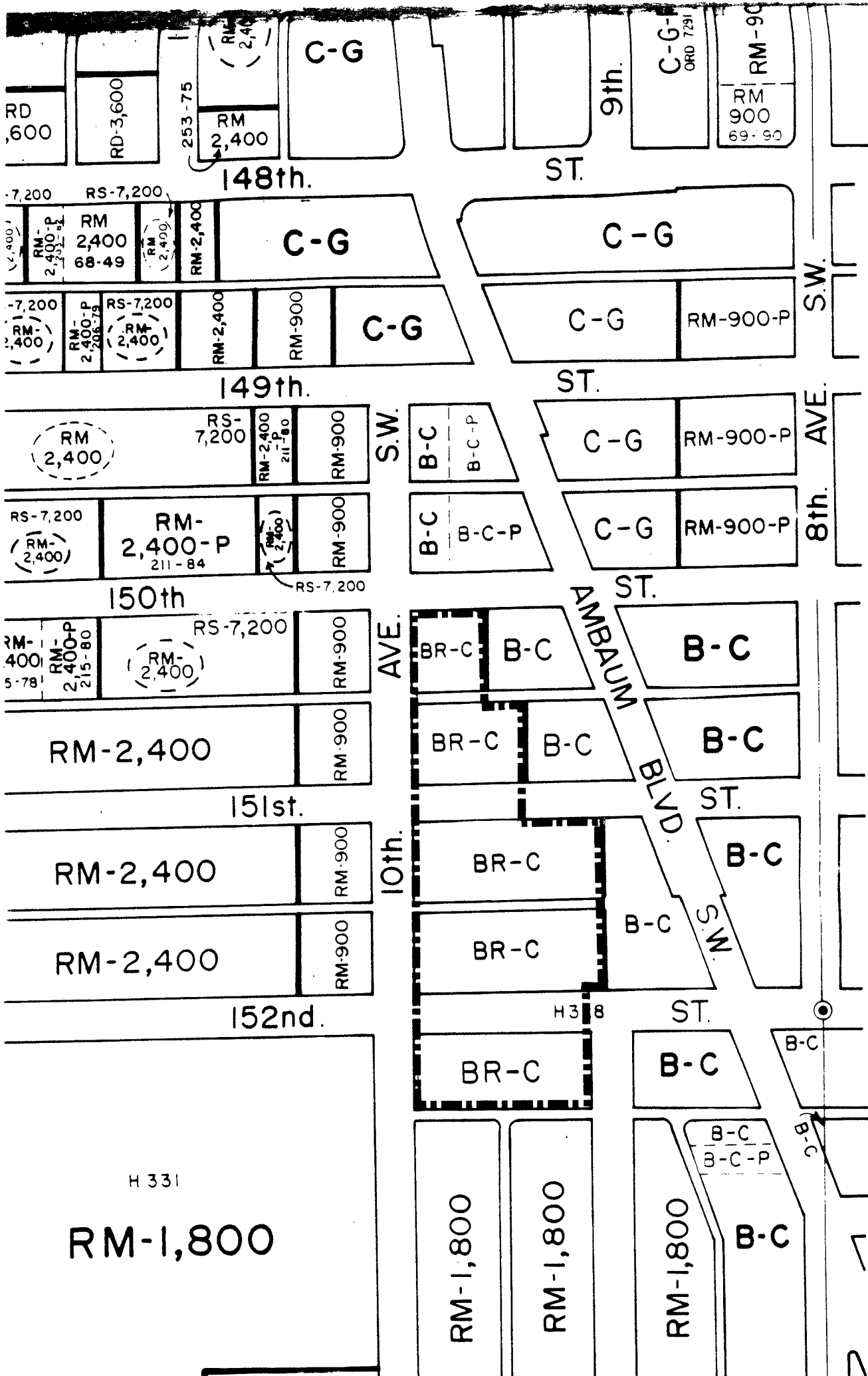
The Highline Community Plan also discusses the impacts non-residential types of uses have on the adjacent residential neighborhood. Specific community plan policies applicable to this proposal are Highline Policies No. 14, 17, 18, 19, 20, 21, and 36. (Appendix 2)



■■■■■■■■ Study Area

Figure 1





EXISTING
AREA
ZONING

Figure 2

Study Area

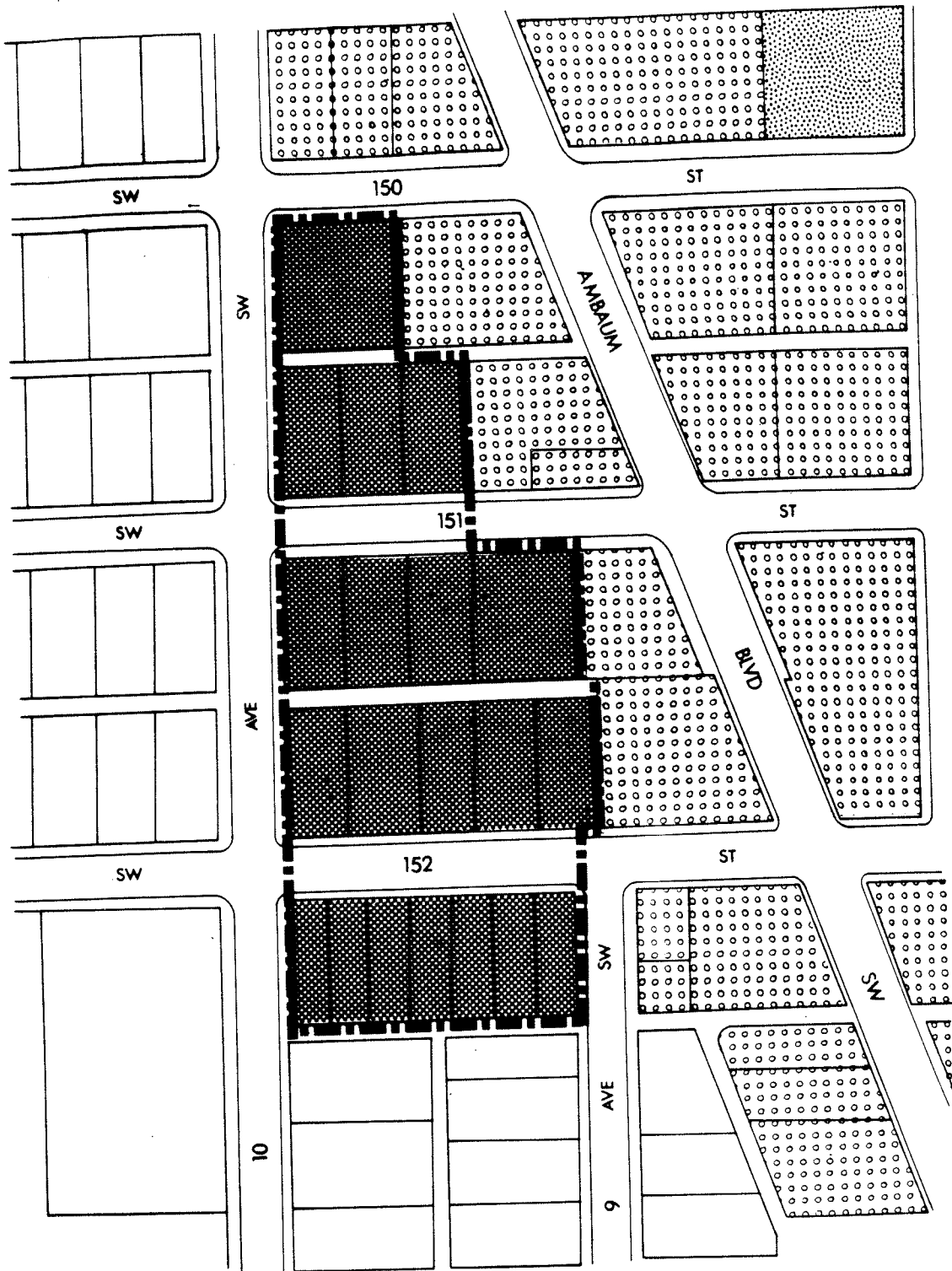
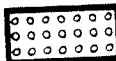


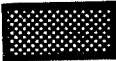


Figure 3

EXISTING LAND USE

-  Residential / Community Facility
-  Neighborhood and Community Business
-  Area of Proposed Change
-  Highway Oriented Commercial
-  Residential / Retail Mixed Use

OLDE BURIEN



III. Community Comments

Early in the planning process, an issue paper explaining the scope of the study and the proposed land use changes was prepared by staff and sent to area residents and property owners in and around the study area. Staff also hand delivered the issue paper to local business owners in the study area.

The issue paper asked that area residents and property owners to call or write in their comments regarding the proposed land use changes. Of the 700+ issue papers sent, staff received about 20 phone calls and 8 letters in response.

Area residents were generally in support as long as the proposal helped maintain the unique character of Olde Burien. They expressed how they enjoyed the types of businesses located there and how some of the services provided in Olde Burien were "one of a kind".

Business owners were also supportive of the proposed land use changes. Many were aware of the problems faced by the property owner who initiated this study. The main concern expressed by the business owners was whether or not the change would prohibit them from continuing their present operation. One property owner wrote in expressing how he had to move his business out of the area because of the residential requirement of the BR-C zone.

Overall, the majority of the comments received were in support of the proposed land use changes. Many of the comments also asked that future development and redevelopment in the Olde Burien area should:

- o be similar in size, scale, signage and design to current use, especially those properties designated as part of the historic business district;
- o future uses should be compatible to existing uses in Olde Burien and the surrounding residential neighborhood; and
- o provide the necessary improvements such as landscaping and off-street parking to make it compatible to the residential area south and west of the study area.

IV. Conclusion and Recommendation

The Planning and Community Development Division recommends that the study area be redesignated from Residential/Retail Mixed Use to Community Business as the most appropriate land use for the area. The area zoning should be redesignated from Mixed Business-Residential Use, Community Scale (BR-C) to Community Business (BC-P). These changes are reflected on Figures 4 and 5 which follow.

The Planning Division recommendation is based on the following reasons:

- The recommendation reinforces the existing commercial and retail uses in the study area while allowing for greater flexibility for future redevelopment.
- The proposed change meets community plan and Comprehensive Plan policies regarding economic growth and preservation of historic landmarks.
- The P-suffix conditions will provide additional development conditions which will serve to: further protect and preserve the Burien Historic Business District; buffer residential areas directly south and west of the study area and address possible future transportation improvements.

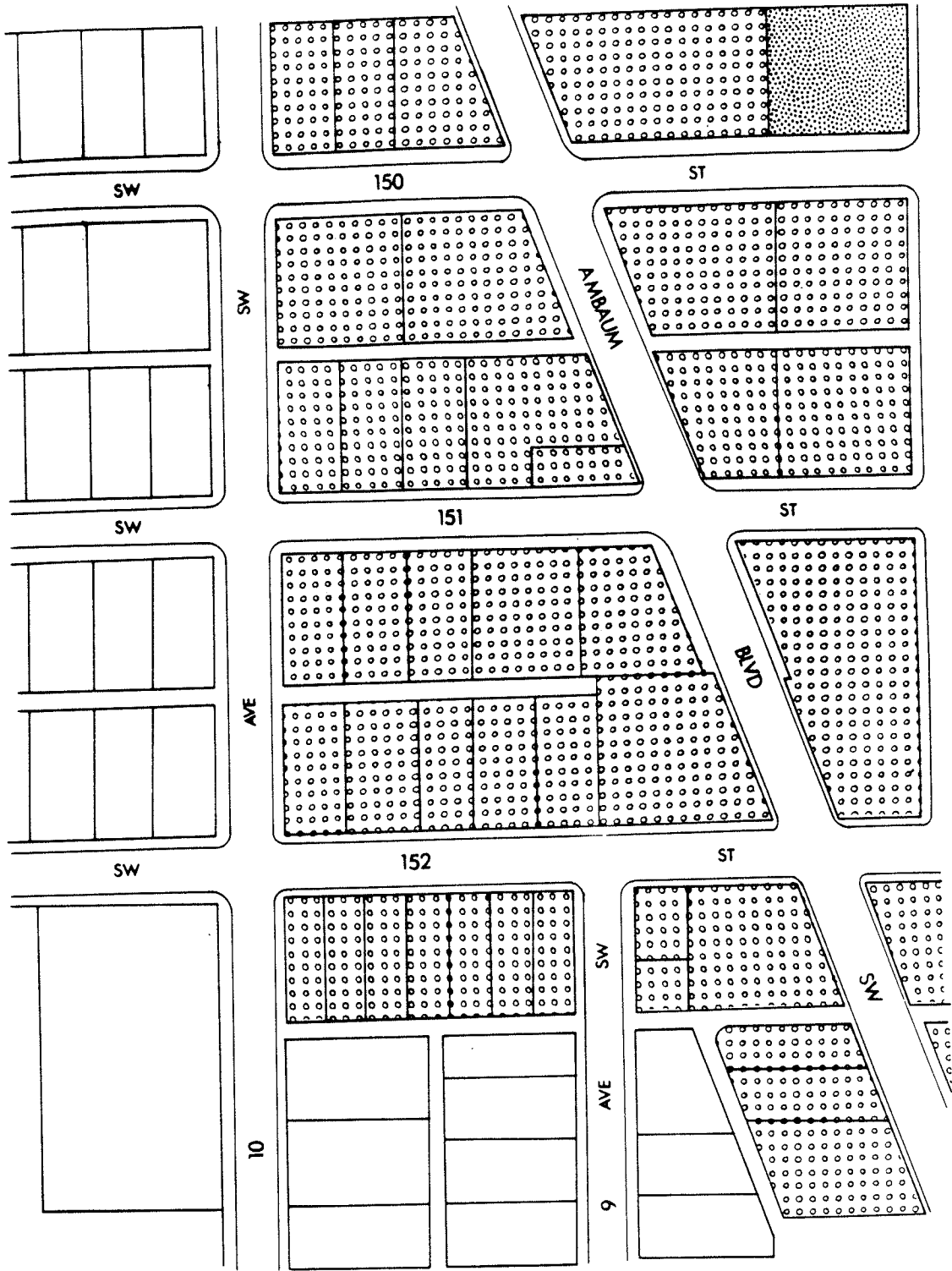


Figure 4

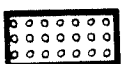
RECOMMENDED LAND USE



Residential / Community Facility

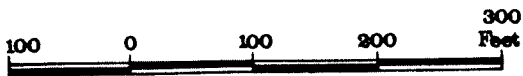


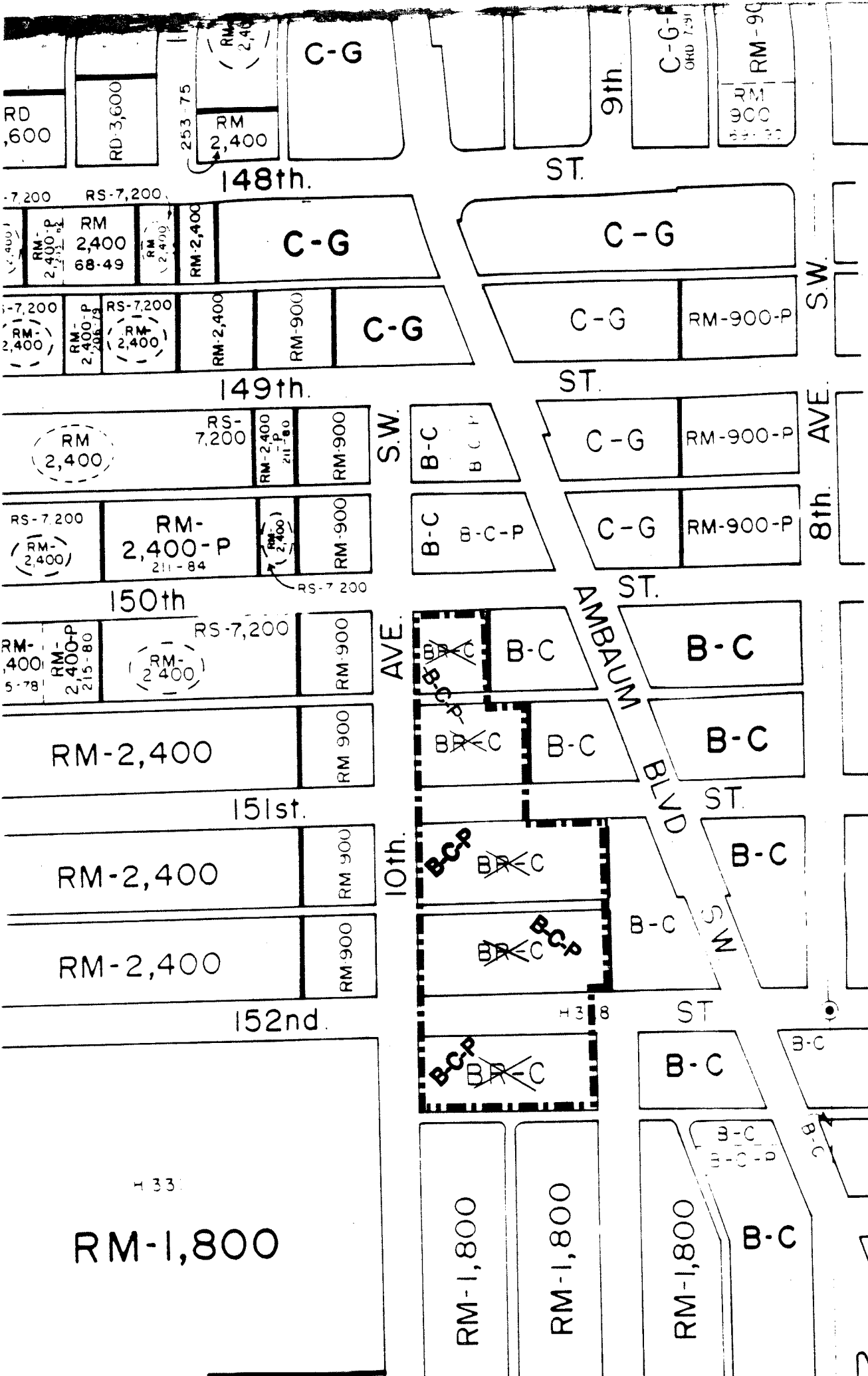
Highway Oriented Commercial



Neighborhood and Community Business

OLDE BURIEN





RECOMMENDED
AREA
ZONING

Figure 5

Study Area

Area Zoning

W-19-23-4

BR-C to B-C-P

Redesignating this area from mixed business-residential use, community scale to community business allows existing office and retail uses increased opportunities for future development.

Applicable Policies are:

Highline Communities Plan -- #14, #17, #18, #19, #20, #32, #36
Comprehensive Plan -- HS-102, HS-103, HS-104, HS-105

To protect the historic Burien Business District (Olde Burien) and buffer the residential area south and west of the study area, the following P-suffix conditions shall apply:

1. A site plan shall be prepared and approved by BALD prior to the issuance of any permits. Materials and design should be consistent with the surrounding development (K.C.C. 20.46.150 - 20.46.200).
2. Business signs, consistent with those required in a BN zone shall apply to each lot (K.C.C. Section 21.26.030(K)).

Chapter Nine

HERITAGE SITES

A goal of the King County Comprehensive Plan--1985 is to preserve community diversity, including features that reflect King County's history. Preservation of heritage sites maintains aesthetic and cultural diversity and preserves continuity with the historic and prehistoric past. Heritage sites can be buildings, properties, districts, and structures of historical significance. They include historic residences and commercial buildings, sites of historic events, and other buildings, districts and landscapes with cultural, architectural, engineering, geographic or archeological interest and importance.

Identifying and evaluating historic resources and determining appropriate measures for protection, preservation or restoration is an ongoing process, involving the King County Landmarks Commission, local communities, the cities, and state and federal agencies that own or manage lands with historic features.

HS-101 King County should work with residents, property owners, community groups, cities and other public agencies to identify, evaluate and protect heritage sites.

Heritage sites in King County may be protected in a variety of ways. Structures, sites or districts are listed in King County's Historic Sites Survey and can be determined eligible for designation as King County or community landmarks, landmark sites or districts, following a systematic review process, to ensure King County plans and permit approvals protect significant historic features. The Historic Site Survey is continuously updated through an ongoing process of inventorying heritage sites. Sites are also nominated for inclusion in the National and State Registers of Historic Places to ensure they are recognized by federal and state preservation laws and programs.

The King County Historic Sites Survey includes designated landmarks, sites and districts which can be protected by King County regulations, including zoning and development conditions, as well as incentives to encourage preservation and adaptive use. For example, land use plans can encourage continued commercial use of historic commercial buildings, or preserve historic streets and bridges. Land use plans and development review can also encourage alternatives to demolition and replacement with more intensive uses. King County's Heritage Resource Protection Plan -- a separately adopted functional plan -- outlines historic themes, representative sites, and specific measures for encouraging historic preservation and interpretation.

HS-102 King County should encourage land uses that retain or enhance the historic or scenic setting of landmarks, landmark sites or districts.

HS-103 New development in and adjacent to landmark districts should enhance the historic features of the district and should be compatible with the scale of the district whenever possible.

HS-104 New development affecting historic landmarks, landmark sites, districts or archeological sites in King County should retain and enhance historic features to the greatest extent possible.

Policies HS-103 and HS-104 will be implemented through review of site plans and permit applications for sites and districts and adjacent areas.

Although most heritage sites are privately owned, government actions and programs can offer incentives to make owning and maintaining heritage sites economically feasible. Federal tax policies offer some incentives for preserving historic features. These incentives can be complemented by land use incentives, such as density bonuses for adaptive re-use, open space taxation benefits, gift programs and other incentives. State law also allows counties to develop alternative building code guidelines for the restoration or rehabilitation of historic structures.

HS-105 Incentives should be provided for preserving, restoring or adapting landmarks, landmark sites and districts in King County including tax benefits, zoning to allow economically attractive adaptive use, and some flexibility in building codes, consistent with public health and safety.

King County owns some heritage sites in park lands or other County lands. Additional heritage sites may be acquired when necessary to assure preservation or when desirable to provide public access. Coordination with park acquisition is desirable to provide multiple benefits.

HS-106 King County should acquire heritage sites through purchase, dedication, or other equitable means based on a systematic acquisition review process to be defined in a functional historic preservation plan only when:

- a. The site has outstanding heritage value of county-wide significance and no other methods of preservation are feasible; or
- b. The site is part of another public project such as a park or public building.

HS-107 Development of parks and trails should be coordinated with preservation, restoration and use of heritage sites.

King County government can make a valuable contribution to historic preservation by identifying, evaluating and determining access and preservation potential of County-owned heritage resources.

HS-108 King County should identify, assess and protect all County owned heritage resources, and should provide for public access when possible.

APPENDIX #2

Highline Communities Plan Policies:Number Policy

- 14 Provide for future space demands through the development and redevelopment of existing service and retail centers.
- 17 Setbacks and landscaping should be provided as buffering between areas planned for different land use.
- 18 Conversion of lands uses within or near single-family residential areas should be accomplished through orderly transition programs.
- 19 Protect and enhance historical features in the development of public and private projects.
- 20 Landscaping, including street trees, should be a part of all future arterial street development or redevelopment.
- 22 Landscaping should be included as part of all apartment, business, commercial, industrial and public facility development.
- 36 Encourage joint utilization of parking within business areas.