

**CITY OF BURIEN
AGENDA BILL**

Agenda Subject: Motion Approving Ordinance 559, 2011 Comprehensive Plan Text and Map Amendments, Zoning Map Amendments, and a Zoning Code Amendment (BMC 19.15.045.1).		Meeting Date: December 12, 2011
Department: Community Development	Attachments: 1) Ordinance 559	Fund Source: N/A Activity Cost: N/A Amount Budgeted: N/A
Contact: Scott Greenberg AICP, Community Development Director		
Telephone: (206) 248-5519		
Adopted Work Plan Priority: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Work Plan Item Description: Processing and adoption of annual comprehensive plan amendments.	
<p>PURPOSE/REQUIRED ACTION: The purpose of this agenda item is for City Council to take action on Ordinance 559 which will approve 2011 Comprehensive Plan and zoning map amendments, approve amendment reference no. 26 (Group Health), amend the comprehensive plan text, and amend Burien Municipal Code (BMC) Section 19.15.045.1.</p> <p>BACKGROUND (Include prior Council action & discussion): In 1997, the City adopted its first Comprehensive Plan. In 2003, the City Council completed mandatory updates to the Comprehensive Plan to comply with state law. Additional amendments have been considered annually. Annual amendments to the Comprehensive Plan must be approved in a single processing cycle per state law.</p> <p>The Planning Commission unanimously recommended approval of the proposed Comprehensive Plan text amendments, Comprehensive Plan map amendments, zoning map amendments, and a zoning code amendment. The Comprehensive Plan and zoning map amendments are incorporated by reference as Exhibits to Ordinance 559. Please refer to the November 28, 2011 City Council packet for these exhibits.</p> <p>On November 28, 2011 the City Council discussed the proposed amendments. A City Council decision on the proposed Comprehensive Plan amendments must occur by the end of the calendar year pursuant to state law.</p> <p>OPTIONS (Including fiscal impacts): 1) Modify Ordinance 559 2) Deny Ordinance 559</p>		
Administrative Recommendation: Approve Ordinance 559.		
Committee Recommendation: N/A		
Advisory Board Recommendation: The Planning Commission unanimously recommended the City Council approve each of the three packages contained in Ordinance 559.		
Suggested Motion: I move adoption of Ordinance 559.		
Submitted by: Scott Greenberg, AICP		
Administration _____		City Manager _____
Today's Date: December 5, 2011	File Code: R:\CC\Agenda Bill 2011\121211cd-1 CompPlanAmend 2011.docx	

CITY OF BURIEN, WASHINGTON

ORDINANCE NO. 559

AN ORDINANCE OF THE CITY OF BURIEN, WASHINGTON, RELATING TO 2011 COMPREHENSIVE PLAN AND ZONING MAP AMENDMENTS, APPROVING AMENDMENT REFERENCE NO. 26 (GROUP HEALTH), AMENDING THE COMPREHENSIVE PLAN TEXT, AMENDING BMC TITLE 19 SECTION 19.15.045.1, 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, as required by the Growth Management Act ("GMA") of 1990, as amended, and also adopted the Comprehensive Plan pursuant to RCW Chapter 35A.63; and

WHEREAS, the City Council adopted Resolution No. 322 on July 11, 2011, 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 public hearings on October 11, 2011 pertaining to proposed amendments to the zoning map, comprehensive plan map and zoning code amendments, and on October 25, 2011 pertaining to proposed amendments to the comprehensive plan text; 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 28, 2011 and December 12, 2011 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 amendments to the Washington State Department of Commerce on October 13, 2011 and did not receive any comments by the 60-day comment deadline of December 12, 2011; and

WHEREAS, based on careful consideration of the facts and law, including without limitation, the King County Countywide Planning Polices, 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 8, 2011, February 22, 2011, April 12, 2011, May 10, 2011, September 13, 2011, September 27, 2011, October 11, 2011, October 25, 2011 and November 8, 2011;
- Planning Commission public comments received on September 27, 2011, October 11, 2011, October 25, 2011 and November 8, 2011;
- City Council findings (attached Exhibit B)
 - o 2011 Comprehensive Plan text amendments regarding the Transportation Element and Healthy Communities;
- City Council findings (attached Exhibit C)
 - o Docket Ref. No. 26, Group Health Comprehensive Plan Map Amendment, Rezone Request and zoning code amendment;

the City Council finds that approval of text Amendments to the City of Burien Comprehensive Plan 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: Amendment to the Comprehensive Plan Text. The City Council hereby adopts the changes to the Burien Comprehensive Plan Text, attached as Exhibits A.1 and A.2, and further adopts the findings in support of said changes, attached as Exhibit B, which Exhibits A.1, A.2 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 changes to the Burien Comprehensive Plan and Zoning Maps, attached as Exhibit C, and further adopts the findings in support of said changes, attached as Exhibit C, which Exhibit C is incorporated by this reference as if fully set forth herein.

Section 3: Amendment to BMC Title 19 Section 19.15.045.1, Special Regulations. The City Council hereby amends BMC section 19.15.045.1 to read as follows:

19.15.045.1: SPECIAL REGULATIONS:

A. Drive-through facilities are not permitted.

B. Outdoor storage is limited to *accessory* storage of goods sold at retail on the premises. Outdoor storage areas shall be limited to five feet in *height* and shall not be located in any required landscape area.

C. Non-residential vehicle access is prohibited from 2nd Avenue SW to and from the Office zone located north of SW 146th Street, south of the RM zone that fronts on SW 144th Street, is bordered on the west by 2nd Avenue SW and the RM zone, and is bordered on the east by the CR zone.

The City Council adopts the findings in support of said amendment, attached as Exhibit C and incorporated by this reference as if fully set forth herein.

Section 4: 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 5: 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 12th DAY OF DECEMBER, 2011, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS ____ DAY OF DECEMBER, 2011.

CITY OF BURIEN
/s/ Joan McGilton, Mayor

ATTEST/AUTHENTICATED:
/s/ Monica Lusk, City Clerk

Approved as to form:
/s/ Craig D. Knutson, City Attorney

Filed with the City Clerk: December ____, 2011
Passed by the City Council: December ____, 2011
Ordinance No. 559
Date of Publication: December ____, 2011

