



Agenda Bill

City Council Regular Meeting - 28 Sep 2026

Department

Community Development

Staff Contact

Chaney Skadsen, Senior Planner

Agenda Placement

Presentations and Proclamations

Agenda Bill Title

Neighborhood Business Zoning Code Amendments (North of NERA) - Intro

Summary

The North of NERA Rezone project implements the Burien 2044 Comprehensive Plan by establishing zoning regulations for an area redesignated from residential to employment-oriented uses. The proposed zoning framework is intended to support airport-compatible employment opportunities, protect environmental resources, respond to community priorities, and create a predictable path for future development. This briefing provides an overview of the project's background, community engagement, airport compatibility considerations, and the proposed Neighborhood Business zoning framework prior to the introduction of *Ordinance No. 902 Neighborhood Business Zoning Code Amendments (North of NERA)* for City Council consideration scheduled for October 12, 2026.

Attachments

[Staff Report 2026.09.28](#)

[Draft Neighborhood Business \(North of NERA\) Zoning Code Amendments strike through and underline](#)

[Draft Existing Conditions and Zoning Limitations Report](#)

[North of NERA Case Studies](#)

[Community Engagement Plan and Attachments](#)



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MEMORANDUM

To: Burien City Council
From: Chaney Skadsen, Senior Planner
CC: Bob Larson, Interim City Manager
Date: September 28, 2026
Subject: Neighborhood Business Zoning Code Amendments (North of NERA Rezone) - Intro

INTRODUCTION

The Neighborhood Business Zoning Code Amendments project implements the Burien 2044 Comprehensive Plan by establishing zoning regulations for an area redesignated from residential to employment-oriented uses to ensure sufficient zoned capacity for meeting 20-year employment targets. The proposed zoning framework is intended to support airport-compatible employment opportunities, protect environmental resources, respond to community priorities, and create a predictable path for future development. This briefing provides an overview of the project's background, community engagement, airport compatibility considerations, and the proposed Neighborhood Business zoning framework prior to the introduction of *Ordinance No. 902 Neighborhood Business Zoning Code Amendments (North of NERA)* for City Council consideration scheduled for October 12, 2026.

TYPE OF ACTION

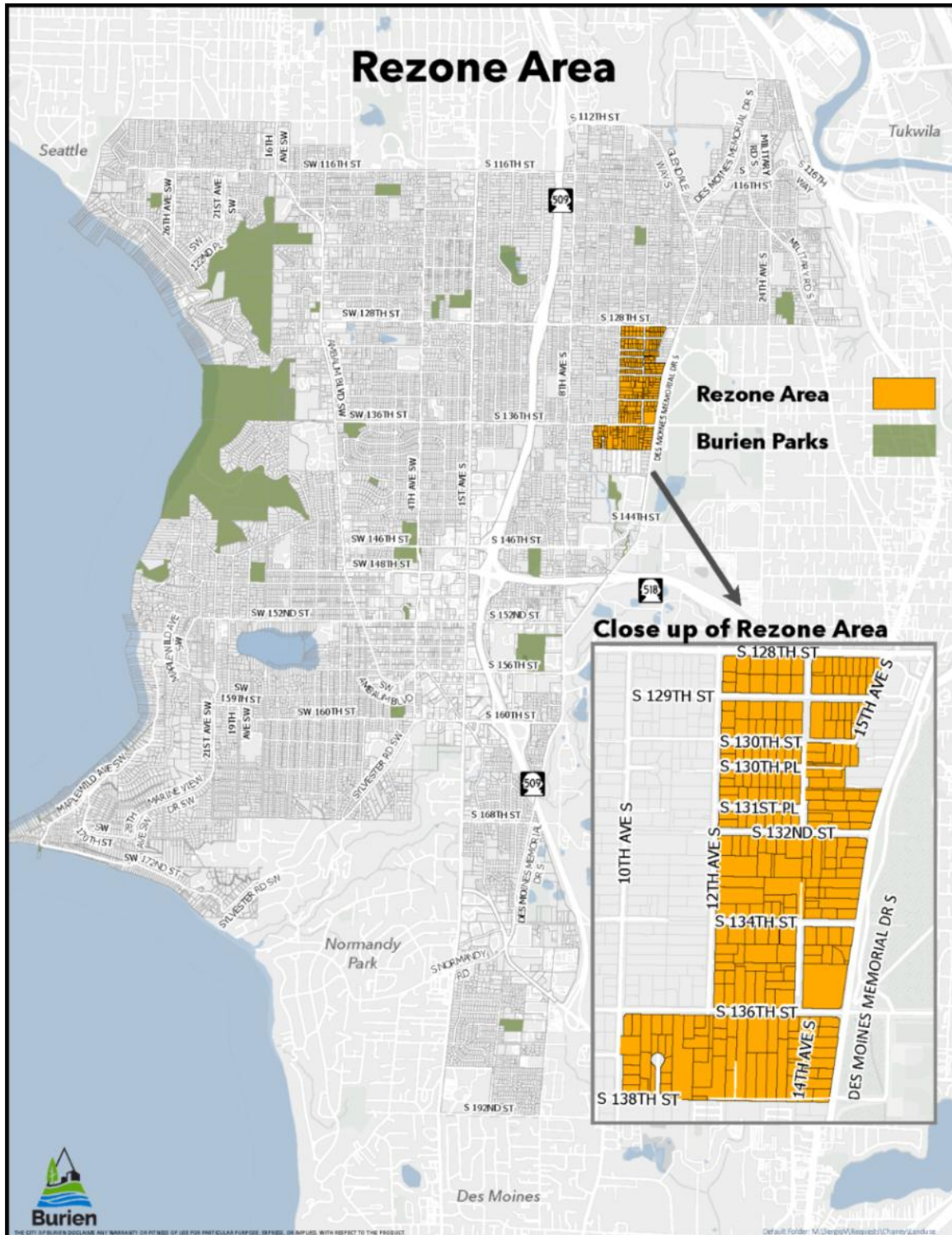
☒ Informational ☒ Discussion ☐ Action ☐ Public Hearing

BACKGROUND

In 2024, the City of Burien adopted the Periodic Update to the Comprehensive Plan known as the [Burien 2044 Comprehensive Plan](#), which is a 20-year vision for how the city will grow by accommodating a share of the region's housing and job growth targets. A core objective from the Periodic Update is to adequately meet projected housing and job growth targets set forth in the King County Countywide Planning Policies. Burien was allocated 7,500 net new housing units and 4,770 net new jobs.

To meet the City's job growth targets, additional economic development strategies and zoned capacity for jobs were needed. The North of NERA project area as reflected in Exhibit 1, was identified and the land use designation on the Comprehensive Plan Land Use Map changed from residential to employment oriented (industrial) through the adoption of Burien 2044 Comprehensive Plan setting the policy direction for a future of employment.

Exhibit 1: North of NERA Rezone Area



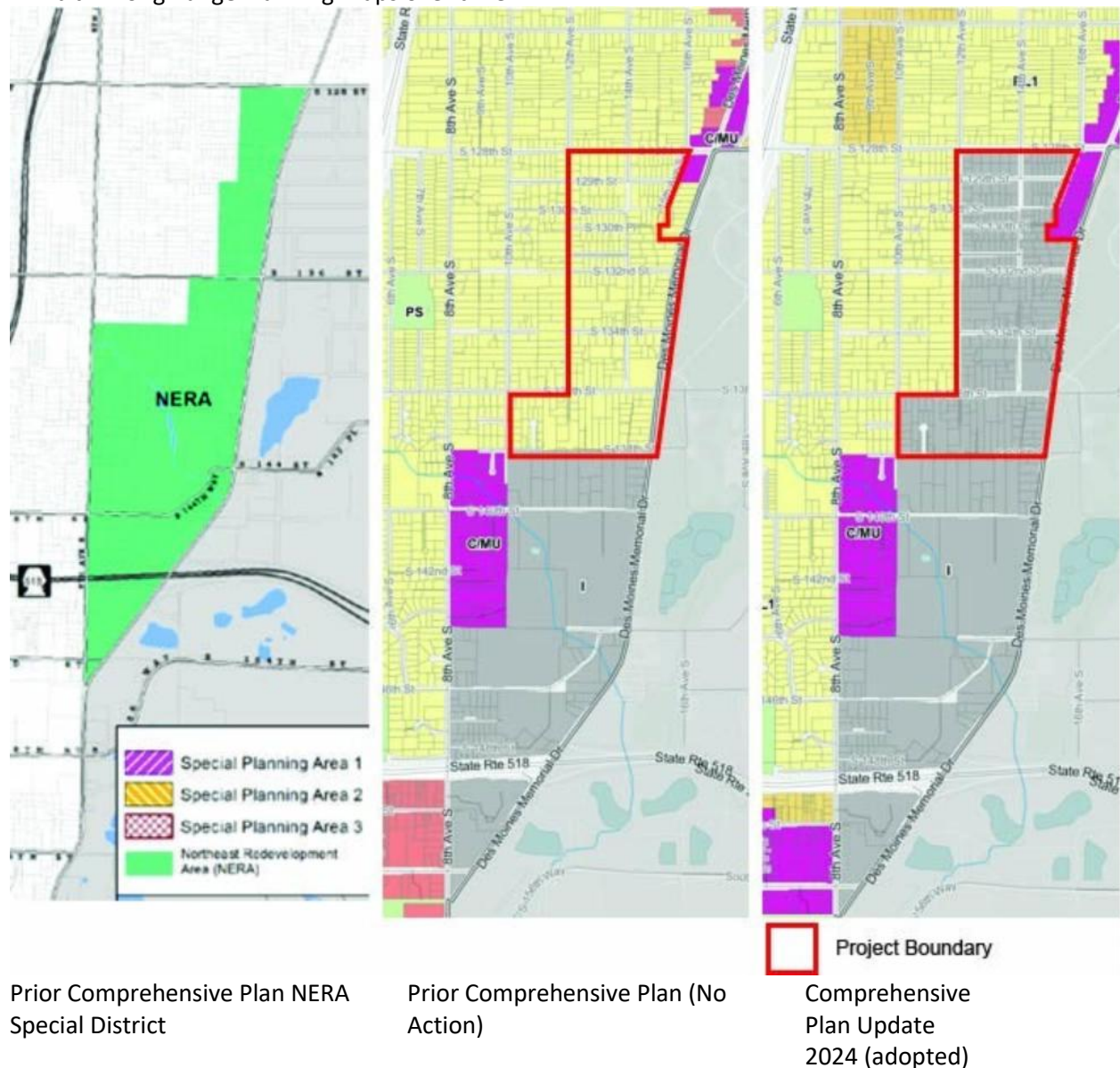
The project area is bordered by Des Moines Memorial Drive to the east, South 138th Street to the south, and South 128th Street to the North. The western boundary of the area is 12th Ave South between South 128th Street and South 136th Street, and 10th Avenue South between South 136th Street and South 138th Street.

Why was this neighborhood selected?

Due to market factors and the transition to mixed-use designations across the city, additional employment-oriented lands were needed to satisfy the jobs allocations. This neighborhood was selected based on previous land use analysis from 1997 and the Redevelopment Plan and Implementation Strategy completed in 2010 for the Northeast Redevelopment Area (NERA) and the anticipated impacts from the Seattle-Tacoma Airport expansion.

The original study included portions of the project boundary, see Prior Comprehensive Plan NERA Special District Map in Exhibit 2 below. To meet the City's job targets, the boundary was slightly expanded to the west to accommodate more job growth, and the land use designation was officially changed from residential (yellow) to industrial (grey) as reflected in Exhibit 2 below.

Exhibit 2: Long Range Planning Maps over time



With the project area redesignated, the City's Official Zoning Map needs to be amended to correct the existing zoning of Single Family Residential (RS 7,200) to a zone that implements the Industrial land use designation.

Currently, there are three existing zones that implement this land use designation Industrial (I), Airport Industrial 1 (AI-1), and Airport Industrial 2 (AI-2), see [19.15.025 Industrial Zone](#) and [19.15.035 Airport Industrial Zones](#) for allowed uses and applicable development regulations. The existing zoning designations were found to allow uses at levels of intensity that are incompatible with the established neighborhood pattern of this neighborhood, necessitating the development of new zoning classification(s).

The proposed new zoning classifications of Neighborhood Business (NB) and Mixed-Use Business (MU-B), have been informed by community input and existing conditions, including development patterns, environmentally critical areas, air and noise impacts, and airport land use compatibility.

AIRPORT LAND USE COMPATIBILITY

The Seattle-Tacoma Airport is a major international airport with expanding operations planned over the next ten years. Ensuring compatible land use surrounding airports is a critical planning consideration and a requirement under state law. Pursuant to the Revised Code of Washington (RCW) [36.70.547 General aviation airports—Siting of incompatible uses](#), cities like Burien are required to discourage the siting of incompatible uses near airports through the comprehensive plan and development regulations.

WSDOT developed an [Airport and Compatible Land-Use Program Guidebook](#) to assist airports, local jurisdictions, elected officials, and aviation advocates in meeting planning requirements outlined in state law. The guidebook identifies “airport influence zones” that reflect varying levels of exposure to aircraft operations, including noise, safety risk, and overflight activity. Appendix F of the WSDOT guidance includes a list of uses considered compatible and incompatible depending on the airport influence zone.

A detailed airport land use compatibility analysis found that much of the project area falls within Airport Influence Zones 2 and 4, where residential uses are generally considered incompatible under WSDOT guidance. The analysis supports the Comprehensive Plan's direction to transition the area toward employment-oriented uses while recognizing the need for compatibility with existing neighborhoods.

EXISTING CONDITIONS AND CASE STUDIES

As part of the early phases of the North of NERA Rezone Project, staff in coordination with BERK Consulting have prepared the enclosed *Case Study Report* and *Draft Existing Conditions and Zoning Limitations Report*. These materials are intended to establish a shared understanding of the policy direction, physical context, and practical constraints that will inform the development of future zoning alternatives.

The *North of NERA Case Studies Report* summarizes examples from other jurisdictions in the region that have undertaken similar rezonings efforts from residential or mixed residential areas to employment-oriented zoning. The *Draft Existing Conditions and Zoning Limitations Report* focuses specifically on the North of NERA project area. The purpose of the *Existing Conditions and Zoning Limitations Report* is to establish a factual and policy-based foundation for the North of NERA Rezone Project. This report is intended to identify what is realistically feasible for future zoning in this area and what limitations exist.

COMMUNITY ENGAGEMENT

An important priority of this project is that the zoning proposal is informed by the community and residents of the area. The city has invested in providing notification and opportunities for engagement including virtual and in person options outlined in the enclosed Community Engagement Plan and Attachments.

In addition to the in-person events and physical mailers project updates have been communicated through emails blasts, social media, direct phone calls to licensed business owners, and [project webpage](#) updates including a [Frequently Asked Questions](#) blog post.

In summary, community feedback received to date reflects several consistent themes related to neighborhood compatibility, economic opportunity, and quality of life. A primary concern expressed by participants is the potential for physical displacement and inequitable outcomes for existing, particularly lower-income, residents. This concern is closely tied to uncertainty about changes in property values and the overall character and aesthetic of the neighborhood.

There is strong opposition to intensive industrial uses, including large warehouses, heavy industrial activities (smokestacks), and certain commercial uses perceived as incompatible with the neighborhood. Concerns about emerging uses such as data centers, particularly related to their environmental impacts have been echoed at recent in-person events and through survey responses. Many have expressed concerns about impacts from new development, including noise, light, odors, traffic, and on-street parking.

At the same time, there is clear support for small-scale, locally oriented business opportunities that are compatible with the neighborhood context and promote walkability. There is interest in encouraging uses that serve those that frequent the North SeaTac Park and provide opportunities for community gathering, including markets, entertainment, and recreational activities. Additionally, there is support from the community to allow and encourage existing small businesses already located in the neighborhood to expand beyond the limitations allowed under home occupation permit requirements.

PROPOSAL OVERVIEW

The Neighborhood Business proposal (enclosed) represents the culmination of technical analysis, community engagement, and compatibility with WSDOT guidance on airport land use compatibility conducted throughout the planning process.

The proposal establishes three new zoning districts tailored to the unique conditions within the project area: Mixed-Use Business (MU-B), Neighborhood Business 1 (NB-1), and Neighborhood Business 2 (NB-2), see exhibit 3 below. A summary of the permitted uses and the special review type is provided in exhibit 4. below. Enclosed to this staff report is the complete zoning code text amendments to the BMC provided in strike-through underline format.

Together, these districts are intended to support small-scale employment opportunities, local entrepreneurship, neighborhood-serving businesses, and compatible redevelopment while discouraging land uses that are inconsistent with airport compatibility objectives.

Exhibit 3. Neighborhood Business Proposed Zoning Map

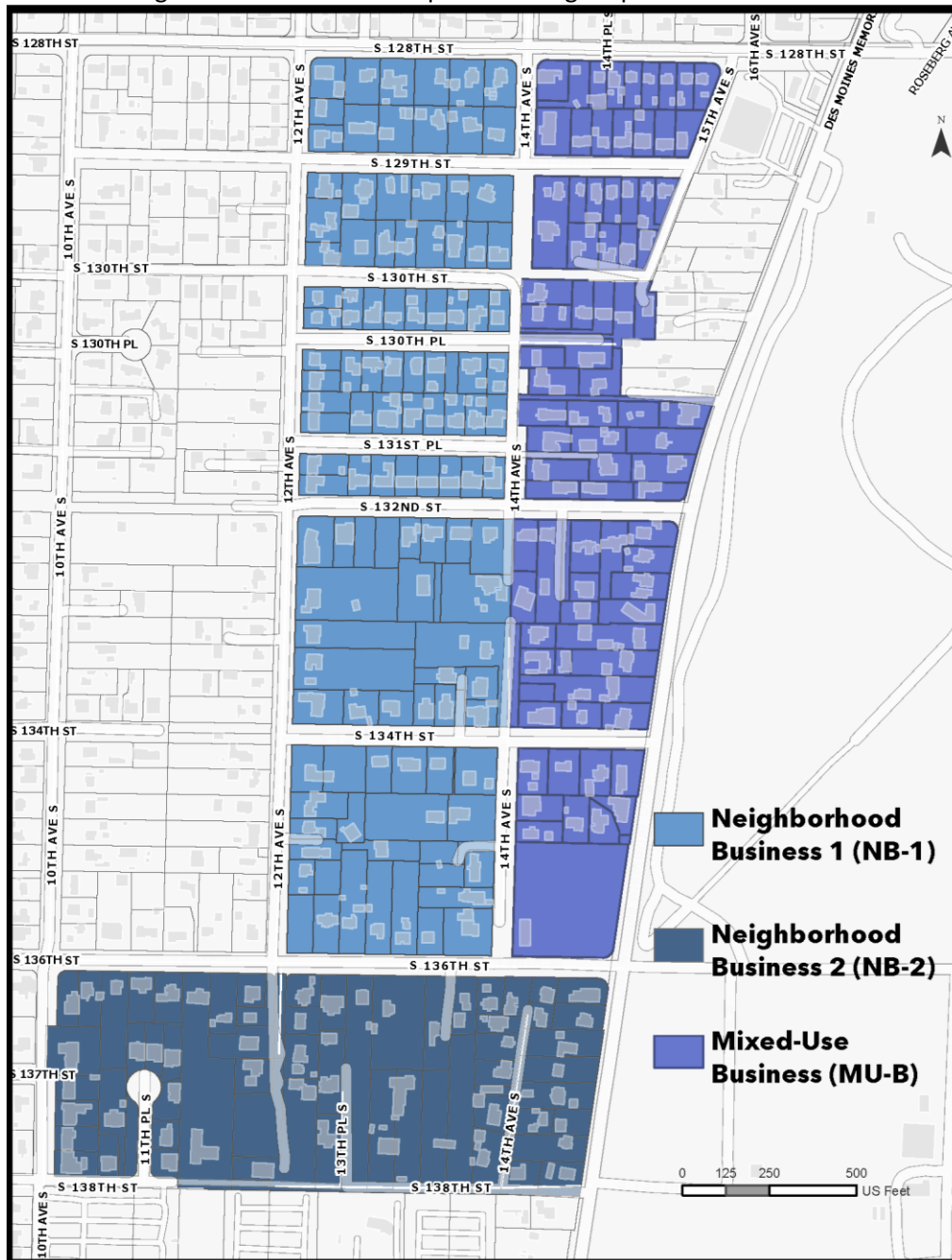


Exhibit 4. Summary of Uses Allowed in New Zones

Uses	MU-B	NB-1	NB-2
Apartment (Mixed-Use)	Type 1		
Existing Single Detached Dwelling Unit	P	P	P
Eating and Drinking Establishment	P	P	P
Office	P	P	P
Plant Nursery	P	P	P

Convenience Retail	P	P	P
Artisan Manufacturing	P	P	P
Funeral Home	P	P	
Cultural Facility	P	P	P
Private Club	P	P	P
Theater	P	P	P
Artist's Studio	P	P	P
Contractor Office Light		P	P
Community Facility	P	P	P
Religious Facility	Type 1	Type 1	
Vocational/Technical School	Type 1	Type 1	Type 1
Community Garden _(H)	P	P	P
Government Facility	Type 1	Type 1	Type 1
Public Utility	Type 1	Type 1	Type 1
Recreational Facility	P	P	P
Public Park Recreation Facilities	P	P	P
Essential Public Facility	Type 2	Type 2	Type 2

A key feature of the proposal is the continued protection of existing residential properties. Existing single-family homes would remain conforming uses, could continue to be maintained and expanded, and would retain the ability to add one accessory dwelling unit. The proposal does not require the removal of existing homes or mandate redevelopment.

The proposal also incorporates environmental safeguards, including continued application of the City's Critical Areas Ordinance, residential tree retention standards, restrictions on uses with higher groundwater contamination risks, and performance standards. Traditional heavy industrial uses, large warehouses, distribution centers, recycling facilities, data centers, and other higher-impact uses would not be permitted.

Overall, the proposal seeks to create a predictable zoning framework that balances airport compatibility, economic opportunity, environmental stewardship, and neighborhood compatibility while implementing the adopted Comprehensive Plan vision for the area.

CONCLUSION

The new Neighborhood Business zoning districts proposed for the North of NERA rezone area are intended to implement the Burien 2044 Comprehensive Plan while responding to airport compatibility guidance, environmental constraints, and community feedback. The proposal creates a new zoning framework that supports small-scale employment opportunities and neighborhood-serving businesses, preserves existing residential property rights, and discourages uses that are incompatible with surrounding neighborhoods or airport operations.

ADOPTION TIMELINE

- June 24, 2026, Planning Commission Briefing Draft Code
- June 29, 2026, City Council Briefing
- July 1, 2026, Virtual Code Amendments Walkthrough
- July 8, 2026, Planning Commission Public Hearing
- July 22, 2026, Planning Commission Extended Public Hearing

- July 10, 2026, 60-Day Notice to Department of Commerce
- August 27, 2026, City Issues SEPA Determination
- September 28, 2026, City Council Intro
- October 12, 2026, Proposed City Council Ordinance First Reading
- October 26, 2026, Proposed City Council Ordinance Adoption

ATTACHED

1. Draft Neighborhood Business (North of NERA) Zoning Code Amendments
2. Draft Existing Conditions and Zoning Limitations Report
3. North of NERA Case Studies
4. Community Engagement Plan and Attachments

19.05.120 Zones, map designations, and purpose statements.

ZONING DESIGNATION	ABBREVIATION	COMPREHENSIVE PLAN DESIGNATIONS	PURPOSE STATEMENT
[Residential, Single-Family	RS (followed by a designation indicating minimum lot area in square feet)	Residential Low 1 Residential Low 2	These zones establish areas where a wide range of single-family housing opportunities can be provided while preserving the residential character of the surrounding neighborhood and protecting environmentally sensitive areas. These zones provide a variety of attractive, well-designed housing choices that meet the needs of existing and future Burien residents.]
Residential 1	R-1	Residential Low 1	The R-1 zone provides the lowest unit density residential development in Burien, where a modest range of middle housing development and limited nonresidential uses is permitted. The zone is limited due to the presence of environmentally sensitive areas and regulated shorelines. This zone strikes a balance between protecting critical areas and promoting low-intensity residential neighborhood development.
Residential 2	R-2	Residential Low 1	The R-2 zone permits low-density residential development, including medium-density housing. Some R-2 zoned areas may have environmentally sensitive areas and/or regulated shorelines, but are located more conveniently to low- and mid-rise residential and mixed-use zones. Neighborhood businesses and limited nonresidential uses are encouraged.
Residential 3	R-3	Residential Low 2	The R-3 zone provides the widest range of middle housing development in the residential low land use designation. The R-3 zone is located near lands intended for low- and mid-rise residential and mixed-use development, where transit service, community facilities, and public amenities are conveniently located. Neighborhood businesses and limited nonresidential uses are encouraged.
Residential 4	R-4	Residential Medium	The R-4 zone provides low-rise-scale, moderate-density residential neighborhoods with a mixture of housing types and limited nonresidential and mixed uses on lands suitable for urban development. These areas are conveniently located near transit service, active transportation infrastructure, public utilities, and community facilities.
Residential 5	R-5	Residential Medium	The R-5 zone provides for mid-rise-scale, moderate to high-density residential neighborhoods with a mixture of multifamily housing types and limited nonresidential and mixed uses on lands suitable for urban development. These areas are conveniently located near transit services, commercial services, active transportation infrastructure, traffic routes, public utilities, and community facilities.
Mixed-Use Low	MU-1	Commercial/Mixed-Use	The MU-1 zone accommodates low-rise-scale mixed-use, commercial, and multifamily uses. Mostly concentrated along transit corridors and central to established neighborhood hubs.
Mixed-Use Low Boulevard Park	MU-1 BP	Commercial/Mixed-Use	The MU-1-BP zone accommodates a flexible mix of low-rise-scale mixed-use, commercial, multifamily, and light industrial uses in Boulevard Park, primarily in areas with significant air/noise impacts from frequent low-altitude airplane traffic.
Mixed-Use High	MU-2	Commercial/Mixed-Use Downtown Urban Center	The MU-2 zone accommodates mid-rise-scale mixed-use, commercial, and multifamily uses located near transit stops and public amenities where a greater intensity of uses is desired.

ZONING DESIGNATION	ABBREVIATION	COMPREHENSIVE PLAN DESIGNATIONS	PURPOSE STATEMENT
Mixed-Use High Employment	MU-2 E	Commercial/Mixed-Use	The MU-2 E zone accommodates mid-rise-scale mixed-use and commercial, where a greater intensity of employment-oriented uses is desired, primarily in the Burien Urban Center.
Mixed-Use High Creative District	MU-2 CD	Commercial/Mixed-Use Downtown Urban Center	The MU-2 CD zone accommodates mid-rise-scale mixed-use, commercial, and multifamily uses in parts of the downtown Burien Creative District where flexibility for creative and performance spaces is desired.
Community Mixed-Use	MU-C	Commercial/Mixed-Use	The MU-C zone accommodates low-rise-scale mixed-use, commercial, and multifamily uses by right and mid-rise-scale development with a community benefits agreement in priority locations, where specific amenities will provide a unique high-value benefit for the future development of surrounding neighborhoods.
Arterial Mixed-Use	MU-A	Commercial/Mixed-Use Downtown Urban Center	The MU-A zone accommodates mid-rise- and high-rise-scale mixed-use, commercial, and multifamily uses along parts of 1st Ave S, where a greater intensity of uses is desired.
Downtown Mixed-Use	MU-DT	Commercial/Mixed-Use Downtown Urban Center	The MU-DT zone accommodates mid-rise-scale mixed-use, commercial, and multifamily uses in the downtown core, where a vibrant, walkable retail and mixed-use environment is desired.
Special Planning Area 2	SPA-2	Commercial/Mixed-Use	The Special Planning Area 2 (SPA-2) zone implements the Special Planning Area 2 Comprehensive Plan designation. This zone establishes and preserves areas for the Ruth Dykeman Center and the special uses associated with the Center's activities. This zone provides residential, home-based, and community-based programs and services to families and children in the community through the activities of non-profit organizations.
Industrial	I	Industrial	The Industrial (I) zone implements the Industrial Comprehensive Plan designation. This zone establishes a concentrated employment area for heavy commercial or industrial uses unlikely to adversely impact nearby residential or commercial properties. This zone provides areas where primarily industrial activities and support services can be concentrated (i.e., minimizing traffic congestion, visual, and other impacts on the surrounding environment). Large retail uses and office buildings not associated with industrial use are inappropriate in the I zone.
Airport Industrial	AI (followed by a designation indicating which sub-zone within the Airport Industrial Zone)	Industrial	The Airport Industrial (AI) zone implements the Airport Industrial Comprehensive Plan designation within the Northeast Redevelopment Area. This zone facilitates economic development and provides flexibility for airport-compatible uses in a campus-like setting with internal circulation to minimize the number of access points to Des Moines Memorial Drive.
Mixed-Use Business	MU-B	Industrial	<u>The MU-B zone implements the Industrial Land Use Comprehensive Plan designation. This zone provides flexibility for employment-oriented uses and accommodates mixed-use residential development consistent with airport compatible uses. This zone emphasizes multimodal supportive and small-scale business uses leveraging access to North SeaTac Park to the east.</u>

ZONING DESIGNATION	ABBREVIATION	COMPREHENSIVE PLAN DESIGNATIONS	PURPOSE STATEMENT
<u>Neighborhood Business 1</u>	<u>NB-1</u>	<u>Industrial</u>	<u>The NB-1 zone implements the Industrial Land Use Comprehensive Plan designation and accommodates a range small-scale businesses that are consistent with airport compatible use and appropriate for integrating within existing neighborhoods.</u>
<u>Neighborhood Business 2</u>	<u>NB-2</u>	<u>Industrial</u>	<u>The NB-2 zone implements the Industrial Land Use Comprehensive Plan designation and is located directly north of the Northeast Redevelopment Area. This zone accommodates a range of small-scale businesses that are consistent with airport compatible use and appropriate for integrating within existing neighborhoods.</u>

[Ord. 868 § 3, 2025; Ord. 849 § 2, 2024]

19.10.036.2 Artisan manufacturing

– The production of goods using hand tools or small-scale, light mechanical equipment occurring within a fully enclosed building where such production requires ~~[no]limited~~ outdoor operations or storage ~~[and where the production, operations, and storage of materials related to production occupy a modest floor area]~~. Typical uses may include woodworking and cabinet shops, ceramic studios, jewelry manufacturing and similar arts and crafts, production of alcohol, or food processing including commissary kitchens which have negligible negative impact on surrounding properties. [Ord. 849 § 4, 2024]

19.10.058.7 Commissary Kitchen

– Means a shared-use or centralized commercial facility where food is prepared, stored, and packaged for off-site consumption.

19.10.074 Contractor Office Light

– Means a facility used by a construction or trade contractor for business administration with limited dispatching, storage of tools, materials, equipment, and on-site parking of vehicles owned or operated by the contractor and its employees as part of the business. Includes accessory indoor shop space for maintenance or minor repair of equipment used by the contractor. Does not include equipment repair as a primary use or on-site services provided to the general public.

19.10.369 Non-residential zone

– The following zones: MU-CD, MU-1, MU-1 BP, MU-2, MU-2 E, MU-DT, MU-A, NB-1, NB-2, MU-B, AI-1, AI-2, I, and SPA-2. [Ord. 849 § 15, 2024; Ord. 529, 2009, Ord. 396 § 1, 2003, Ord. 382 § 4, 2003, Ord. 265 § 22, 1999]

19.10.395.2 Payday Lenders

– Means any business, person, or entity engaged in the business of providing short-term, unsecured, high-interest loans to individuals, typically backed by a personal check, electronic bank access, or a title, and requiring repayment in full or via installments within a brief duration. For the purposes of this Zoning Code, this definition includes any establishment providing "small loans" as defined and licensed under Chapter 31.45 RCW (Check Cashers and Sellers Act) or operating as a nonbank partner under state consumer finance laws. This definition strictly excludes traditional state or federally chartered banks, savings and loan associations, credit unions, and licensed pawnbrokers.

19.10.455 Residential zone

– Any R ~~or RS~~ zone. [Ord. 868 § 3, 2025; Ord. 849 § 16, 2024]

19.10.491 Sensitive uses (air and noise overlay)

– Means uses which serve vulnerable populations, including ~~[S]schools[;]~~ and day cares for children under the age 18, hospitals, nursing homes, and senior assisted housing [living dwelling units] that serve populations over the age of 65 within the air and noise overlay. Vocational and technical schools which generally serve populations over the age of 18 are not considered sensitive uses. [Ord. 849 § 18, 2024]

~~19.15.005 SINGLE FAMILY RESIDENTIAL ZONES~~

~~1. User Guide to the RS Zones Regulations Chart. The chart in this section contains the basic zoning regulations in each RS zone within the city of Burien. First, read down the left column entitled "Use." Once you locate the use in which you are interested, read across to find the regulations that apply to that use. In addition, if the top of each column contains a reference to another zoning code section or chapter, you should read that section or chapter to determine which additional regulations pertain to your use. Italicized words are defined in Chapter 19.10 BMC.~~

RS Zones REGULATIONS ⇒ USE ↓	DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS							
	Special Review Process (See Ch. 19.65 BMC)	MINIMUMS			MAXIMUMS		Minimum Required Parking Spaces (See Ch. 19.20 BMC)	Special Regulations (See also Chapter 19.17, Miscellaneous Use, Development and Performance Standards)
		Lot Area	SETBACKS		Lot Coverage	Height		
			Front Setback	Interior Setback	Impervious Surface Coverage			
-	-	-	-	-	-	-	-	-
19.15.005.2 Single detached dwelling unit. ⁽²⁾	None	See Spec. Regs. 1, 2 & 3	20'	5'	70%	35'	Two spaces per unit	1. Minimum lot area is 7,200 s.f. in the RS 7,200 zone. 2. One single detached dwelling unit may be built per lot. 3. No lot shall be created less than the minimum lot area except through a unit lot subdivision or lot averaging. Lot averaging is permitted through a short plat, subdivision, or lot line adjustment. However, subdivisions of lot line adjustments shall not create a lot with an area less than 90 percent of the stated minimum lot area. [Ord. 484 § 1, 2008] 4. Permitted accessory uses

RS Zones REGULATIONS ⇒ USE ↓		DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS						
		Special Review Process (See Ch. 19.65 BMC)	MINIMUMS		MAXIMUMS		Minimum Required Parking Spaces (See Ch. 19.20 BMC)	Special Regulations (See also Chapter 19.17, Miscellaneous Use, Development and Performance Standards)
			Lot Area	SETBACKS		Lot Coverage		
		Front Setback		Interior Setback	Impervious Surface Coverage			
- - - - -								
								include home-occupations, bed-and-breakfast, accessory dwelling units, and family day-care home; see Chapter 19.17 BMC regulations regarding accessory uses, facilities, and activities associated with this use.
19.15.005.3 Middle housing	None	-	20'	5'	70%	35'	One per unit. See BMC 19.20.045 for parking exemption requirements near frequent transit	1. Minimum lot area is 7,200 s.f. in the RS-7,200 zone.
19.15.005.4 Public park and recreation facilities	None. See Spec. Reg. 4 [Ord. 560 § 1 (Exh. A), 2012]	None. See Spec. Reg. 4	30' See Spec. Reg. 3	30' See Spec. Reg. 3	RS-7,200 zone: 70% [Ord. 313 § 1, 2000]	35'	See BMC 19.20.030.2 [Ord. 292 § 6, 2000]	1. Marinas are only allowed on more than two acres of public property. 2. Lighting for structures and fields shall be directed away

RS Zones REGULATIONS ⇒ USE ↓	DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS							
	Special Review Process (See Ch. 19.65 BMC)	MINIMUMS			MAXIMUMS		Minimum Required Parking Spaces (See Ch. 19.20 BMC)	Special Regulations (See also Chapter 19.17, Miscellaneous Use, Development and Performance Standards)
		Lot Area	SETBACKS		Lot Coverage	Height		
			Front Setback	Interior Setback	Impervious Surface Coverage			

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS								
RS Zones REGULATIONS ⇒ USE ↓	Special Review Process (See Ch. 19.65 BMC)	MINIMUMS			MAXIMUMS		Minimum Required Parking Spaces (See Ch. 19.20 BMC)	Special Regulations (See also Chapter 19.17, Miscellaneous Use, Development and Performance Standards)
		Lot Area	SETBACKS		Lot Coverage	Height		
			Front Setback	Interior Setback	Impervious Surface Coverage			

								posting a notice-board at the site and notification to neighbors; otherwise, a Type 2 review process is required. [Ord. 560 § 1 (Exh. A), 2012]
19.15.005.5 Cemetery	Type 2 [Ord. 560 § 1 (Exh. A), 2012]	None	30'	30'	RS-7,200 zone: 70% [Ord. 313 § 1, 2000]	35'	See BMC 19.20.030.2 [Ord. 292 § 6, 2000]	1. Columbarium or mausoleum structures must be set back 100 feet minimum from property lines adjoining residential zones.
19.15.005.6 Community residential facility —1 ⁽²⁾	Type 2 [Ord. 560 § 1 (Exh. A), 2012]	See Spec. Reg. 1	20'	5'	RS-7,200 zone: 70% [Ord. 313 § 1, 2000]	35'	One space for every two bedrooms	1. Minimum lot area per dwelling unit is 7,200 sq. ft. in the RS-7,200 zone.
19.15.005.7 Golf course	Type 2 [Ord. 560 § 1 (Exh. A), 2012]	None	30' See Spec. Reg. 1	30' See Spec. Reg. 1	RS-7,200 zone: 70% [Ord. 313 § 1, 2000]	35'	Three spaces per hole, plus three spaces per 1,000 sq. ft. of clubhouse facilities	1. Structures, driving ranges, and lighted areas shall maintain a minimum distance of 50 feet from property lines

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS								
RS Zones REGULATIONS ⇒ USE ↓	Special Review Process (See Ch. 19.65 BMC)	MINIMUMS			MAXIMUMS		Minimum Required Parking Spaces (See Ch. 19.20 BMC)	Special Regulations (See also Chapter 19.17, Miscellaneous Use, Development and Performance Standards)
		Lot Area	SETBACKS		Lot Coverage	Height		
			Front Setback	Interior Setback	Impervious Surface Coverage			

								adjoining residential zones.
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⁽²⁾ Amended, Ord. 269, 1999

19.15.005.8 Hatchery/fish preserve	Type 2 [Ord. 560 § 1 (Exh. A), 2012]	None	30'	30'	RS-7,200 zone: 70% [Ord. 313 § 1, 2000]	35'	See BMC-19.20.030.2 [Ord. 292 § 6, 2000]	1. This use may be further subject to the provisions of KCC Title 25, Shoreline Management Program.
19.15.005.9 Religious facility	Type 2	None	30'	30'	RS-7,200 zone: 70% [Ord. 313 § 1, 2000]	35'	See BMC-19.20.030.2 [Ord. 292 § 6, 2000]	1. Accessory use shall comply with the requirements for that use listed in this use zone chart (BMC-19.15.005).
19.15.005.10 School	Type 2 [Ord. 560 § 1 (Exh. A), 2012]	None	30'	30'	RS-7,200 zone: 70% [Ord. 313 § 1, 2000]	35'	See BMC-19.20.030.2 [Ord. 292 § 6, 2000]	Day care centers are allowed as an accessory use.
19.15.005.11 Senior assisted housing ⁽²⁾	Type 2 [Ord. 560 § 1 (Exh. A), 2012]	See Spec. Reg. 1	20'	5'	RS-7,200 zone: 70% [Ord. 313 § 1, 2000]	35'	0.5 spaces per unit	1. Minimum lot area per dwelling unit is: a. One acre in the RS-A zone. b. 12,000 sq. ft. in the RS-12,000 zone.

RS Zones REGULATIONS ⇒ USE ↓	DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS							
	Special Review Process (See Ch. 19.65 BMC)	MINIMUMS			MAXIMUMS		Minimum Required Parking Spaces (See Ch. 19.20 BMC)	Special Regulations (See also Chapter 19.17, Miscellaneous Use, Development and Performance Standards)
		Lot Area	SETBACKS		Lot Coverage	Height		
			Front Setback	Interior Setback	Impervious Surface Coverage			
-	-	-	-	-	-	-	-	-
								e. 7,200 sq. ft. in the RS-7,200 zone. 2. Conversion to another use is allowed, provided all new use requirements are met, including density limitations.
19.15.005.12 Essential public facility	Type 2 [Ord. 560 § 1 (Exh. A), 2012]	Development standards shall be determined case-by-case through the Type 3 review process.						1. Shall be designed, located, constructed, and buffered to blend into 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

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS								
RS Zones REGULATIONS ⇒ USE ↓	Special Review Process (See Ch. 19.65 BMC)	MINIMUMS			MAXIMUMS		Minimum Required Parking Spaces (See Ch. 19.20 BMC)	Special Regulations (See also Chapter 19.17, Miscellaneous Use, Development and Performance Standards)
		Lot Area	SETBACKS		Lot Coverage	Height		
			Front Setback	Interior Setback	Impervious Surface Coverage			

								comprehensive plan.
19.15.005.13 Community, cultural, or government facility	Type 2 [Ord. 560- § 1 (Exh. A), 2012]	See Spec. Reg. 1	30'	30'	RS-7,200 zone: 70% [Ord. 313 §1, 2000]	35'	See BMC- 19.20.030.2 [Ord. 292 § 6, 2000]	The minimum lot area for a public agency training facility is 35 acres.
19.15.005.14 Public utility	Type 2 [Ord. 560- § 1 (Exh. A), 2012]	None	30'	30'	RS-7,200 zone: 70% [Ord. 313 §1, 2000]	20' See Spec. Reg. 1	See BMC- 19.20.030.2 [Ord. 292 § 6, 2000]	1. The city council may approve a height less than 35 feet if the applicant shows no feasible alternative. 2. Shall be designed, located, constructed, and buffered to blend into their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light, and glare impacts.
19.15.005.15	See Chapter 19.50-BMC							

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS								
RS Zones REGULATIONS ⇒ USE ↓	Special Review Process (See Ch. 19.65 BMC)	MINIMUMS			MAXIMUMS		Minimum Required Parking Spaces (See Ch. 19.20 BMC)	Special Regulations (See also Chapter 19.17, Miscellaneous Use, Development and Performance Standards)
		Lot Area	SETBACKS		Lot Coverage	Height		
			Front Setback	Interior Setback	Impervious Surface Coverage			

Personal wireless service facility ⁽¹⁾								
19.15.005.16 Community garden ⁽²⁾	None	None	20'	5'	25%	12'	See BMC 19.20.030.2 [Ord. 292 § 6, 2000]	1. A director-approved land use agreement shall be executed between the landowner and those interested in gardening on private land. The agreement shall include community garden rules to maintain the property safely and prevent disturbances to neighboring property owners and residents.
19.15.005.17 Enhanced services facilities ⁽³⁾⁽⁴⁾	Type 2	See Spec. Reg. 1	20'	5'	RS-7,200 zone: 70%	35'	See BMC 19.20.030.2	1. Minimum lot area per ESF is: a. 12,000 sq ft in the RS-A and RS-12,000 zones. b. 7,200 sq ft in the RS-7,200 zone.

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS									
RS Zones USE ↓	REGULATIONS ⇒	Special Review Process (See Ch. 19.65 BMC)	MINIMUMS			MAXIMUMS		Minimum Required Parking Spaces (See Ch. 19.20 BMC)	Special Regulations (See also Chapter 19.17, Miscellaneous Use, Development and Performance Standards)
			Lot Area	SETBACKS		Lot Coverage	Height		
				Front Setback	Interior Setback	Impervious Surface Coverage			

								2. See BMC 19.17.310 — Enhanced services facilities
19.15.005.18 Permanent supportive housing	None	None	20'	5'	RS-7,200 zone: 70%	35'	One space per unit	Three units of permanent supportive housing are permitted per lot when the lot meets the minimum lot size of the underlying zoning district.
19.15.005.19 Transitional housing congregate housing	None	None	20'	5'	RS-7,200 zone: 70%	35'	One space per unit	Three transitional housing dwelling units or nine beds total are permitted per lot when the lot meets the minimum lot size of the underlying zoning district.
19.15.005.20 Office, corner store, eating and drinking establishments	None	None	20'	5'	70%	35'	See BMC 19.17.085.4	Uses considered neighborhood commercial, see BMC 19.17.085 for use specific regulations.

 REGULATIONS  USE 	DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS							
		MINIMUMS		MAXIMUMS				
		Lot Area	SETBACKS		Lot Coverage			
	Special Review Process (See Ch. 19.65 BMC)		Front Setback	Interior Setback	Impervious Surface Coverage	Height	Minimum Required Parking Spaces (See Ch. 19.20 BMC)	Special Regulations (See also Chapter 19.17, Miscellaneous Use, Development and Performance Standards)

^(†) Amended, Ord. 265, 1999

^(‡) Added, Ord. 560, 2012

^(‡) Added, Ord. 734, 2020

^(†) Amended, Ord. 788, 2021

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

~~[Ord. 868 § 3, 2025; Ord. 850 § 9, 2024; Ord. 849 § 22, 2024]]~~

19.15.025 INDUSTRIAL ZONES

~~[1. User Guide to the “I Zone” Regulations Chart. The chart in this section contains the basic zoning regulations that apply in the “I zone.” First, read down the left column entitled “Use.” Once you locate the use in which you are interested, read across to find the regulations that apply to that use. In addition, if the top of each column contains a reference to another Zoning Code section or chapter, you should read that section or chapter to determine which additional regulations pertain to your use. Italicized words are defined in Chapter 19.10 BMC.]~~

~~2. I Zone Regulations. Only those uses listed on the following use zone charts may be allowed in the I zone, subject to meeting all applicable requirements of the zoning code. The following special regulations apply to all uses in the industrial 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.~~

~~A. Up to 25% of gross floor area may be used for the following accessory uses related to or support the primary use: Convenience retail, office, eating and drinking establishment, recreational facility, or warehousing and wholesale trade. For the high technology industry, up to 75% of gross floor area for accessory office use is allowed. A higher percentage of accessory use may be allowed through a Type 1 review.~~

~~B. The minimum lot area for new lots is 2 acres.~~

~~C. The outer 15 feet of the front setback must be landscaped with Type I landscaping (as prescribed in BMC 19.25.050.1).~~

~~D. All uses must be located within buildings or approved outdoor use, activity, or storage areas.~~

~~-~~

I Zone USE ↓	REGULATIONS ⇒	DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS							
	Special Review Process (See Ch. 19.65 BMC)	MINIMUMS			MAXIMUMS			Minimum Required Parking Spaces (See Ch. 19.20 BMC)	Special Regulations (See also Miscellaneous Use, Development and Performance Standards Ch. 19.17 BMC)
		Lot Area	SETBACKS		Lot Coverage		Building Height		
			Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage			

19.15.025.2 High Technology Industry	None	None	25'	See Spec. Reg. 1	70%	75%	See Spec. Reg. 2	Three spaces per 1,000 sq. ft. of net floor area.	1. Fifty feet if adjoining a residential zone, otherwise, none. The outer 25 feet of the setback must be landscaped with Type 1 landscaping (as prescribed in BMC 19.25.050.1). 2. Maximum building height is 35 feet. If at least 50 percent of the required parking stalls are located under or within the building, the maximum building height is increased to 60 feet.
19.15.025.3 Light Industry	None	None	25'	See Spec. Reg. 1	70%	75%	See Spec. Reg. 2	One space per 1,000 sq. ft. of net floor area.	1. Fifty feet if adjoining a residential zone, otherwise, none. The setback's outer 25 feet

I Zone USE ↓	REGULATIONS ⇒	DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS							
	Special Review Process (See Ch. 19.65 BMC)	MINIMUMS			MAXIMUMS			Minimum Required Parking Spaces (See Ch. 19.20 BMC)	Special Regulations (See also Miscellaneous Use, Development and Performance Standards Ch. 19.17 BMC)
		Lot Area	SETBACKS		Lot Coverage		Building Height		
			Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage			

									must be landscaped with Type I landscaping (as prescribed in BMC 19.25.050.1). 2. Maximum building height is 35 feet. If at least 50 percent of the required parking stalls are located under or within the building, the maximum building height is increased to 60 feet.
19.15.025.4 Family Day Care Home I and II	None	See Special Regulation 1							1. Must comply with primary use requirements. 2. Family Day Care Home II: Must provide state certification of the safe passenger loading area.
19.15.025.5 Day Care Center	None	None	25'	0'	70%	75%	35'	See BMC 19.20.030.2	Must provide state certification

I Zone USE ↓	REGULATIONS ⇒	DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS							
	Special Review Process (See Ch. 19.65 BMC)	MINIMUMS			MAXIMUMS			Minimum Required Parking Spaces (See Ch. 19.20 BMC)	Special Regulations (See also Miscellaneous Use, Development and Performance Standards Ch. 19.17 BMC)
		Lot Area	SETBACKS		Lot Coverage		Building Height		
			Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage			

									of the safe-passenger loading area.
19.15.025.6 Auto, Boat, or Heavy Equipment Repair, Services, or Washing	Type 1	None	25'	See Spec. Reg. 1	70%	75%	35'	One space per 1,000 sq. ft. of net floor area.	Fifty feet if adjoining a residential zone, otherwise, none. The outer 25 feet of the setback must be landscaped with Type I landscaping (as prescribed in BMC 19.25.050.1).
19.15.025.7 <i>Community or Religious Facility</i>	Type 1	None	25'	0'	70%	75%	35'	See BMC 19.20.030.2	-
19.15.025.08 <i>Government Facility</i>	Type 1	None	25'	0'	70%	75%	See Spec. Reg. 1	See BMC 19.20.030.2	Maximum building height is 35 feet. If at least 50 percent of the required parking stalls are located under or within the building, the maximum building height is increased to 60 feet.

I Zone USE ↓	REGULATIONS →									
	DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS									
	Special Review Process (See Ch. 19.65 BMC)	MINIMUMS			MAXIMUMS			Minimum Required Parking Spaces (See Ch. 19.20 BMC)	Special Regulations (See also Miscellaneous Use, Development and Performance Standards Ch. 19.17 BMC)	
		Lot Area	SETBACKS		Lot Coverage		Building Height			
	Front Setback		Interior Setback	Building Coverage	Impervious Surface Coverage					

19.15.025.9 On-Site Hazardous Waste Treatment and Storage Facility	Type 1	None	25'	See Spec. Reg. 1	70%	75%	35'	See BMC 19.20.030.2	1. Fifty feet if adjoining a residential zone; otherwise, none. The outer 25 feet of the setback must be landscaped with Type 1 landscaping (as prescribed in BMC 19.25.050.1). 2. Must comply with the state siting criteria adopted under RCW 70.105.210.
19.15.025.10 Public Park and Recreation Facilities	None. See Spec. Reg.	None	25'	0'	70%	75%	35'	See BMC 19.20.030.2	1. Lighting for structures and fields shall be directed away from residential areas. 2. No special review process if the City Council approves the project design through a public

Zone USE ↓	REGULATIONS →	DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS							
	Special Review Process (See Ch. 19.65 BMC)	MINIMUMS			MAXIMUMS			Minimum Required Parking Spaces (See Ch. 19.20 BMC)	Special Regulations (See also Miscellaneous Use, Development and Performance Standards Ch. 19.17 BMC)
		Lot Area	SETBACKS		Lot Coverage		Building Height		
			Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage			

									review process that includes posting a notice board at the site and notice to neighbors; otherwise, a Type 2 review process is required.
19.15.025.11 Public Utility	Type 1	None	30'	30'	70%	75%	35'	See BMC 19.20.030.2	1. Shall be designed, located, constructed, and buffered to blend into their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light, and glare impacts.
19.15.025.12 Self Service Storage Facility	Type 1	None	25'	See Spec. Reg. 1	70%	75%	35'	One space per 3,500 sq ft of storage area, plus 2 for any caretaker's unit.	1. Fifty feet if adjoining a residential zone; otherwise, none. The outer 25 feet of the setback must be

I Zone USE ↓	REGULATIONS ⇒	DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS							
	Special Review Process (See Ch. 19.65 BMC)	MINIMUMS			MAXIMUMS			Minimum Required Parking Spaces (See Ch. 19.20 BMC)	Special Regulations (See also Miscellaneous Use, Development and Performance Standards Ch. 19.17 BMC)
		Lot Area	SETBACKS		Lot Coverage		Building Height		
			Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage			

									landscaped with Type 1 landscaping (as prescribed in BMC 19.25.050.1). 2. May include one accessory dwelling unit for the resident security manager.
19.15.025.13 <i>Indoor Shooting Range</i>	Type 2	None	30'	30'	70%	75%	35'	See BMC 19.20.030.2	1. Shall be designed, located, constructed, and buffered to blend into their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to mitigating noise impacts and designing the facility to protect non-users outside of the building from bullets that may penetrate the

I Zone USE ↓	REGULATIONS ⇒	DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS							
	Special Review Process (See Ch. 19.65 BMC)	MINIMUMS			MAXIMUMS			Minimum Required Parking Spaces (See Ch. 19.20 BMC)	Special Regulations (See also Miscellaneous Use, Development and Performance Standards Ch. 19.17 BMC)
		Lot Area	SETBACKS		Lot Coverage		Building Height		
			Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage			

									outer walls and ceiling of the use.
19.15.025.14 <i>Kennel</i>	Type 2	None	25' See Spec. Reg. 1	0' See Spec. Reg. 1	70%	75%	35'	See BMC 19.20.030.2	1. Outside runs and other outside facilities must be set back at least 25 feet from each property line (50 feet from a residential zone) and surrounded by a fence or wall sufficient to enclose the animals. 2. Must provide suitable shelter and a clean, healthful environment for the animals.
19.15.025.15 <i>Recycling Center</i>	Type 2	None	25'	See Spec. Reg. 1	70%	75%	35'	See BMC 19.20.030.2	1. Fifty feet if adjoining a residential zone, otherwise, none. The outer 25 feet of the setback must be landscaped with Type 1 landscaping (as

I Zone USE ↓	REGULATIONS ⇒	DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS							
	Special Review Process (See Ch. 19.65 BMC)	MINIMUMS			MAXIMUMS			Minimum Required Parking Spaces (See Ch. 19.20 BMC)	Special Regulations (See also Miscellaneous Use, Development and Performance Standards Ch. 19.17 BMC)
		Lot Area	SETBACKS		Lot Coverage		Building Height		
			Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage			

									prescribed in BMC 19.25.050.1). 2. Shall mitigate all operational impacts, including noise, odor, visual, health, and sanitary impacts. 3. May deal only in metal cans, glass, plastic, and paper. Other materials may be recycled if the Hearing Examiner determines the impacts are no greater than those associated with recycling metal cans, glass, plastic, or paper. The applicant will have the burden of proof in demonstrating similar impacts.
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I Zone USE ↓	REGULATIONS	DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS							
	Special Review Process (See Ch. 19.65 BMC)	MINIMUMS			MAXIMUMS			Minimum Required Parking Spaces (See Ch. 19.20 BMC)	Special Regulations (See also Miscellaneous Use, Development and Performance Standards Ch. 19.17 BMC)
		Lot Area	SETBACKS		Lot Coverage		Building Height		
			Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage			

19.15.025.16 <i>Any use not listed in the use column of any use zone chart</i>	Type 2	Development standards shall be determined case-by-case through the Type 2 review process.						1. The proposed use shall be compatible with adjoining uses. The facility shall be designed, located, constructed, and buffered to blend into its surroundings and mitigate all adverse impacts on adjoining properties and the community. Special attention shall be given to minimizing noise, light, glare, and traffic impacts. 2. Social card games are prohibited.
19.15.025.17 <i>Essential Public Facility</i>	Type 2	Development standards shall be determined case-by-case through the Type 2 review process.						1. Shall be designed, located, constructed, and buffered to blend into their surroundings and

I Zone USE ↓	REGULATIONS ⇒	DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS							
	Special Review Process (See Ch. 19.65 BMC)	MINIMUMS			MAXIMUMS			Minimum Required Parking Spaces (See Ch. 19.20 BMC)	Special Regulations (See also Miscellaneous Use, Development and Performance Standards Ch. 19.17 BMC)
		Lot Area	SETBACKS		Lot Coverage		Building Height		
			Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage			

									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.
19.15.025.18 <i>Off-Site Hazardous Waste Treatment and Storage Facility</i>	Type 2	None	50'	50'	70%	75%	35'	See BMC 19.20.030.2	1. The outer 25 feet of the setback must be landscaped with Type 1 landscaping (as prescribed in BMC 19.25.050.1). 2. Must comply with the state siting criteria adopted consistent with RCW 70.105.210.

I Zone USE 	REGULATIONS →								
	DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS								
	Special Review Process (See Ch. 19.65 BMC)	MINIMUMS			MAXIMUMS			Minimum Required Parking Spaces (See Ch. 19.20 BMC)	Special Regulations (See also Miscellaneous Use, Development and Performance Standards Ch. 19.17 BMC)
		Lot Area	SETBACKS		Lot Coverage		Building Height		
	Front Setback		Interior Setback	Building Coverage	Impervious Surface Coverage				

19.15.025.19 <i>Personal Wireless Service Facility</i>	See Chapter 19.50-BMC								-
19.15.025.020 <i>Adult Entertainment Facility</i>	None	None	25'	0'	70%	75%	35'	See BMC 19.20.030.2	1. See BMC 19.17.030 for additional requirements.
19.15.025.21 <i>Secure Community Transition Facility</i>	Type 2	See BMC 19.17.110							-
19.15.025.22 <i>Community Garden</i>	None	None	10'	0'	15%	25%	12'	See BMC 19.20.030.2	1. A Director-approved land-use agreement shall be executed between the landowner and those who are interested in gardening on private land. The agreement shall include community garden rules to maintain the property safely and prevent disturbances to neighboring property owners and residents.

I Zone USE ↓	REGULATIONS ⇒	DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS							
	Special Review Process (See Ch. 19.65 BMC)	MINIMUMS			MAXIMUMS			Minimum Required Parking Spaces (See Ch. 19.20 BMC)	Special Regulations (See also Miscellaneous Use, Development and Performance Standards Ch. 19.17 BMC)
		Lot Area	SETBACKS		Lot Coverage		Building Height		
			Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage			

19.15.025.23 Marijuana Producers Marijuana Processors	Type 1	None	25'	See Spec. Reg. 1	70%	75%	35'	See BMC 19.20.030.2	1. Fifty feet if adjoining a residential zone, otherwise, none. The outer 25 feet of the setback must be landscaped with Type 1 landscaping (as prescribed in BMC 19.25.050.1). 2. The facility shall be designed, located, constructed, and buffered to blend into its surroundings and mitigate significant adverse impacts on adjoining properties and the community. Special attention shall be given to minimizing odor, noise, light, glare, and traffic impacts.
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I Zone USE 	REGULATIONS ⇒	DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS							
	Special Review Process (See Ch. 19.65 BMC)	MINIMUMS			MAXIMUMS			Minimum Required Parking Spaces (See Ch. 19.20 BMC)	Special Regulations (See also Miscellaneous Use, Development and Performance Standards Ch. 19.17 BMC)
		Lot Area	SETBACKS		Lot Coverage		Building Height		
			Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage			

									3. Must comply with all state law requirements and Washington State Liquor and Cannabis Board regulations. 4. Marijuana producers and processors shall not operate as an accessory to a primary use or as a home occupation. 5. Marijuana producers and processors may locate in the same building and all production and processing activities shall occur within an enclosed structure. 6. Marijuana producers and processors shall not locate within 1,000 feet as measured by the
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REGULATIONS		DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS								
I Zone USE ↓	→	Special Review Process (See Ch. 19.65 BMC)	MINIMUMS			MAXIMUMS			Minimum Required Parking Spaces (See Ch. 19.20 BMC)	Special Regulations (See also Miscellaneous Use, Development and Performance Standards Ch. 19.17 BMC)
	Lot Area		SETBACKS		Lot Coverage		Building Height			
			Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage				

									shortest straight-line distance from the property line of the licensed premises to the property line of an elementary or secondary school, playground, recreational center or facility, childcare center, public park, public transit center, library, or arcade where admission is not restricted to those age 21 and older.
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[Ord. 849 § 26, 2024]]

1. Industrial Zones Use Permissions. Table 19.15.025.1 determines whether a use is allowed in a zone.

<u>Use</u>	<u>Special Review Process</u>						
	<u>I(D)</u>	<u>AI-1(E)(I)</u>	<u>AI-2(E)(I)</u>	<u>MU-B(E)(K)(L)</u>	<u>NB-1(E)(A)(K)</u>	<u>NB-2(E)(B)(K)</u>	<u>Special Regulations</u>
<u>RESIDENTIAL</u>							
<u>Apartment (Mixed-Use)</u>				Type 1			<u>Minimum 60% gross floor areas shall be designated for permitted public, institutional and miscellaneous or commercial use(s).</u>
<u>Existing Single Detached Dwelling Unit</u>				P	P	P	<u>1. The Existing Single Detached Dwelling Unit must have been legally established prior to the effective date Ordinance No. 902.</u> <u>2. Existing Single Detached Dwelling Unit may be maintained, expanded, and rebuilt and is not subject to BMC 19.55 nonconformance.</u> <u>3. Only one ADU is permitted per lot and is subject to the regulations per BMC 19.17.070.</u>
<u>COMMERCIAL</u>							
<u>Adult Entertainment Facility</u>	P	Type 2	Type 2				<u>See BMC 19.17.030 for additional requirements.</u>
<u>New Car Auto Dealer</u>		P					
<u>Auto Rental</u>		P _(C)					
<u>Eating and Drinking Establishment</u>		P	P	P	P	P	
<u>Office</u>		P	P	P _(C)	P _(C)	P _(C)	
<u>Plant Nursery</u>		P	P	P	P	P	
<u>Convenience Retail</u>		P	Special Use Condition _(F)	P _(J)	P _(J)	P _(J)	
<u>Bulk Retail</u>		P					
<u>Day Care Center</u>	P						
<u>Artisan Manufacturing</u>				P	P	P	
<u>Funeral Home</u>				P	P		
<u>Cultural Facility</u>				P	P	P	
<u>Private Club</u>				P	P	P	
<u>Theater</u>				P	P	P	
<u>Artist's Studio</u>				P	P	P	
<u>INDUSTRIAL</u>							
<u>Air Cargo Facility Distribution</u>		P	P				

<u>Use</u>	<u>Special Review Process</u>						
	<u>I(D)</u>	<u>AI-1 (E)(I)</u>	<u>AI-2 (E)(I)</u>	<u>MU-B (E)(K)(L)</u>	<u>NB-1 (E)(A)(K)</u>	<u>NB-2 (E)(B)(K)</u>	<u>Special Regulations</u>
<u>High Technology Industry</u>	<u>P</u>						
<u>Light Industry</u>	<u>P</u>	<u>P</u>	<u>P</u>				
<u>Flex-Tech Flight Kitchen</u>		<u>P</u>	<u>P</u>				
<u>Flex-Industrial</u>		<u>P</u>	<u>P</u>				
<u>Auto, Boat, or Heavy Equipment Repair, Services, or Washing</u>	<u>Type 1</u>						
<u>On-Site Hazardous Waste Treatment and Storage Facility</u>	<u>Type 1</u>	<u>Type 2</u>	<u>Type 2</u>				
<u>Off-Site Hazardous Waste Treatment and Storage Facility</u>	<u>Type 2</u>						
<u>Self Service Storage Facility</u>	<u>Type 1</u>						
<u>Indoor Shooting Range</u>	<u>Type 2</u>						<u>Shall be designed, located, constructed, and buffered to blend into their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to mitigating noise impacts and designing the facility to protect non-users outside of the building from bullets that may penetrate the outer walls and ceiling of the use.</u>
<u>Kennel</u>	<u>Type 2</u>						
<u>Recycling Center</u>	<u>Type 2</u>						
<u>Marijuana Producers</u> <u>Marijuana Processors</u>	<u>Type 1</u>	<u>Type 1</u>	<u>Type 1</u>				<u>1. The facility shall be designed, located, constructed, and buffered to blend into its surroundings and mitigate significant adverse impacts on adjoining properties and the community. Special attention shall be given to minimizing odor, noise, light, glare, and traffic impacts.</u> <u>2. Must comply with all state law requirements and Washington State Liquor and Cannabis Board regulations.</u> <u>3. Marijuana producers and processors shall not operate as an accessory to a primary use or as a home occupation.</u> <u>4. Marijuana producers and processors may locate in the same building and all production and processing activities shall occur within an enclosed structure.</u>

<u>Use</u>	<u>Special Review Process</u>						
	<u>I(D)</u>	<u>AI-1 (E)(I)</u>	<u>AI-2 (E)(I)</u>	<u>MU-B (E)(K)(L)</u>	<u>NB-1 (E)(A)(K)</u>	<u>NB-2 (E)(B)(K)</u>	<u>Special Regulations</u>
							5. Marijuana producers and processors shall not locate within 1,000 feet as measured by the shortest straight-line distance from the property line of the licensed premises to the property line of an elementary or secondary school, playground, recreational center or facility, childcare center, public park, public transit center, library, or arcade where admission is not restricted to those age 21 and older.
<u>Warehousing and Wholesale Trade</u>		<u>P</u>	<u>P</u>				
<u>Off-Site Commercial Parking</u>		<u>P</u>	<u>P</u>				
<u>Contractor Office Light</u>					<u>P</u>	<u>P</u>	1. All storage of equipment, materials, and vehicles associated with the use shall be screened from the right-of-way 2. No "heavy equipment" is permitted on-site. 3. No more than 50% of the lot shall be dedicated to the storage of equipment, materials, and/or parking.
<u>PUBLIC, INSTITUTIONAL, & MISCELLANEOUS</u>							
<u>Community Facility</u>	<u>Type 1</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Religious Facility</u>	<u>Type 1</u>	<u>P</u>	<u>P</u>	<u>Type 1</u>	<u>Type 1</u>		
<u>Vocational/Technical School</u>				<u>Type 1</u>	<u>Type 1</u>	<u>Type 1</u>	<u>May be located under air and noise pollution overlay when programs generally serve populations over 18 years old.</u>
<u>Community Garden_(H)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Government Facility</u>	<u>Type 1</u>	<u>P</u>	<u>P</u>	<u>Type 1</u>	<u>Type 1</u>	<u>Type 1</u>	
<u>Public Utility</u>	<u>Type 1</u>	<u>Type 1</u>	<u>Type 1</u>	<u>Type 1</u>	<u>Type 1</u>	<u>Type 1</u>	<u>Shall be designed, located, constructed, and buffered to blend into their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light, and glare impacts.</u>
<u>Recreational Facility</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Public Park Recreation Facilities</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	1. Lighting for structures and fields shall be directed away from residential areas. 2. No special review process if the City Council approves the project design through a public review process that includes posting a notice board at the site and notice to neighbors; otherwise, a Type 2 review process is required.

Use	Special Review Process						
	I(D)	AI-1(E)(I)	AI-2(E)(I)	MU-B(E)(K)(L)	NB-1(E)(A)(K)	NB-2(E)(B)(K)	Special Regulations
Essential Public Facility	Type 2	Type 1	Type 1	Type 2	Type 2	Type 2	1. Shall be designed, located, constructed, and buffered to blend into 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 the criteria for siting found in the Burien Comprehensive Plan.
Personal Wireless Service Facility	See Chapter 19.50 BMC for specific requirements.						
Secure Community Transition Facility	Type 2	Type 2	Type 2				
Any use not listed in the use column of any use zone chart	Type 2	Type 2	Type 2				The proposed use shall be compatible with adjoining uses. The facility shall be designed, located, constructed, and buffered to blend into its surroundings and mitigate all adverse impacts on adjoining properties and the community. Special attention shall be given to minimizing noise, light, glare, and traffic impacts.

Special Use Conditions:

(A) Buildings in this zone shall not exceed 5,000 square feet of gross floor area. Uses may not exceed a combined occupant load exceeding 150 persons per gross acre consistent with the corresponding airport influence zone per WSDOT Airport Land Use Compatibility Guidance.

(B) Buildings in this zone shall not exceed 7,500 square feet of gross floor area. Uses may not exceed an occupant load exceeding 75 persons per gross acre consistent with the corresponding airport influence zone per WSDOT Airport Land Use Compatibility Guidance.

(C) For office uses related to construction or trade which include dispatching, limited storage of tools materials, and equipment see “Contractor Office Light.”

(D) Standards applicable to development in the I Zone

1. Up to 25% of gross floor area may be used for the following accessory uses related to or support the primary use: Convenience retail, office, eating and drinking establishment, recreational facility, or warehousing and wholesale trade. For the high technology industry, up to 75% of gross floor area for accessory office use is allowed. A higher percentage of accessory use may be allowed through a Type 1 review.

2. All uses must be located within buildings or approved outdoor use, activity, or storage areas

(E) Standards applicable to development in the AI, NB-1, NB-2 and MU-B Zones

1. Use and development within this zone may be affected by FAA regulations associated with SeaTac Airport operations.
2. Uses shall conform to the following requirements (excluding reasonable construction activity):
 - a. Does not emit significant quantities of dust, dirt, cinders, smoke, gases, fumes, odors, or vapors into the atmosphere.
 - b. Does not emit any liquid or solid wastes or other matter into any stream, wetland, or other waterway.
 - c. Does not emit radiation, discharge glare or heat, or emit electromagnetic, microwave, ultrasonic, laser, or other radiation levels over what is considered safe by the FCC.
 - d. Does not emit radiation, discharge glare or heat, or emit electromagnetic, microwave, ultrasonic, laser, or other radiation levels that would adversely impact electronic equipment of residences or businesses outside of the property's boundaries.
 - e. Does not use heavy trucking as a principal use, such as truck terminals or heavy truck repair.
 - f. Does not produce excessive noise or ground vibration perceptible without instruments at any point exterior to any lot.
 - g. Is not considered an aviation hazard as defined in state and federal law.
 - h. Does not use high-intensity lighting or make it difficult for pilots to distinguish between airport lights and others; creates electrical interference with navigational signals or radio communication between the airport and aircraft; results in glare in pilots' eyes using the airport; creates reflectivity that interferes with airport radar function; creates smoke, dust, or other particulates that may impair aircraft visibility; allows highly flammable or explosive materials storage, creates bird-strike hazards; or otherwise creates a hazard that may endanger aircraft landing, takeoff, or maneuvering at or near the airport.

(F) Convenience retail uses are allowed only as accessory uses related to or supporting the primary use of the site.

(G) Used vehicle sales and service facilities are only allowed as an accessory use.

(H) A Director-approved land use agreement shall be executed by the landowner and those who are interested in gardening on private land. The agreement shall include Community Garden Rules to maintain the property safely and prevent disturbances to neighboring property owners and residents.

(I) Development within the AI zone is subject to compliance with the following:

1. Design standards in Chapter 19.48 BMC;
2. Street improvements on adjacent streets pursuant to Chapter 12.05 BMC, Burien may require off-site improvements necessary to mitigate transportation impacts of the proposal as part of the Final Supplemental Environmental Impact Statement for the Northeast

Redevelopment Area dated November 23, 2009, SEPA planned action or other SEPA review under BMC Title 14. Transportation impact fees also apply pursuant to Chapter 19.35 BMC.

3. Existing residential uses may continue to exist pursuant to the standards located in Chapter 19.55 BMC. New residential uses are prohibited.

(J) Pawn shops and payday lenders are not permitted.

(K) No drive-throughs permitted.

(L) Subject to the requirements of BMC 19.47.

2. Industrial Zones Dimensional Standards

A. Dimensional Standards for the I zone

- i. The minimum lot area for new lots is 2 acres.
- ii. The outer 15 feet of the front setback must be landscaped with Type I landscaping (as prescribed in BMC 19.25.050.1).
- iii. Maximum impervious surface is 75% unless development standards are determined through a Type 2 review on case-by-case basis.

Table 19.15.025.2.A
Dimensional Standards I Zone

Use Category	Front Setback	Interior Setback	Building Height
High Technology Industry; Light Industry	25'	Special Use Condition _(A)	Special Use Condition _(B)
Day Care Center; Community Facility; Religious Facility; Public Park and Recreation Facilities _{(D)(E)} ; Kennel _(G) ; Adult Entertainment Facility	25'	0'	35'
Auto, Boat, or Heavy Equipment Repair, Services, or Washing; On-Site Hazardous Waste Treatment and Storage Facility _(C) ; Self Service Storage Facility _(F) ; Recycling Center _(H) ; Marijuana Producers; Marijuana Processors	25'	Special Use Condition _(A)	35'
Government Facility	25'	0'	Special Use Condition _(B)
Public Utility; Indoor Shooting Range	30'	30'	35'
Off-Site Hazardous Waste Treatment and Storage Facility _(C)	50' _(D)	50' _(D)	35'
Air Cargo Facility; Distribution; Eating and Drinking Establishment; Flex-Industrial; Flex-Tech Flight Kitchen; Light Industry; Office; Off-Site Commercial Parking; Plant Nursery; Warehousing and Wholesale Trade; New Car Auto Dealer; Auto Rental	10'	10'	45'
Essential Public Facility; Any use not listed in the use column of any use zone chart	Development standards shall be determined case-by-case through the Type 2 review process.		
Personal Wireless Service Facility	See Chapter 19.50 BMC		
Secure Community Transition Facility	See BMC 19.17.110		

Special Use Condition

(A) Fifty feet if adjoining a residential zone, otherwise, none. The setback's outer 25 feet must be landscaped with Type I landscaping (as prescribed in BMC 19.25.050.1).

(B) Maximum building height is 35 feet. If at least 50 percent of the required parking stalls are located under or within the building, the maximum building height is increased to 60 feet.

(C) Must comply with the state siting criteria adopted under RCW 70.105.210.

(D) Lighting for structures and fields shall be directed away from residential areas.

(E) No special review process if the City Council approves the project design through a public review process that includes posting a notice board at the site and notice to neighbors; otherwise, a Type 2 review process is required.

(F) May include one accessory living facility as defined by Chapter 19.10 BMC.(G) Outside runs and other outside facilities must be set back at least 25 feet from each property line (50 feet from a residential zone) and surrounded by a fence or wall sufficient to enclose the animals. Additionally, the Kennel must provide suitable shelter and a clean, healthful environment for the animals.

(H) Shall mitigate all operational impacts, including noise, odor, visual, health, and sanitary impacts. Use may deal only in metal cans, glass, plastic, and paper. Other materials may be recycled if the Hearing Examiner determines the impacts are no greater than those associated with recycling metal cans, glass, plastic, or paper. The applicant will have the burden of proof in demonstrating similar impacts.

(I) The outer 25 feet of the setback must be landscaped with Type I landscaping (as prescribed in BMC 19.25.050.1).

B. Dimensional Standards AI-1 and AI-2 Zones

- i. The maximum allowable impervious surface coverage is 95%.
- ii. Public pedestrian and non-motorized facilities are excluded from impervious surface coverage.
- iii. Burien will give credit for low-impact development techniques such as but not limited to pervious pavement and green roofs. The Public Works Director shall determine the amount of credit.

Table 19.15.025.2.B
Dimensional Standards for AI-1 and AI-2 Zones

<u>Use Category</u>	<u>Front Setback</u>	<u>Interior Setback</u>	<u>Building Height_(C)</u>
<u>Air Cargo Facility Distribution; Eating and Drinking Establishment; Flex-Industrial; Flex-Tech Flight; Kitchen Light Industry; Office; Off-Site Commercial Parking; Plant Nursery; Retail; Warehousing and Wholesale Trade; New Car Auto Dealer; Auto Rental; Community Facility; Government Facility; Public Park and Recreation Facilities; Recreational Facility; Religious Facility; Public Utility, On-site Hazardous Waste Treatment and Storage Facility_{(A)(B)}; Off-site Hazardous Waste Treatment and Storage Facility_{(A)(B)}; Essential Public Facility; Adult Entertainment Facility; Vocational/Technical School;</u>	<u>10'</u>	<u>10'</u>	<u>45'</u>
<u>Community Garden</u>	<u>10'</u>	<u>10'</u>	<u>12'</u>
<u>Personal Wireless Service Facility</u>	<u>See Chapter 19.50 BMC</u>		
<u>Secure Community Transition Facility</u>	<u>See BMC 19.17.110</u>		

Special Use Conditions

(A) These uses are required to conduct an environmental review and mitigate all impacts.

(B) Must comply with the state siting criteria adopted in accordance with RCW 70.105.210.

(C) No structure shall be permitted to be erected, altered, or maintained that would constitute a hazard to air navigation, encroach into the limits of the FAA Part 77 imaginary surfaces, or cause an increase in minimum flight or approach procedure altitudes as determined by the FAA. An additional 12 feet of height is allowed for under-building or underground parking. A written certification of height compliance from the FAA may be required.

C. Dimensional Standards MU-B, NB-1, and NB-2 zones

- i. Minimum Lot Size. There are no minimum lot area or minimum lot dimensions. New lots must be sized to accommodate permitted uses and development.

ii. Maximum impervious surface is 70%.

Table 19.15.025.2.C
Dimensional Standards for MU-B, NB-1, and NB-2 Zones

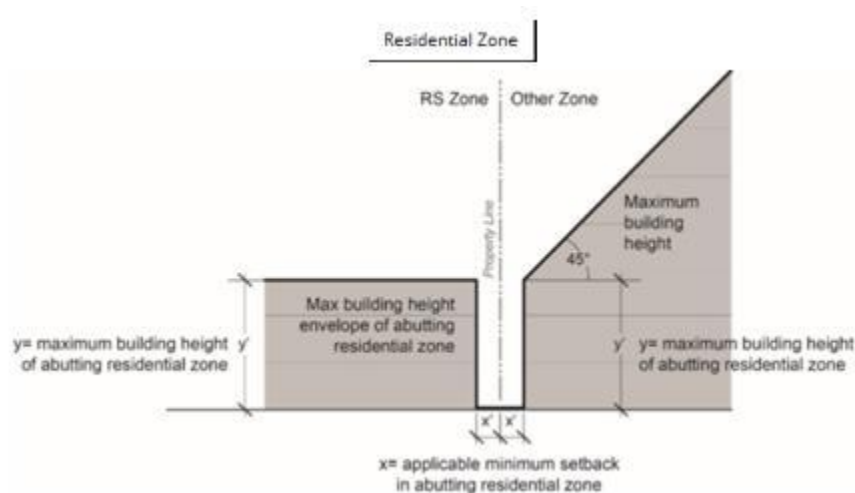
Use Category	Front Setback	Interior Setback	Building Height
Apartment (Mixed-Use)	10'	5'	45'
Existing Single Detached Dwelling Unit Legal	20'	5'	35'
Eating and Drinking Establishment; Office; Plant Nursery; Convenience Retail; Artisan Manufacturing; Funeral Home; Cultural Facility; Private Club; Theater; Commissary Kitchen; Artist's Studio; Vocational/Technical School; Government Facility; Public Utility; Public Park and Recreation Facilities; Recreational Facility; Essential Public Facility; Community Garden	10'	5'/10' (A)	35'
Personal Wireless Service Facility	See Chapter 19.50 BMC		
Secure Community Transition Facility	See BMC 19.17.110		
Special Use Conditions			

(A) Interior setbacks shall increase from 5' to 10' feet for any new structure proposed.

19.17.015 Transition standards.

1. Purpose. This section provides standards for the creation of a buffer between varying building intensities.
2. Applicability. This section applies to any lot located adjacent to an [RS], R-1, R-2, R-3, or R-4 zone.
3. Where a lot subject to this section is adjacent to an [RS], R-1, R-2, R-3, or R-4 zoned lot, the required interior setback along the shared property line must be equal to the interior setback required in the adjacent residential zoning district.
4. The height limit of any lot located adjacent to an [RS], R-1, R-2, R-3, or R-4 zone is the same as the applicable residential zoning district at the interior setback edge and increases at a rate of one vertical foot for each horizontal foot of distance from the setback edge (i.e., a 45-degree angle) to the maximum height of the applicable zoning designation for the lot. See Figure 19.17.015.4 for an illustration.

Figure 19.17.015.4: Illustrating Minimum Interior Setbacks to an Abutting Residential Zoning District



[Ord. 868 § 3, 2025; Ord. 849 § 38, 2024; Ord. 484 § 1, 2008; Ord. 313 § 1, 2000; Ord. 273 § 1, 1999]

19.17.040 Cargo containers.

1. Purpose. This section promotes vibrant, attractive pedestrian mixed-use areas while protecting residential neighborhoods and allowing the use of cargo containers by Burien businesses, contractors, and community-related uses to provide secure, easily accessible accessory storage at relatively inexpensive levels.

2. Temporary Use. Cargo containers may be used for the temporary storage of equipment and/or materials at a construction site during active construction that is authorized by a city permit.
3. Cargo containers are not allowed in the downtown mixed-use (MU-DT) zone, except as permitted in subsection (2) of this section.
4. Cargo containers are permitted as accessory uses in residential zones at a community facility, government facility, public park and recreation facility, or school.
 - A. All requirements, permits, and approvals of BMC Titles 15 and 19 pertaining to structures shall apply, including but not limited to setbacks, maximum impervious surface coverage, critical areas, and transition area requirements.
 - B. Cargo containers located within a residential zone shall be no greater in size than 10 feet by 20 feet and shall have a stick-built structure constructed to enclose the cargo container completely. Upon removal of the cargo container, the screening structure shall also be removed. No stick-built structure shall be required if the cargo container is totally screened from abutting residential zone lots as determined by the director.
 - C. Cargo containers shall not be stacked.
 - D. Cargo containers shall not occupy any required off-street parking spaces, vehicular access, pedestrian facilities, or landscape areas for the site.
5. Cargo containers are permitted as accessory uses in the MU-1 BP, MU-2, CD, MU-2 E, NB-1, NB-2, MU-B, industrial (I), airport industrial (AI) zones, and in the SPA-2 zone as part of the master plan review (pursuant to BMC 19.15.030). Cargo containers in these zones are subject to the requirements below. Airplane unit load devices located in the I and AI zones are not regulated as cargo containers.
 - A. All requirements, permits, and approvals of BMC Titles 15 and 19 pertaining to structures shall apply, including but not limited to setbacks, maximum impervious surface coverage, tree retention, critical area, and transition area requirements.
 - B. Cargo containers shall be screened from abutting rights-of-way and adjoining lots with a minimum of 10 feet of Type I landscaping. The director may approve alternate screening that achieves the intent of a visual barrier. In reviewing alternate screening, the director shall consider the proposed location of the cargo container, amount of usable space on the site for landscaping, view of the cargo container from abutting rights-of-way and adjoining lots, and the physical condition of the cargo container. All proposed screening shall be submitted for review and approval by the director.
 - C. Cargo containers shall not be located between a building and the front property line. On a site with all front property lines, the cargo container shall be placed in a location that minimizes its visual impact on the surrounding streets and properties.
 - D. Cargo containers shall be painted to match the primary color of the adjacent building. If the cargo container is located within a building or not visible from abutting rights-of-way and adjoining lots, as determined by the director, painting is not required.
 - E. A cargo container located within 100 feet of a residential zone shall be no greater in size than 10 feet by 20 feet and shall have a stick-built structure constructed to completely enclose the cargo container. Upon removal of the cargo container, the screening structure shall also be removed. No stick-built structure shall be required if the cargo container is totally screened from abutting residential zone lots as determined by the director.
 - F. Cargo containers shall not occupy any required off-street parking spaces, vehicular access, pedestrian facilities, or landscape areas for the site.
 - G. Cargo containers may be stacked two high in the industrial (I) zone, and shall not be stacked in any other zone.

H. Cargo containers shall not be used for warehouse/storage as the primary use of the property.

I. Outdoor cargo containers shall not be refrigerated.

6. Legal Nonconforming Cargo Containers. Cargo containers that have been legally located on a site before November 12, 2002, shall be a legal nonconforming structure. In addition to the provisions for nonconforming structures in Chapter 19.55 BMC, cargo containers shall lose legal nonconforming status under the following circumstances:

A. Any legal nonconforming cargo container that is moved to a different location on a site shall comply with the requirements of this section.

B. If a legal nonconforming cargo container is removed from a site, any subsequent cargo containers placed on the site shall comply with the requirements of BMC Titles 15 and 19.

7. Permits for cargo containers shall include all necessary approvals from the director, building official, and fire marshal. Required permits include a building permit and a general use fire permit. Use of the container shall not inhibit the building official and/or fire marshal from conducting all necessary inspections. [Ord. 868 § 3, 2025; Ord. 849 § 40, 2024; Ord. 560 § 1 (Exh. A), 2012; Ord. 529, 2009, Ord. 396 §1, 2003, Ord. 369 §1, 2002; Ord. 313 §1, 2000]

19.19.020 Applicability.

1. When a site includes more than one (1) type of STEP Housing use, the more restrictive requirements shall apply to the entire project.

2. All new STEP Housing uses and expansions of existing STEP Housing uses shall apply for a pre-application meeting per BMC 19.65.040.

3. The following requirements apply to STEP Housing uses permitted in [~~RS 7,200, RS 12,000, and RS A~~] R-1, R-2, and R-3 zones.

a. External alterations that make the property appear less residential are prohibited. Examples of such changes may include paving of setbacks, constructing large parking areas visible from the street or neighboring properties, and commercial-type lighting.

b. Any supportive services administered on-site shall only be available to residents of the use.

4. A City of Burien business license shall be obtained for all services that are provided in a STEP Housing use, as required in BMC 05.05.060. [Ord. 850 § 8, 2024]

19.20.040 Computation of required off-street parking spaces.

1. Number of Parking Spaces. Off-street parking areas shall contain, at a minimum, the number of parking spaces as stipulated in Table 19.20.040.1. If the formula for determining the number of off-street parking spaces results in a fraction, the number of off-street parking spaces shall be rounded to the nearest whole number, with fractions of one-half or greater rounding up and fractions below one-half rounding down. If two or more uses are on the same site, the total requirements for off-street parking shall be the sum of the requirements for each use computed separately, except as permitted in BMC 19.20.050 pertaining to shared parking. For all uses not listed, see BMC 19.20.030(2).

**Table 19.20.040.1
Required Parking**

Use	Parking Requirement	Special Notes
RESIDENTIAL USES		
Single detached dwelling unit	One space per unit	—

Use	Parking Requirement	Special Notes
Townhouse	One space per unit	See BMC 19.20.045 for parking exemption requirements near frequent transit.
Apartment	One space per unit	–
Middle housing	One space per unit	See BMC 19.20.045 for parking exemption requirements near frequent transit.
Studio	0.5 spaces per unit	–
Community residential facility	One for every two bedrooms	–
Senior assisted	0.5 spaces per unit	See BMC 19.20.045 for parking exemption requirements near frequent transit.
Permanent supportive housing	One space for every two employees plus one per 20 units	[See BMC 19.15.005 for parking requirements in RS zones.]
Transitional housing	One space for every two employees plus one per 20 dwelling units or beds, whichever is less	[See BMC 19.15.005 for parking requirements in RS zones.]
Emergency shelter or emergency housing	One space for every two employees plus one per 20 dwelling units or beds, whichever is less	–
Co-living housing	0.25 spaces per sleeping unit	See BMC 19.20.045 for parking exemption requirements near frequent transit.
NONRESIDENTIAL USES		
<u>All AI zone uses</u>		<u>See BMC 19.20.030.2.</u>
Cemetery		See BMC 19.20.030.2.
Community garden		See BMC 19.20.030.2.
Day care center		See BMC 19.20.030.2.
Eating and drinking establishment	Two spaces per 1,000 sq. ft. of net floor area	Buildings with less than 3,000 sq. ft. of net floor area are exempt.
Golf course	Three spaces per hole, plus three spaces per 1,000 sq. ft. of clubhouse facilities	–
Neighborhood commercial		See BMC 19.17.085.
Nursing home	One space for every four beds	–
Lodging facility	One space per unit or suite	–
Marijuana retailers	Two spaces per 1,000 sq. ft. of net floor area	–
<u>Marijuana Producers</u>		<u>See BMC 19.20.030.2</u>
<u>Marijuana Processors</u>		<u>See BMC 19.20.030.2</u>
[Nursing home	One space for every four beds	–]
Office	Two spaces per 1,000 sq. ft. of <u>net</u> floor area	Buildings with less than 3,000 sq. ft. of net floor area are exempt, except for neighborhood commercial, see BMC 19.17.085.
Convenience retail	Two spaces per 1,000 sq. ft. of net floor area	Buildings with less than 3,000 sq. ft. of net floor area are exempt.
Corner store		See BMC 19.17.085.

Use	Parking Requirement	Special Notes
Bulk retail	Two spaces per 1,000 sq. ft. of net floor area	–
Convenience auto service	Two spaces per 1,000 sq. ft. of net floor area	–
Motor vehicle sales and rental	Two spaces per 1,000 sq. ft. of net floor area	–
Light industry	One space per 1,000 sq. ft. of net floor area	–
High technology industry	Two spaces per 1,000 sq. ft. of net floor area	<u>In the I zone, increase to 3 spaces per sq. ft. of net floor area.</u>
Auto, boat, or heavy equipment repair, services, or washing	One space per 1,000 sq. ft. of net floor area	–
Self-service storage facility	One space per 3,500 sq. ft. of storage area	–
Warehousing and wholesale trade	[One space per 5,000 sq. ft.]	<u>See BMC 19.20.030.2</u>
<u>Community Facility</u>		<u>See BMC 19.20.030.2.</u>
<u>Religious Facility</u>		<u>See BMC 19.20.030.2.</u>
<u>Government Facility</u>		<u>See BMC 19.20.030.2.</u>
<u>On-Site Hazardous Waste Treatment and Storage Facility</u>		<u>See BMC 19.20.030.2.</u>
<u>Public Park and Recreation Facilities</u>		<u>See BMC 19.20.030.2</u>
<u>Public Utility</u>		<u>See BMC 19.20.030.2</u>
<u>Indoor shooting range</u>		<u>See BMC 19.20.030.2</u>
<u>Kennel</u>		<u>See BMC 19.20.030.2</u>
<u>Recycling Center</u>		<u>See BMC 19.20.030.2</u>
<u>Adult Entertainment Facility</u>		<u>See BMC 19.20.030.2</u>
<u>Community Garden</u>		<u>See BMC 19.20.030.2</u>
<u>Plant Nursery</u>		<u>See BMC 19.20.030.2</u>
<u>Artisan manufacturing</u>		<u>See BMC 19.20.030.2</u>
<u>Private Club</u>		<u>See BMC 19.20.030.2</u>
<u>Theater</u>		<u>See BMC 19.20.030.2</u>
<u>Artist's Studio</u>		<u>See BMC 19.20.030.2</u>
<u>Vocational/Technical School</u>		<u>See BMC 19.20.030.2</u>
<u>Contractor Office Light</u>		<u>See BMC 19.20.030.2</u>

2. Handicapped Parking Requirements. Off-street parking and access for physically disabled or challenged persons shall be provided consistent with BMC Title 15, Buildings and Construction.

3. Guest Parking. For residential developments containing eight or more dwelling units, the director may require additional parking spaces for guests if there is inadequate guest parking proposed on the site, and

A. Adequate, safe on-street parking is not available; or

B. The on-street parking is in or adjacent to an R-1 or R-2 zone.

4. Modification of the Number of Required Parking Spaces.

A. Development within one-quarter mile straight line distance of transit stops served by a transit route that runs at least four times an hour for twelve or more hours each weekday may request a waiver from the minimum required parking spaces, subject to a parking study under BMC 19.20.030(2).

B. An applicant may request a modification of the minimum required number of parking spaces by submitting a study of anticipated parking demand complying with BMC 19.20.030(2), proving that parking demand can be met with a reduced parking requirement. In such cases, the director may approve a reduction of the minimum required number of parking spaces on a case-by-case basis.

C. In the MU-DT zone and the Old Burien overlay, the applicant may meet their parking obligation by:

- i. Providing the required number of parking spaces following the fee in lieu of parking demand rate schedule for the MU-DT zone and the Old Burien overlay as shown in Table 19.20-2, and in accordance with the most recent parking occupancy supply of downtown Burien zones.
- ii. Performing a study of anticipated parking demand following BMC 19.20.030(2). Fee in lieu of parking is not available if required parking is determined through a parking demand study.
- iii. Under BMC 19.20.030(3), the applicant may meet a portion of their parking obligation through contribution to a parking fee-in-lieu program. The city council shall establish the cost per parking space for the parking fee-in-lieu program.

5. Parking for Shell Building Permits. When Burien receives a shell building permit application, off-street parking requirements shall be based on the possible tenant improvements or uses authorized by the zone designation and compatible with the limitations of the shell permit. When the range of possible uses results in different parking requirements, the director will establish the amount of parking based on a likely range of uses. The director may deny a certificate of occupancy for individual use if the number of parking spaces required by Chapter 19.15 BMC and this chapter is not provided.

6. Bicycle Parking.

A. Applicability. Bicycle parking is required for development exceeding the following thresholds:

- i. Residential development: eight or more dwelling units;
- ii. Convenience retail and eating and drinking establishment: 4,000 sq. ft.;
- iii. Office: 5,000 sq. ft.;
- iv. Other commercial and industrial uses: 10,000 sq. ft.;
- v. Non-dwelling-unit STEP housing types: 10 beds or 2,000 sq. ft., whichever is less;
- vi. Neighborhood commercial of any size see BMC 19.17.085;
- vii. Co-living housing: eight or more sleeping units.

B. Bicycle Parking Types.

- i. Long-term bicycle parking spaces include the following types:
 - a. Racks in an indoor, lockable bike room.
 - b. Racks in a covered, lockable bike enclosure.

c. Bike lockers.

ii. Short-term bicycle parking spaces consist of outdoor bicycle racks.

C. Required Bicycle Parking. Table 19.20.040.6 states the required number of parking spaces for specific uses that meet the thresholds in subsection (6)(A) of this section. Standards are cumulative for each use in mixed-use buildings. Bicycle parking facilities shared by multiple uses are encouraged.

Table 19.20.040.6
Required Bicycle Parking Table

Use	Residential uses	STEP Housing Dwelling Units	Non-dwelling Unit STEP Housing Types	Convenience retail and eating, and drinking establishments	Office	Other commercial and industrial uses
Long-term spaces	One for every four dwelling units or four sleeping units	One for every two dwelling units	One for every three beds	—	One per 5,000 sq. ft.	—
Short-term spaces	One for every 10 dwelling units or 10 sleeping units	One for every five dwelling units	One per 25 percent of the structure occupancy load of the STEP housing use	One per 2,000 sq. ft.	—	One per 5,000 sq. ft.

D. The director may reduce bicycle parking facilities for patrons when it is demonstrated that bicycle activity will not occur at that location.

E. Short-term bicycle parking facilities for patrons shall be within 100 feet of and visible from the building entrance and be designed to allow either a bicycle frame or wheels to be locked to a structure attached to the pavement or building. Short-term bicycle parking located in the public street right-of-way within 100 feet of the building entrance can be counted towards the short-term parking requirement.

F. All bicycle parking and storage shall be in safe, visible areas that do not impede pedestrian or vehicle traffic flow and shall be well-lit for nighttime use.

G. Indoor long-term bicycle storage must be located on the ground floor or a floor with elevator access.

7. Table 19.20-2 is used based on the results of the most recent occupancy study of publicly available parking supplies in downtown Burien zones to determine the required number of parking spaces for an applicant. A parking occupancy study should be completed every two years to determine the column in Table 19.20-2 that reflects the current occupancy. [Ord. 881 § 1, 2025; Ord. 868 § 3, 2025; Ord. 850 § 13, 2024; Ord. 849 § 52, 2024; Ord. 652 § 1, 2017; Ord. 560 § 1 (Exh. A), 2012; Ord. 531 § 1, 2010; Ord. 313 § 1, 2000; Ord. 292 § 1, 2000]

19.25.040 Landscaping buffer standard.

1. Table 19.25.040-1 indicates the landscaped buffer requirements that must be met for different categories of use. If different use categories apply to a site, the buffer standards associated with the category of use shall be used for those perimeter areas adjacent to the applicable use.

**Table 19.25.040-1
Landscape Buffer Standards**

Category of Uses	Zones	Along the Property Line Abutting a Public Right-of-Way (Except a Freeway or Alley)	Along Property Line Abutting a Freeway ^(A)	Along All Other Property Lines (Except Along an Alley)
[Residential development] All R-4, R-5, and MU zone uses	R-4, R-5 and MU zones	See Block Frontage Standards in Article 3 of Chapter 19.47 BMC	10' wide Type II	None [except in a transition area (see BMC 19.17.015)]
[Nonresidential and mixed-use development]	R-4, R-5 and MU zones	See Block Frontage Standards in Article 3 of Chapter 19.47 BMC	10' wide Type II	None, except in a transition area (see BMC 19.17.015)]
<u>Eating and Drinking Establishment;</u> <u>Office; Plant Nursery;</u> <u>Convenience Retail;</u> <u>Artisan</u> <u>Manufacturing;</u> <u>Funeral Home;</u> <u>Cultural Facility;</u> <u>Private Club;</u> <u>Theater; Artist's Studio; Contractor Office Light;</u> <u>Religious Facility;</u> <u>Government Facility;</u> <u>Recreational Facility;</u> <u>Public Park and Recreation Facility;</u> <u>Essential Public Facility</u>	<u>NB-1^(B)</u> <u>NB-2^(B)</u>	<u>10' wide Type III</u>	<u>10' wide Type II</u>	<u>10' wide Type II</u>
<u>Day Care Center;</u> <u>Community Facility;</u> <u>Religious Facility;</u> <u>Government Facility;</u> <u>Public Park and Recreation Facilities;</u> <u>Adult Entertainment Facility;</u> <u>Eating and Drinking Establishment;</u> <u>Office, Plant Nursery;</u> <u>Convenience Retail;</u> <u>Cultural Facility;</u> <u>Private Club;</u> <u>Theater, Artist's Studio; Public Park and Recreation Facility;</u> <u>Adult Entertainment Facility</u>	<u>I</u>	<u>10' wide Type III</u>	<u>10' wide Type II</u>	<u>None</u>
<u>Public Utility;</u> <u>Indoor Shooting Range; Kennel;</u>	<u>I</u>	<u>15' wide Type I</u>	<u>10' wide Type I</u>	<u>10' wide Type II, except when abutting the I zone, then none</u>
<u>Auto, boat or heavy equipment repair, services or washing;</u> <u>High Technology Industry; Light Industry; On-site Hazardous Waste</u>	<u>I</u>	<u>15' wide Type I</u>	<u>25' wide Type I</u>	<u>25' wide Type I except when abutting the I zone, then none</u>

Category of Uses	Zones	Along the Property Line Abutting a Public Right-of-Way (Except a Freeway or Alley)	Along Property Line Abutting a Freeway ^(A)	Along All Other Property Lines (Except Along an Alley)
Treatment and Storage Facility; Self Service Storage Facility; Recycling Center; Marijuana Producers; Marijuana Processors				
Off-site hazardous waste treatment and storage facility	I	25' wide Type I	25' wide Type I	25' wide Type I
All AI zone uses ^(B) except Community Garden	AI zones	25' wide, Type II (along 8th Ave. So. or Des Moines Memorial Dr.); otherwise, 15' wide, Type III	None	50' wide Type I (along the northern perimeter of the AI zone); otherwise, 10' wide Type III
Community Garden	All zones	None	None	None
[Industrial uses, including: [*] Public utility; [*] Indoor shooting range; • High technology industry • Light industry • On-site hazardous waste treatment and storage facility • Self-service storage facility •] Kennel; [*] Recycling center • Off-site hazardous waste treatment and storage facility •] Marijuana producers; [*] Marijuana processors; Vocational/Technical Schools	All other zones [except AI zones]	15' wide Type I	10' wide Type I	10' wide Type II, except when abutting an I zone, then none
[All AI zone uses except a community garden ^(B)]	AI zones	25' wide, Type II (along 8th Ave. So. or Des Moines Memorial Dr.); otherwise, 15' wide, Type III	None	50' wide Type I (along the northern perimeter of the AI zone); otherwise, 10' wide Type III]

Special Conditions

(A) Landscaping abutting a freeway shall be installed within the freeway right-of-way, if permitted by the Washington State Department of Transportation (WSDOT). If such approval is not granted, the landscaping shall be installed on the site.

(B) The required landscaping width can be reduced up to 50 percent through the use of a landscape berm. Minimum berm width shall be equal to the amount of landscaping width reduction. Minimum berm height shall be one foot for each three feet of berm width or portion thereof.

The required landscaping width can be reduced up to 75 percent through the use of a solid wall and landscaping. The wall shall use materials (such as wood or concrete) in the same architectural style as the building on the property. Minimum wall height shall be eight feet. Required landscaping shall be on the outside of the wall.

2. Properties abutting Des Moines Memorial Drive are also subject to BMC 19.25.060(2). [Ord. 868 § 3, 2025; Ord. 849 § 55, 2024; Ord. 780 § 16, 2022; Ord. 529, 2009; Ord. 441 § 12, 2005; Ord. 396 § 1, 2003; Ord. 293 § 1, 2000]

19.25.090 Landscaping – Alternative options.

The following alternative landscape options may be allowed only if they accomplish equal or better levels of screening and are subject to Director approval:

1. The width of perimeter landscaping required by BMC 19.25.040 or BMC 19.25.070 may be reduced up to 25 percent along any portion where:

- A. A development meets their entire required tree credits with existing significant or exceptional trees on the site; or
- B. Berms at least three feet in height or architectural barriers at least six feet in height (consistent with the style and materials of the building(s) on site) are incorporated into the landscape design; and
- C. The landscape materials that would have been planted in the perimeter landscape area are planted along the street facing facade of the building(s) on the site. ~~[These landscape materials are in addition to the required building facade landscaping in BMC 19.25.040.]~~

2. The landscaping requirements of BMC 19.25.040 or BMC 19.25.070 may be modified when:

- A. Existing conditions on or adjacent to the site, such as significant topographic differences, vegetation, structures or utilities would render application of this chapter ineffective or result in scenic view obstruction; or
- B. The landscape materials are incorporated elsewhere on-site and the modification would result in comparable or superior landscaping than would result from compliance with the required standard. [Ord. 780 § 25, 2022; Ord. 293 § 1, 2000]

19.26.050 Minimum tree credits.

1. A minimum tree credit density shall be maintained on each lot as specified in the table below, regardless of development status. The tree credits may consist of existing significant or exceptional trees, replacement trees, or a combination. Only healthy trees can be used to satisfy the required minimum tree credits. If the number of trees required includes a fraction of a tree, any amount equal to or greater than one-half shall be rounded up.

Table 19.26.050-1 Required Minimum Tree Credits

Zones	Required minimum tree credits per 1,000 square feet of developable area
R-1, R-2, R-3, NB-1, NB-2	1
[Mixed Uses,] MU-1, MU-1BP, MU-2, MU-2 E, MU-2 CD, MU-C, MU-A, MU-DT, MU-B, SPA-2, R-4, R-5	0.5
I, AI	0.15

A. Calculating Tree Credits. Tree retention standards shall be applied to the property's developable area. Developable area excludes critical areas and their buffers, public street rights-of-way, private PUD streets, shared driveways, and public trails. For example: If a lot developed with a single detached dwelling unit has a developable area of 6,600 square feet, the minimum required tree credits would be seven ($6,600/1,000 = 6.6$ rounded up to 7); this could be obtained by retaining one tree worth seven credits or seven trees each worth one credit. If a lot developed with a single detached dwelling unit has a developable area of 5,400 square feet, the minimum required tree credits would be five ($5,400/1,000 = 5.4$ rounded down to 5); this could be obtained by retaining one tree worth five credits or five trees worth one credit.

B. For sites with existing healthy significant or exceptional trees, a minimum percentage of tree credits shall be from retained trees; the remainder may be from retained trees or newly planted trees. To ensure that existing trees are appropriately retained as new development activities occur, 50 percent of required tree credits must be achieved through the retention of existing trees, except in the following circumstances:

i. Lots 3,000 square feet or less are exempt from meeting the required minimum tree credits with existing trees, except pursuant to exceptional tree requirements in BMC 19.26.040. These lots can meet the minimum required tree credits either through tree replacement or fee-in-lieu per BMC 19.26.100(5);

ii. If retention will limit the impervious surface to less than 85 percent of the maximum allowed impervious surface area pursuant to Chapter 19.15 BMC;

iii. If the lot does not have sufficient significant or exceptional trees to meet the tree retention requirements, then any existing healthy trees shall be retained, provided the lot does not meet the criteria in subsection (1)(B)(i) or (1)(B)(ii) of this section.

C. Any trees planted to meet the landscaping requirements of Chapter 19.25 BMC shall count towards the required minimum tree credits, provided they meet the planting standards in BMC 19.26.100.

D. Tree credits shall be assessed in the following priority:

i. First, existing healthy trees.

ii. Second, replacement trees.

iii. Last, fee-in-lieu per BMC 19.26.100(5), where each fee-in-lieu will count as one credit.

2. Any lot that, in its current condition, does not meet the required minimum tree credits shall be brought into conformance when the following thresholds are met:

A. Construction of a new structure that is 500 square feet or larger; or

B. Construction of an addition to an existing structure where the addition is 500 square feet or larger.

3. The following process shall be used for calculating the required minimum tree credits for a lot or lots that are being subdivided to determine tree retention and replacement. The required minimum tree credits shall be applied to the developable area of the short plat or subdivision (developable area excludes critical areas and their buffers, public street rights-of-way, private PUD streets, shared driveways, and public trails). Additionally, each lot requires a minimum of two tree credits per lot.

As an example, if a lot had 20,000 square feet of developable area, it would require 20 tree credits for the entire property ($20,000/1,000 = 20$). If the parcel were divided into four lots, each of the lots would require a minimum of two tree credits, or a total of eight tree credits ($4 \text{ lots} \times 2 \text{ credits per lot} = 8 \text{ tree credits}$). The remaining 12 tree credits ($20 \text{ credits} - 8 \text{ credits} = 12$) can be on any combination of lots or open space.

4. Trees located within a critical area or associated buffer may not count towards that lot's required minimum tree credits.

5. Trees growing on a property line shall count as half the tree credits listed in Table 19.26.050-2.

6. Nonsignificant healthy trees between one and six inches in diameter at standard height may count as 0.75 credit per retained tree in lieu of replacement trees.

Table 19.26.050-2 Tree credits

Existing Significant and Exceptional Trees								Planted trees	
Tree DSH¹ Or size	6 to 10 inches DSH	Larger than 10 and up to 14 inches DSH	Larger than 14 and up to 18 inches DSH	Larger than 18 and up to 22 inches DSH	Larger than 22 and up to 26 inches DSH	Larger than 26 and less than 30 inches DSH	30 inches or greater DSH and all exceptional trees	2-inch caliper deciduous or broadleaf tree	6-foot tall evergreen conifer

Existing Significant and Exceptional Trees								Planted trees	
Credits per tree	1	2	3	4	5	7	9	1	2

¹ Diameter at standard height (DSH), which means the diameter of a tree trunk measured at 4.5 feet above average grade, is used in determining the diameter of existing trees. Where a tree has a branch(es) or swelling that interferes with the measurement at four and one-half feet above average grade or where a tree tapers below this point, the diameter is measured at the narrowest point below four and one-half feet. For trees on a slope, the four and one-half feet is measured from the average of the highest and lowest ground points, or, on very steep slopes where this is not possible, the lowest practical point on the uphill side. Where a tree splits into several trunks close to ground level, the DSH for the tree is the square root of the sum of the DSH for each stem squared (example with 3 stems: $DSH = \text{square root} [(stem1)^2 + (stem2)^2 + (stem3)^2]$)

[Ord. 868 § 3, 2025; Ord. 780 § 34, 2022]

19.30.060 Nonresidential zones

1. SPA-2 zone: Signs in the SPA-2 zone will be reviewed and approved as part of a City-approved Master Plan for the zone, as described in BMC 19.15.060.

2. Permitted signs: Signs allowed on private property (both on and off-site) in non-residential zones are described herein and in Table 19.30-1. For signs allowed in the right-of-way, see the requirements stated herein, as well as in Table 19.30-1.

3. Allowed Temporary signs. The following types of temporary signs are allowed within the non-residential zones, pursuant to the requirements of this Chapter and Table 19.30-1:

A. Lawn signs, bag signs, and similar signs made of a corrugated plastic, poly bag, paperboard or similar material, may be displayed for up to one-hundred and eighty (180) days in any one year period, provided:

1. Size shall not exceed six (6) square feet per sign face, and signs shall be limited to two faces, on private property with the consent of the property's owner(s), and in public rights-of-way, other than paved vehicular travel lanes, roundabouts, paved parking areas, sidewalks, or pedestrian paths, driveway aprons and center medians.
2. Signs shall not be affixed to public utility poles, lamp posts, traffic signals, traffic signs, public buildings, public structures or public property other than public rights-of-way.
3. Signs shall not be placed in parking spaces or identified pedestrian or bicycle routes.

B. A-Frame signs may be displayed on-site during daylight hours or while the business is operational (whichever is longer), subject to the following limitations:

1. Each business shall be permitted one A-Frame signs no greater than six (6) square feet per sign face (limited to two faces).
2. Businesses without street frontage may place an A-frame sign off-site (but not in the public right of way) with the off-site property owner's permission, provided the sign does not block pedestrian or vehicle travel.

C. Carnival-like devices (Balloons, pennants, ribbons, streamers, spinners, and other similar moving, revolving or fluttering devices) may be displayed on-site during daylight hours, and for up to three (3) consecutive days in any one month period.

D. Flags, not exceeding twenty-five (25) square feet in size, may be displayed on-site, provided flag poles will be treated as a structure for setback and height limit purposes.

E. Public service signage, including but not limited to land use and construction notice signs, and traffic signage may be displayed on-site or on public property.

4. Building-mounted sign area: Certain permitted signs in Table 19.30-1 are included in total sign area allowed. The building-mounted sign area allowed is determined as follows:

A. Primary building facade: Only one building facade is defined as the primary building facade. Each business or tenant with frontage on the primary building facade is allowed up to one (1) square foot of signage for each linear foot of primary building facade, to be located on the tenant's primary building facade. Every business or tenant is entitled to a minimum sign area of 30 square feet. No single sign face shall be greater than 240 square feet, except through the addition of bonuses in sections 19.30.060.4.F and G.

B. Secondary building facade: Each business or tenant is allowed up to 1/4 square foot of signage for each linear foot of secondary building facade.

C. Multi-tenant building or multi-tenant complex: For a multi-tenant building or multi-tenant complex, the calculation of building facade for an individual tenant shall be related to the proportion of the building facade owned or leased by that tenant.

D. Businesses or tenants with no building facade: In those cases where a business or tenant has no building facade, that business or tenant is allowed a maximum sign area of 30 square feet to be located on the primary building facade or 8 square feet to be located on a secondary building facade.

E. Businesses or tenants on second floors and above: In those cases where a business or tenant is located on the second floor or above, that business or tenant is allowed a maximum sign area of 30 square feet to be located on the primary building facade or 8 square feet to be located on a secondary building facade. A Master Sign Plan is required for signs on a building facade more than 2 stories high with more than one wall sign on any facade.

F. If the site does not have any freestanding signs (except for directional signs or multi-tenant complex identification signs), the amount of signage allowed in BMC 19.30.060.4.A and B may be increased by 25%.

G. If all building-mounted signs on the site are logos, individual cutout/channel letters (lighted or non-lighted) or are non-internally illuminated signs, the amount of signage allowed in BMC 19.30.060.4.A and B may be increased by 25%.

5. Freestanding signs: Certain permitted signs in Table 19.30-1 are included in the total sign area allowed for a freestanding sign. The following standards apply to freestanding signs:

A. Freestanding sign area allowed: The maximum freestanding sign area allowed is 1 sq ft of sign area for each linear foot of street frontage per site, subject to the limitations below. The property owner shall allocate the amount of sign area allowed in this section to his or her tenants. This allocation shall be made in writing as part of the tenant's signed permit application. The minimum letter height for signs identifying more than one business or tenant shall be 10 inches.

i. NB-1, NB-2, MU-B, MU-DT, MU-2, MU-2 E, MU-2 CD, and MU-C zones: Maximum 32 sq. ft.

ii. MU-1, MU-1 BP, MU-C and I zones: Maximum 48 sq. ft.

iii. AI and MU-A zones: 50 sq. ft. plus 1 additional square foot of signage for each three (3) linear feet of street frontage (or portion thereof) up to a maximum total of 200 sq. ft.

B. Maximum height allowed: The maximum allowable height for a freestanding sign is as follows:

i. NB-1, NB-2, MU-B, MU-DT, MU-2, MU-2 E, MU-2 CD, and MU-C zones: 5 feet.

ii. MU-1, MU-1 BP, MU-C and I zones: 8 feet.

iii. AI and MU-A zones: 20 feet plus 1 additional foot of height for each 25 linear feet (or portion thereof) of street frontage, up to a maximum total height of 35 feet.

C. Number of freestanding signs allowed: One (1) freestanding sign per site per street frontage. An additional monument sign is allowed on a site's street frontage of 400 feet or greater. On a site with multiple street frontages, each street frontage shall be considered independent of the other street frontages. Multiple freestanding signs shall be separated by at least 150 feet, drawn in a straight line between the closest edges of the signs. The additional monument sign shall comply with the following standards:

- i. NB-1, NB-2, MU-B, MU-DT, MU-2, MU-2 E, MU-2 CD, and MU-C zones: Maximum 32 sq. ft. and 5-foot height.
- ii. MU-1, MU-1 BP, MU-C and I zones: Maximum 48 sq. ft. and 8-foot height.
- iii. AI and MU-A zones: Maximum 64 sq. ft. and 12-foot height.

D. Multi-tenant complex identification signs: In addition to the sign area allowed in subsection (5)(A) of this section and number of signs allowed in subsection (5)(C) of this section, each multi-tenant complex encompassing at least 8 acres of land may have an additional 32 sq. ft. to be used for the name of the complex. This signing may be displayed on a building within the complex, combined as part of other signage in the complex, or on an additional monument sign complying with height limits of subsection (5)(B) of this section along the street frontage that provides direct vehicular access to the complex. The multi-tenant complex identification sign shall not identify individual tenants unless the name of the complex is the name of one of the tenants.

E. In the MU-DT, MU-2, MU-2 E, MU-2 CD, and MU-C zones, the following additional requirements must be met for the display of a freestanding sign:

- i. There must be usable motor vehicle access to the customer parking for the site from the street to which the sign is oriented.
- ii. The sign must be located within 20 feet of the vehicular access point to the site. The Director may modify this requirement for sight distance or safety reasons.
- iii. The site must have at least 100 feet of street frontage.
- iv. The building(s) that are identified on the sign must be set back at least 25 feet from the property line along the street to which the sign is oriented.

F. Minimum setback allowed: The minimum setback for a freestanding sign is 5 feet, except no setback is required in the MU-DT, MU-2, MU-2 E, MU-2 CD, and MU-C zones.

G. Sign quality: The color, shape, material, lettering, and other architectural details of the sign and sign structure must be consistent and compatible with the color, shape, material, lettering, and other architectural details of the primary structure.

H. Pole covers. A pole sign must have a cover over the pole that is consistent and compatible with the color, shape, and material of the sign structure. The width of the cover parallel to a sign face shall be at least 25% of the width of the sign face. No copy other than the property address shall be placed on the pole cover.

I. Auxiliary projections or attachments that are not part of a single, integrated design are prohibited.

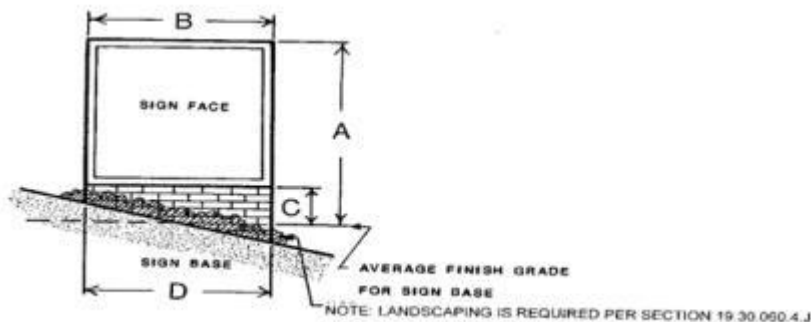
J. An area around the base of each freestanding sign erected after July 23, 2002, at least equal to the area of all sign faces must be landscaped to improve the overall appearance of the sign and to reduce the risk of automobiles hitting the sign or its supports. Landscaping shall consist of shrubs and groundcover complying with the standards of Type IV landscaping as described in Chapter 19.25 BMC. The landscape area shall be enclosed with a cast concrete curb. The Director may waive or modify the landscaping requirement if:

- i. The required landscaping would cause a reduction of the number of existing parking spaces below the number required in Chapter 19.15 or 19.20 BMC; or

- ii. The required landscaping would interfere with proper storm drainage; or
- iii. The required landscaping would not be visible to the general public; or
- iv. The sign is incorporated into pedestrian-oriented features in the MU-DT, MU-2, MU-2 E, MU-2 CD, and MU-C zones.

K. The following figure illustrates the dimensional standards for monument signs:

FIGURE 19.30-1: MONUMENT SIGN



A: Maximum height of sign per Table 19.30-1 (for residential zones) and BMC 19.30.060 (for non-residential zones)

B: Maximum=200% of A

C: Minimum=20% of A

D: Minimum of 100% of B

Minor deviations from these dimensional standards for monument signs, except for sign area and height, may be approved by the Director if the resulting sign does not significantly change the relative proportion of the sign base to the sign face.

6. Non-residential (such as commercial or industrial) property for sale, lease or rent are permitted one additional wall or freestanding sign during the time that the property is for sale, lease or rent, that shall comply with the following requirements:

1. One sign per street frontage is allowed.
2. The sign shall not exceed 32 square feet in area per sign face (16 square feet per sign face if the face is visible from more than one direction), and shall not exceed 10 feet in overall height.
3. The sign shall be removed upon closing of the sale, lease or rental of the property.
4. If greater than 6 square feet in area per sign face, a sign permit is required. The sign permit shall be valid for a one year period, at which time the sign shall be removed. The permit is renewable annually for up to a maximum of three years.
5. Signs must be professionally prepared and maintained in good condition. [Ord. 849 § 57, 2024; Ord. 708 § 1, 2019; Ord. 529, 2009, Ord. 358 § 1, 2002]

19.47.310 Interior/side and rear yard setbacks

1. Purpose.

A. To promote the functional and visual compatibility between developments, particularly between zones of different intensity.

B. To protect the privacy of residents on adjacent properties.

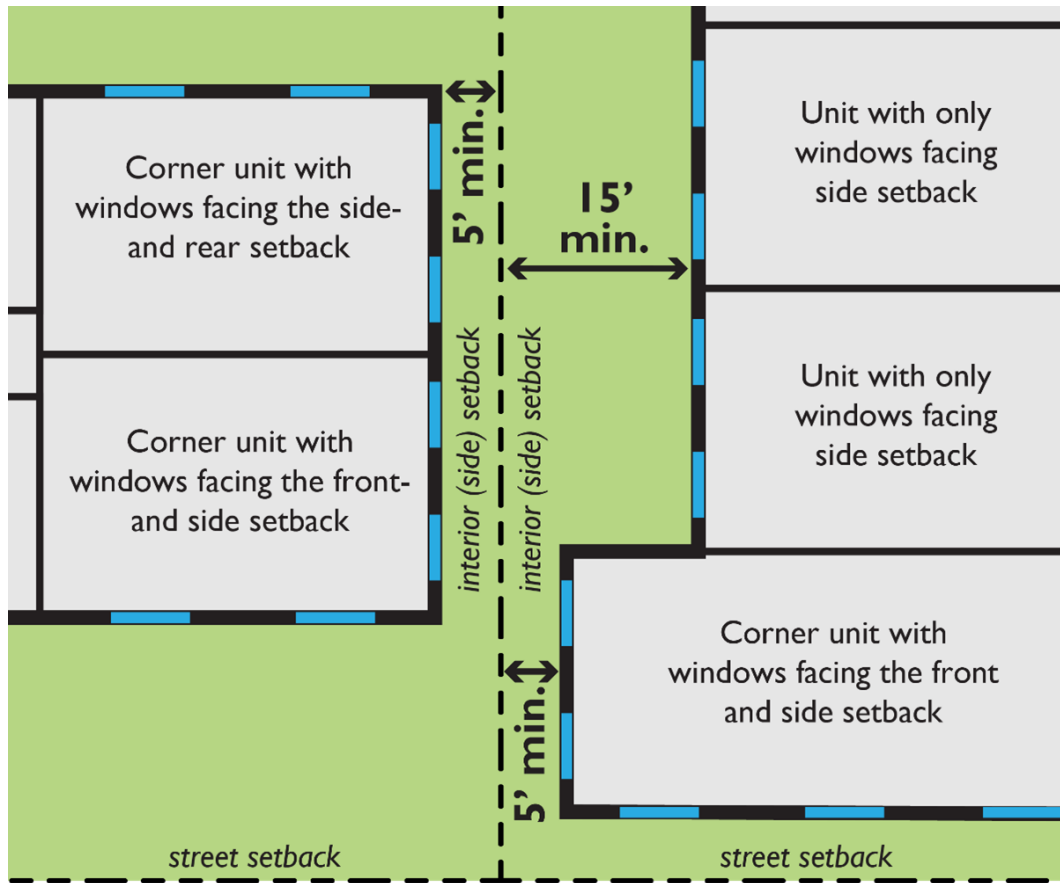
2. Interior Setback Standards. Setback standards are set forth in BMC 19.15.015.2(C) and (D) for R-4 and R-5 zones and BMC 19.15.020(2)(B) and BMC 19.15.025.2(C) for MU zones.

3. Light and air access and privacy near interior property lines. Buildings or portions thereof containing multifamily dwelling units whose only solar access (windows) is from the applicable side or rear of the building (facing towards the interior property lines) must be set back from the applicable property lines at least 15 feet. See Figure 19.47.310.3. For such building elevations taller than four stories, floors above the fourth floor must be set back at least 20 feet from the applicable property lines. Note: these standards do not apply to interior property lines adjacent to a street, access corridor, or easement where no building may be developed.

Departures will be allowed where it is determined that the proposed design will not create a compatibility problem in the near and long term based on the unique site context.

Figure 19.47.310.3

Light/Air Access and Privacy Standards for Multifamily Residential Buildings Along Interior Property Lines



Note that the minimum setbacks noted above only apply to buildings (and portions thereof) featuring the stated characteristics.

[Ord. 868 § 3, 2025; Ord. 849 § 61, 2024]

19.50.020 PWSF Locations and Permit Process.

1. The following table indicates the hierarchy of locations to review an application for a PWSF. The applicant bears the burden to show that location in a higher priority is not technically feasible. Small wireless facilities not requiring new poles or structures and eligible facilities requests are exempt from this hierarchy requirement and shall follow the permit processes outlined in subsections (3) and (4) of this section and BMC 19.50.070, respectively. Pursuant to WAC 197-11-800(25), some PWSF may require a SEPA Review as part of the review processes outlined below.

Priority (highest to lowest)	Special Review Process (See Chapter 19.65 BMC)	Type of PWSF and Location
1	None	A. Collocation of antennas on an existing support structure in a non-residential zone. B. Attachment of antennas to existing structures in the I, AI, MU-A, MU-2, MU-2 E, and MU-1 BP zones. C. Antennas attached to existing or replacement ball field light standards, electrical transmission towers, water tanks, or existing utility poles in any zone or public street. D. Any PWSF in the public rights-of-way will require a right-of-way use permit. E. Any PWSF outside of the public rights-of-way will require a building permit.
2	Type 1	A. Attachment of antennas to existing structures (except single detached dwelling units and their accessory structures) in the <u>NB-1</u>, <u>NB-2</u>, <u>MU-B</u>, <u>MU-</u>

Priority (highest to lowest)	Special Review Process (See Chapter 19.65 BMC)	Type of PWSF and Location
		DT, MU-2, MU-2 CD, MU-I, MU-C, SPA-2, RM , R-5, R-4, <u>R-3, R-2, and R-1</u> , and RS zones . B. New support structures or poles in the public rights-of-way or outside of the public rights-of-way proposed to site new small wireless facilities, provided that the requirements of BMC 19.50.075 are met, except in those public rights-of-way in the MU-DT zone.
3	Type 2	Any PWSF not listed above, except for the following which are prohibited: lattice towers in all zones, new monopoles, and structures that support small wireless facilities in the MU-DT zone and public rights-of-way in the MU-DT zone and new monopoles in residential zones.

2. An applicant for a Type 2 review for a PWSF to be located within a residential zone or within 100 feet of a residential zone shall demonstrate that the proposed facility cannot be located in a non-residential zone, or greater than 100 feet from a residential zone and that due to valid considerations including physical constraints, or technological feasibility, no other location is available. The applicant is required to demonstrate that it contacted the landowners or owners of structures in excess of thirty feet (30') in height within a one-quarter mile radius of the proposed site (except single detached dwelling units and their accessory structures), and asked for permission to build the support structure or install the antenna on an existing structure. The information submitted by the applicant shall include a map of the area to be served by the facility, its relationship to other sites in the applicant's network (within and outside of Burien city limits), and, an evaluation of existing available land, buildings and structures taller than thirty feet (30') within one-quarter mile of the proposed site.

3. Small wireless facilities not requiring new poles or structures and meeting the requirements of this Chapter are permitted in any zone with a right-of-way use permit (if located in the right-of-way) or a building permit (if located outside of the right-of-way).

4. If the applicant is proposing a PWSF located in the public rights-of-way, then the applicant must apply for a franchise. The Director may process the application for a PWSF permit concurrently with an application for a franchise, but any such permit will be conditioned on approval of the franchise by the City Council.

5. To the extent applicable, permits issued under this Chapter 19.50 BMC for PWSF in the public rights-of-way shall comply with the process requirements in Chapter 19.65 BMC except that such decisions are exempt from RCW 36.70B.60 through 36.70B.080 and RCW 36.70B.110 through 36.70B.130. [Ord. 849 § 65, 2024; Ord. 700 § 1, 2018; Ord. 529, 2009, Ord. 385 § 1, 2003, Ord. 265 § 5, 1999]

DRAFT Existing Conditions and Zoning Limitations Report North of NERA Rezone Project

Executive Summary

This *draft Existing Conditions and Zoning Limitations Report* establishes the physical and regulatory framework that will guide the development of future zoning alternatives for the North of NERA Rezone Project. The project area is designated for industrial land use in the Burien 2044 Comprehensive Plan to help meet the city's long-term employment growth targets, however, existing conditions within the area contrast the large-scale industrial development pattern found immediately to the south within the Northeast Redevelopment Area (NERA).

The project area is characterized by long-established residential neighborhoods developed on predominantly small, single-family parcels. Existing development reflects incremental infill over time rather than large scale subdivisions or master-planned development, resulting in partial street connections and a continued residential presence that is expected to remain.

The area is primarily residential, and existing conditions demonstrate a low baseline level of employment activity through small-scale businesses operating under current home occupations zoning regulations pursuant to Burien Municipal Code (BMC) 19.17. These uses are dispersed, generally compatible with surrounding residences, and reflect an employment pattern that is modest in scale and often service oriented. This suggests that increased employment opportunities may be more feasible if barriers for home-based businesses are removed and the existing businesses are able to expand rather than planning and zoning for relocation or established large-scale businesses.

Physical and regulatory constraints further shape what is realistically possible within the project area. These include parcel size and configuration, limited publicly owned land, roadway and access conditions, airport-related land use compatibility concerns, and the presence of Critical Aquifer Recharge Areas that restrict certain high-intensity or hazardous uses. Together, these constraints limit the suitability of most heavy industrial uses that may otherwise be appropriate elsewhere in the city.

Zoning alternatives prepared in forthcoming phases of the project will align with the Comprehensive Plan's industrial designation while responding to the existing development pattern, environmental constraints, and surrounding residential context documented in this report. The intent is to ensure that future zoning discussions are grounded in realistic

expectations, transparent about limitations, and focused on employment outcomes that are both feasible and compatible with the existing conditions.

Commented [LS1]: This seems like it should be the beginning, essentially the executive summary and then the more detailed information following.

1. Purpose

The purpose of the Existing Conditions and Zoning Limitations Report is to establish a factual and policy-based foundation for the North of NERA Rezone Project to inform future zoning alternatives. This report documents current physical conditions, existing land use and zoning patterns, surrounding context, and applicable regulatory limitations within the project area.

The North of NERA Rezone Project area is designated as industrial in the future land use map as adopted in the Burien 2044 Comprehensive Plan to meet the allocated job target of 4,770 net new jobs citywide by 2044. The North of NERA Rezone area was allocated 700 net new jobs, approximately 15 percent of the citywide allocation. The Comprehensive Plan establishes the long-term vision for land use and zoning serves as the implementing tool that determines what uses are allowed, how they can look, and what regulations apply. Future zoning alternatives are informed within the context and limitations identified in this report and shaped by input from the Burien Planning Commission, residents, property owners and business community. Subsequent phases of the project will present zoning concepts for discussion that align with the Comprehensive Plan and reflect the constraints documented in this report for consideration.

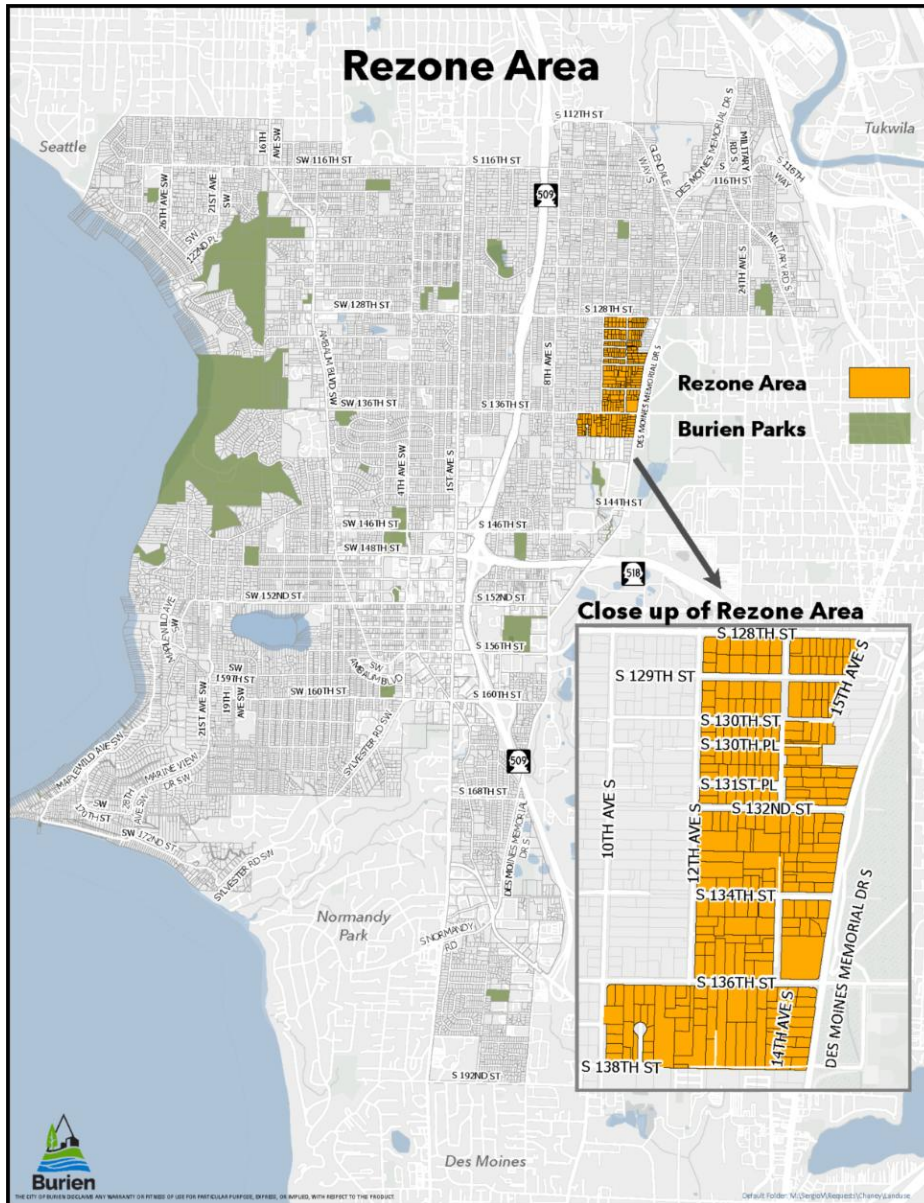
This report is intended to inform a range of zoning alternatives under consideration and does not evaluate or propose specific zoning changes.

2. Project Area Overview

2.1 Location and Boundaries

The project area is located along the eastern city limits of Burien adjacent to the City of SeaTac. It is generally bounded by Des Moines Memorial Drive to the east, S 138th Street to the south, S 128th Street to the north, and 12th Avenue S (between S 128th Street and S 136th Street) and 10th Avenue S (between S 136th Street and S 138th Street) to the west. Exhibit 1 below shows the project area in orange.

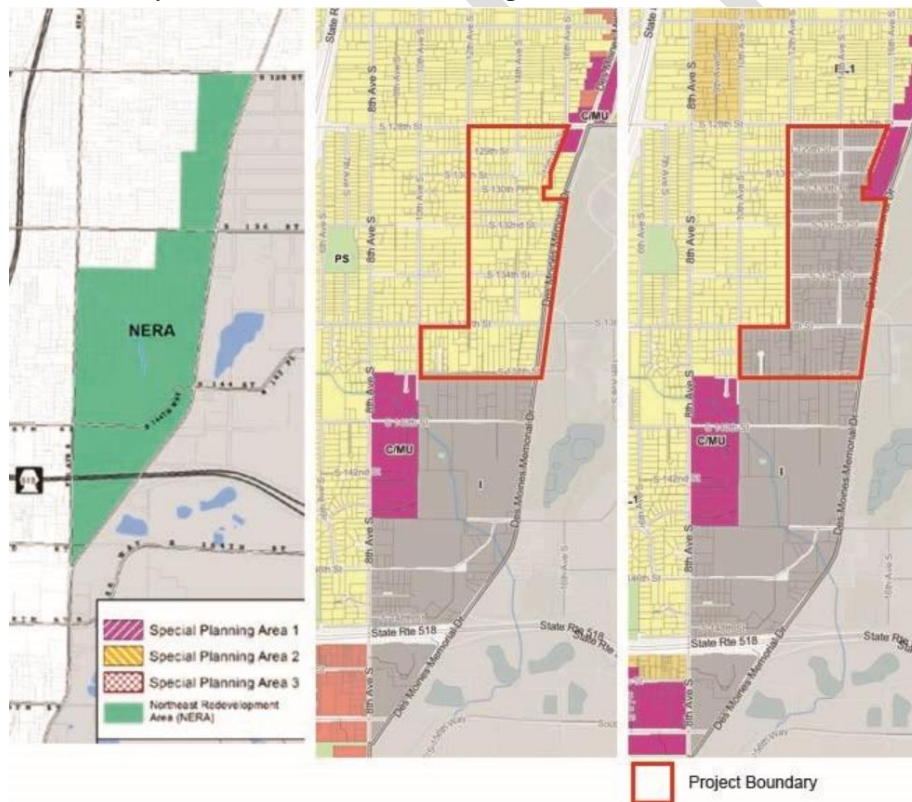
Exhibit 1. Rezone Area Vicinity Map



This project is currently referred to as North of NERA due to its locational relation to the NERA (Northeast Redevelopment Area). NERA was first identified in Burien's Comprehensive Plan in 1997 as a special redevelopment district for its industrial potential due to its proximity to Sea-Tac Airport and the land-use and noise constraints that accompany airport operations. As a result, the City of Burien and Port of Seattle (a major landowner in NERA and operators of the Airport) partnered to develop a redevelopment plan and implementation strategy. The plan was shaped by community input, market and economic analysis, evaluation of existing conditions and master planning. More information about the plan is available on the [city webpage](#).

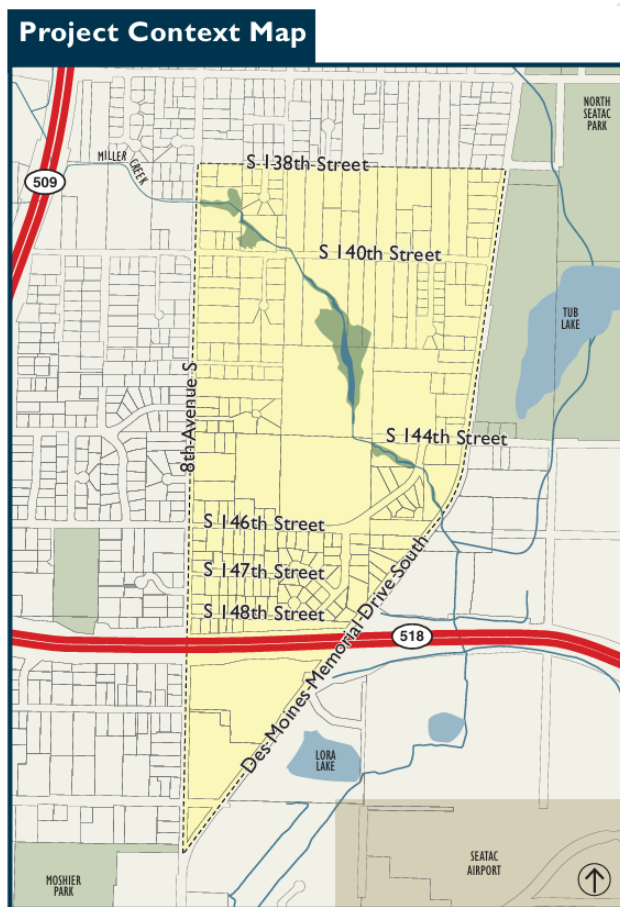
Exhibit 2 below provides an overview of the boundary of the land use designation change from the Burien Comprehensive Plan over the years.

Exhibit 2. Comprehensive Plan Amendment Change in 2024



The current NERA boundary is reflected in Exhibit 3 below and follows the NERA “Planned Action” boundary. A planned action is a tool that streamlines and expedites the permit review process for qualifying projects through preemptively assessing the environmental impacts of future development in an environmental impact statement (EIS). NERA is one of three Planned Action areas in Burien (Ambaum and Boulevard Park, and Greater Downtown Urban Center).

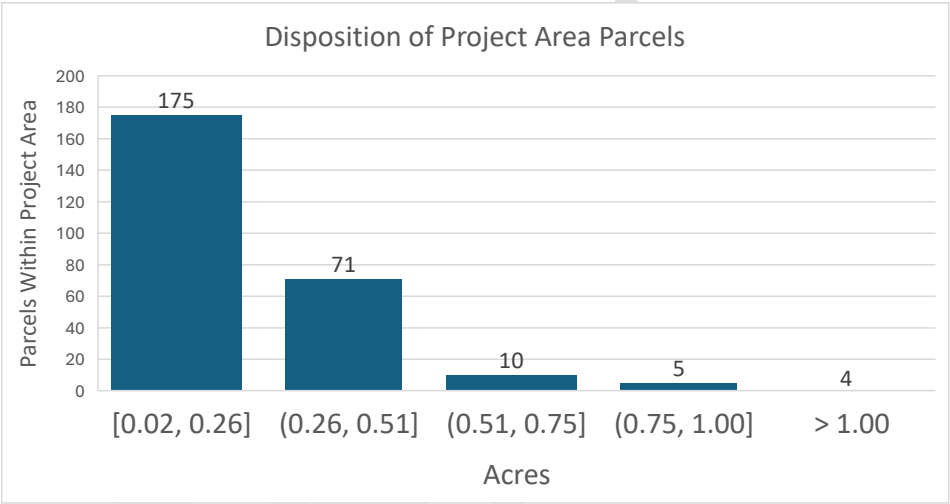
Exhibit 3. NERA Boundary



2.2 Size and Lot Configuration

The project area is made up of 265 lots, equaling approximately 74 acres (not including the right of way). A vicinity map of the project area is reflected in Exhibit 1 above. Parcels within the project area on average are 12,224 square feet (.28 acres) ranging from 3,012 square feet (.07 acres) to the largest 99,752 square feet (2.29 acres), both of which are currently developed with a single detached single-family home. The chart below displays the disposition of project area parcel sizes.

Exhibit 4. Disposition of Project Area Parcels



The predominance of small, residentially plated lots within the project area impacts future employment feasibility and development outcomes for land intensive businesses. With approximately 93 percent of parcels smaller than half an acre, the project area does not reflect the parcel configuration typically associated with large-scale industrial or logistics development comparable to the existing NERA boundary, see section 3.2 below.

Small lot sizes can limit the ability to accommodate larger building footprints, internal circulation and loading, and any requirements to buffer large and intensive uses from the existing residential uses. As a result, redevelopment under future employment-oriented zoning is more likely to occur through incremental redevelopment, potential parcel consolidation, small-scale employment uses and home occupations rather than redevelopment of large sites.

The limited number of parcels larger than one acre (approximately two percent of the project area) further limits the likelihood of immediate, large-scale redevelopment. While parcel assembly may occur over time, the local context and existing residential development pattern will impact what redevelopment is most feasible. In addition, from a compatibility standpoint, the existing lot pattern also reinforces the importance of transition standards and performance-based regulations to ensure that new development can coexist with remaining residential uses and adjacent residential zones.

2.3 Tenure and Development Pattern

The project contains a variety of neighborhoods. Most of the lots in the project area are developed with detached single-family residential homes. Some are the product of formal subdivisions resulting in uniformly created lots of the same size developed around the same time such as South 132nd and South 128th Street or the cul-de-sac north of South 138th street.

Commented [LS2]: any suffixes?

Commented [CS3R2]: Good catch

Other neighborhoods are better characterized as infill reflecting a range of lot sizes and shapes along the same block. Infill development is small scale development that may include the addition of Accessory Dwelling Units (ADUs) or short plat subdivisions creating four or less lots commonly resulting in flag shape lots for access. A consequence of small-scale infill development verse large subdivisions is that development occurs much more slowly and in a less coordinated and synchronized way resulting in occasional gaps in right of way connections making it more difficult to link the street grid since dedication generally occurs as part of the development permit review. For example, within the project area 14th Ave SW is completely interrupted and does not currently connect through 132nd Street.

Commented [LS4]: the whole street or sidewalks?

Commented [CS5R4]: Both - edited to reflect that

2.4 Project Area Development Intensity and Neighborhood Characteristics

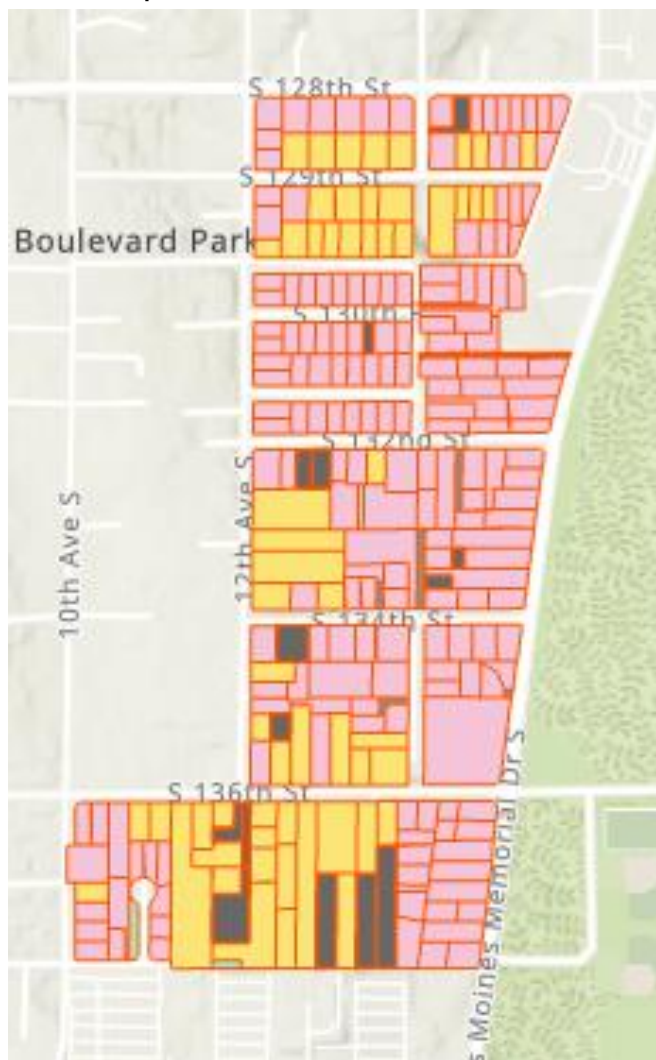
Development intensity within the project area is generally low, with building types dominated by one- and two-story detached residential structures constructed over multiple decades with some exceeding a century old. While a detailed analysis of recent permitting activity and building lifecycle assessment is outside the scope of this report, the existing development pattern reflects long-term residential stability with limited evidence for future coordinated redevelopment activity.

2.5 Sewer Availability

The project area is served by the Valley View Sewer District and the Southwest Suburban Sewer Districts. While the entire project area falls into sewer services areas, not all developed parcels are currently connected to sewers.

According to the [King County Septic and Group B records](#), 184 of the developed parcels within the project area are connected to sewer, displayed in pink and 58 developed parcels are served by on-site sewer systems displayed in yellow on Exhibit 5. The remaining grey and green parcels are undeveloped, vacant, and or publicly owned without onsite septic or connection to sewer.

Exhibit 5. Septic and Sewer Records



2.6 Publicly Owned Property

Publicly owned property within the project area represents a small constraint on redevelopment potential. There are only three publicly owned parcels within the project area that together are approximately 21,000 square feet. Two are stormwater facilities owned by the City of Burien that are inspected annually and maintained by the city as needed. Neither can be redeveloped due to their current functions. The third is a parcel owned by Valley View Sewer District and is also not anticipated to be developed at this time.

2.7 Stormwater Projects and Planning

The Boulevard Park neighborhood, located immediately north of the project area, has experienced long-standing chronic flooding issues associated with an aging and primarily privately owned stormwater conveyance system. In response, the City of Burien contracted Otak to complete a flooding study in 2022 to advance a multi-phase flood reduction and infrastructure improvement program in partnership with Valley View Sewer District. Improvements include new stormwater infrastructure and installation of public sanitary sewer service to replace failing septic systems serving approximately 75 residential properties. Existing septic systems in the flood reduction area have exceeded their intended lifespan and have experienced recurring failures due to stormwater flooding conditions. Phase two improvements were completed in 2025 and address the most significant flooding concerns near South 124th Street. Additional downstream stormwater improvements through a third phase are not scheduled or fully funded but are supported by federal funding.

3. Existing Land Uses

3.1 Project Area Existing Land Uses

The North of NERA project area is currently made up of residential neighborhoods with limited but notable instances of small-scale home-occupations and employment activity. This is due to the long-standing residential zoning regulating development in the area. All the property within the project area is currently zoned Single Family Residential RS 7,200 meaning the minimum lot size is 7,200 square feet which has influenced the parcel sizes in the area. Permitted uses and applicable development regulations for this zone are located in [BMC 19.15.005 Single-Family Residential Zones](#).

As of October 2025, the project area contains approximately 263 residential units, reflecting a range of housing types and configurations.

Residential development within the project area includes:

Commented [LS6]: Above we mentioned that there are some smaller lots, may be good to put something in here addressing that the majority are 7200 or above, but there are some anomalies in size

- 225 single-family detached homes, including six mobile homes
- 16 parcels containing two dwelling units in the form of duplexes, attached accessory dwelling units (ADUs), and/or detached ADUs
- Two parcels developed with three condominium units each, consisting of a single-family residence with both an attached and detached ADU
- 17 vacant parcels
- Four tracts, which are not developable lots

This mix of residential unit types reflects incremental infill over time rather than comprehensive redevelopment, with accessory dwelling units contributing modestly to overall residential density.

In addition to residential uses, the project area includes 31 active business licenses, shown in Exhibit 6. These businesses are dispersed throughout the area and are accessory to residential uses and generally permitted under the home occupations code per [BMC 19.17.090](#).

The licensed businesses represent a wide range of activities, including construction and contracting services, artisan and creative enterprises, personal services, janitorial and landscaping services, trucking and hauling, small-scale apparel, food service, and community-serving uses such as adult family homes and childcare. Many of the businesses involve off-site services while some include limited on-site operations or services.

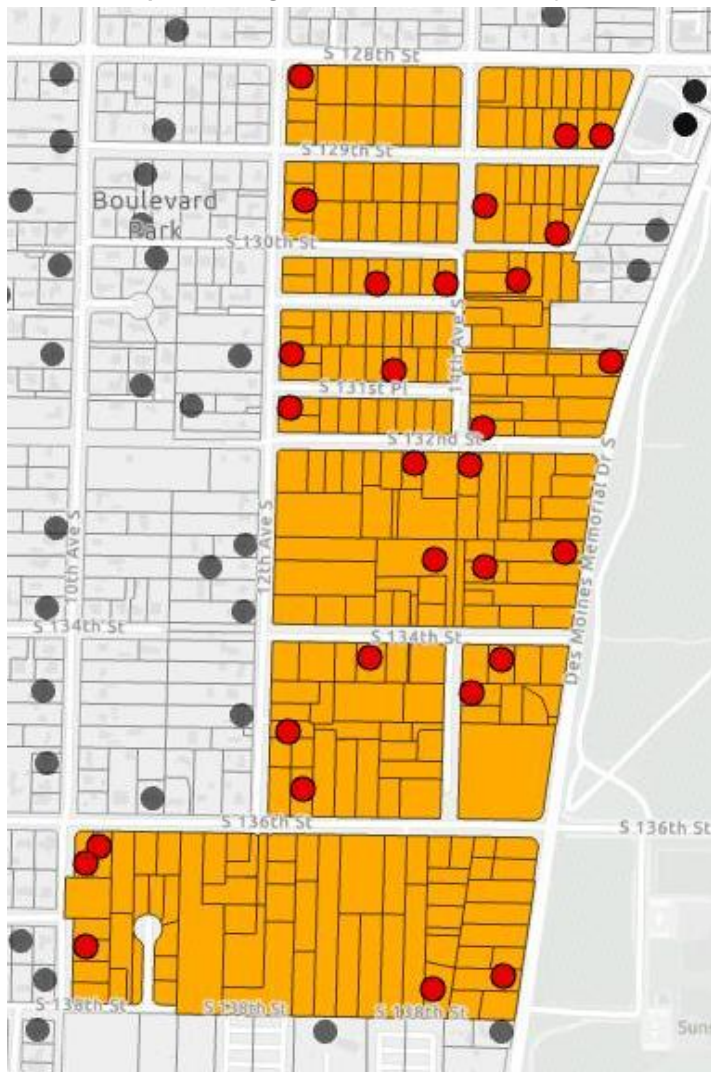
Exhibit 6. 2025 list of Licensed Business

ID	Business Name	Description
1	KENT SIDING LLC	RESIDENTIAL SIDING
2	STRUCTURAL SERVICES CONCEPT LLC	CONCRETE FOUNDATION FOR RESIDENTIAL AND COMMERCIAL BUILDINGS
3	QUEZADA & SONS	CERAMICS OF ALL KINDS
4	BIG FISH CUSTOM INC	CONSTRUCTION
5	NETPET NUTRITION	Pet Food Nutrition Consultation
6	A & J LIFESTYLE, LLC	Apparel
7	SW GLASS AND SCREENS	Window - Installer, Glazer, Window Installation.
8	THE DRUNKEN TENOR	Entertainment Company, Band, Musician, Performer.
9	AHORA CONSTRUCTION, LLC	Construction.

10	RED ROSES LANDSCAPING 1 LLC	LANDSCAPING SERVICES
11	JOHN PHOENIX, INC.	Music Studio, Musical Therapist, Band, Musician, Music Composer, Music Instructor.
12	ISIS MONTANO	Spoken Languages Interpreter.
13	SUNRISE JANITORIAL & CLEANING SERVICES	Janitorial, House Cleaning, Landscaping.
14	BROTHERS HAULING AND LANDSCAPING SERVICE LLC	Garbage Hauling.
15	CHARMING AFH LLC	Adult Family Home Care.
16	CROSSWOOD, LLC	TRUCKING (RELOCATING SHIPPING CONTAINERS)
17	FILTHY SEATTLE	Clothing, Apparel.
18	MAGDA'S HOUSE CLEANING SERVICE	Janitorial, House Cleaning.
19	BURIEN SENIOR CARE AFH, LLC	ADULT FAMILY HOME, SENIOR CARE FACILITY
20	BLACK EN ROSE, LLC	Esthetician.
21	TEAM SHAKIR LLC	Real Estate Rental – Long Term Residential (over 30 days).
22	SEATTLE BRM LLC	Clothing and Clothing Accessories Retailers, Clothing Store, Clothing, Apparel.
23	A1 AUTO CLEANING AND CARPET CLEANING	AUTO DETAILING AND CARPET CLEANING AT SIGHT
24	BROTHERS IRON WORK & CONSTRUCTION	Construction. REBAR INSTALLATION
25		Airbnb, VRBO, Real Estate Rental – Short Term Residential (under 30 days). THIS IS TO AIRBNB MY BASEMENT MOTHER-IN-LAW UNIT
26	NICHOLAS DESIGN SOLUTIONS LLC	Project Management Consultant. OTHER SERVICES, RESIDENTIAL AND COMMERCIAL DESIGN AND PROJECT MANAGEMENT SERVICES 54130 -ARCHITECTURAL DESIGN CONSULTAT
27	POSITIVE CLEAN!	Gutter Cleaning, Window Washer.
28	WATCH ME GROW LLC	CHILD CARE SERVICES
29	CHAPIN DELI	Food Truck.
30	CAROLINE FACE PAINTS	Face Painting, Painting - Artist.

31	CENTRO DE RESTAURACION INTERNACIONAL CRISTO ES LA ROCA	Church.
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Exhibit 7. Map of Existing Business Licenses in Project Area



The existing conditions within the project area demonstrate residential neighborhoods which already support a baseline level of employment activity and provide an opportunity to increase employment in the area by building upon what is already there. Future zoning approaches will consider ways to support the expansion of existing businesses as well as ways to attract appropriate and compatible employment opportunities that fit within the current conditions recognizing that residential uses will continue to coexist with employment uses. Any future expansion or intensification of employment uses would be subject to applicable development standards and environmental regulations.

3.2 Surrounding Zoning

The project area has retained the RS 7,200 zoning through two very substantial zoning code and map efforts including an overhaul of the mixed-use and multifamily zones via Ordinance No. 849 adopted in late 2024 and the middle housing zoning code and map amendments via Ordinance No. 868 in mid-2025. Together these ordinances amended all mixed-use and residential zones besides the RS 7,200 zoning applied to the project area. A vicinity map of the official zoning surrounding the project area is provided in Exhibit 8 reflecting and reflecting these recent updates.

West and North of the Project Area

The area to the west and north side of the project area is zoned residential 2 (R-2). The R-2 zoning district is one of the lower intensity residential zones intended for a moderate scale of middle housing. In summary this zone does not allow structures over 35 feet in height, allows a baseline of 4 units per lot, and requires a minimum lot size of 5,000 square feet. More information regarding the R-2 zone and applicable development regulations are found in [BMC 19.15.015](#).

Northeast and East of the Project Area

The area adjacent to the northeast corner of the project area is zoned Mixed Use Low Boulevard Park (MU-1 BP). The MU-1-BP zone accommodates a flexible mix of low-rise-scale mixed-use, commercial, multifamily, and light industrial uses in Boulevard Park, primarily in areas with significant air/noise impacts from frequent low-altitude airplane traffic. More information regarding the MU-1 BP zone and applicable development regulations are found in [BMC 19.15.020](#). Other portions abutting the eastern side of the boundary along Des Moines Memorial Drive S is the City of SeaTac where the North SeaTac Park & Ball Fields are located.

South and Southwest of the Project Area

The area south of the project area is zoned Industrial (I) zone. The I zone implements the Industrial Comprehensive Plan designation. This zone establishes a concentrated employment area for heavy commercial or industrial [uses](#) unlikely to adversely impact nearby residential or commercial properties. This zone provides areas where primarily industrial activities and support services can be concentrated (i.e., minimizing traffic congestion, visual, and other impacts on the surrounding environment). Large retail uses and office buildings not associated with industrial use are inappropriate in the I zone. More information regarding the I zone and applicable development regulations are found in [BMC 19.15.025](#). Adjacent to the southwestern corner of the project area is the Mixed-Use Low (MU-1) zone. The MU-1 zone accommodates low-rise-scale mixed-use, commercial, and multifamily uses. Mostly concentrated along transit corridors and central to established neighborhood hubs.

In summary, the project area is surrounded by a variety of zones with differing levels of intensity and allowed uses. The areas north and west with residential zoning are of a lower intensity than compared with the mixed-use zones in the northeast corner and southwest corner. The industrial zones are the most intense abutting zone to the project area and occupies the area along the southern boundary.

Exhibit 8. Zoning Vicinity Map



3.3 NERA Existing Uses

The Northeast Redevelopment Area (NERA) located south of the project area contains the city's most recent large-scale industrial development. Properties within the NERA boundary are zoned Industrial (I), Airport Industrial 1 (AI-1) and Mixed-Use 1 (MU-1). A summary of major development within NERA is provided in Exhibit 9 below. The scale, parcel configuration, and infrastructure that support development within NERA is not present within the North of NERA project area, underscoring the need for a potential alternative zoning approach rather than using the existing zoning regulations.

Commented [LS7]: This may be relevant as context of the surrounding area, but I think if that is the reason for this being here, we also need to provide more context to the north and west - and I think this is too much detail, should be more of a descriptive paragraph per area maybe?

Commented [CS8R7]: I agree and have added a vicinity map and described the zoning around the project area above

Exhibit 9. Summary of Major Development in NERA

Address	Site Size	Developed	Building Size	Tenant
1201 S 140th St Seattle Gateway Center 1	23.5 acres	2018	325,494	Mercer Distribution and Transport, Suddath

				Relocation Systems – Wholesaler, logistics
1021 S 146th St Seattle Gateway Center 2	9 acres	2018	133,417	Tire Rack and National Tire Wholesale – Distribution, logistics
1010 S 146th St Bridge Pointe Burien	13.4 acres	2017	236,919	Lineage Logistics – Food cold storage, distribution, logistics
1228 S 140 th St – Robbins and Company	73,180 acres	2021	35,407	Robbins and Company – Construction

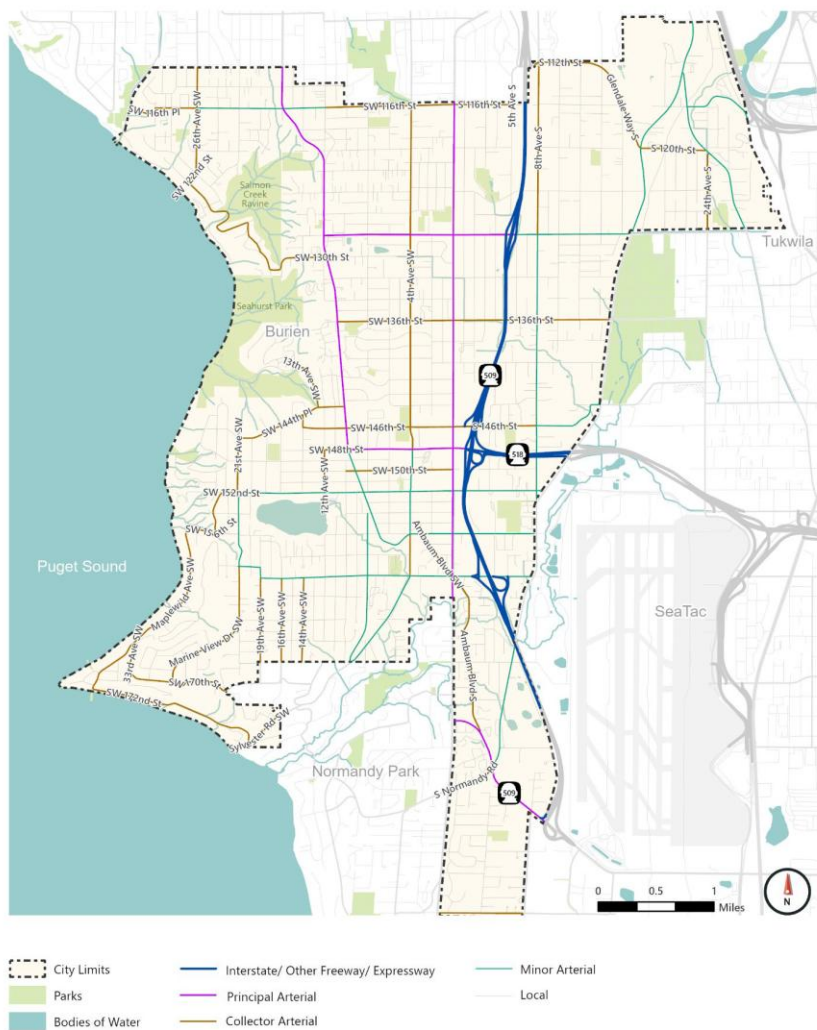
4. Transportation, Access, and Mobility

4.1 Road Network

The City of Burien’s existing transportation and future planned improvements are documented in the Transportation Master Plan (TMP), which was adopted in 2024 as part of the Burien 2044 Comprehensive Plan.

City streets serve as the foundation of the transportation system, as roadways shape how residents and visitors experience Burien. The current network provides a high level of service for vehicles, but gaps exist for other methods for getting around, including walking and rolling, bicycling, and riding public transit. The Citywide roadway network consists of principal and minor arterials, collectors, and local streets are shown in Exhibit 10.

Exhibit 10. Existing Roadway Functional Classifications, TMP



Truck routes are intended to safely and efficiently accommodate goods movement associated with commercial or industrial uses. The identified routes in Exhibit 10 of the TMP are designed to higher roadway standards to accommodate higher vehicle weights and larger turning radii and providing connections to SR-509 and SR-518.

The North of NERA project area is mostly made up of local streets except for South 128th St which is classified as a Minor Arterial and South 136th St is a Collector Arterial. There are no

identified truck routes within the project area. In addition, trucks more than 10,000 pounds gross weight are prohibited on non-arterial streets, except for local deliveries.

4.2 Multimodal Network

Burien's TMP takes a layered network approach to ensure that the City's transportation system meets the needs of all users and aims to develop "complete streets" that are designed to serve and be safe for all modes of transportation, including vehicles, pedestrians, and bicyclists. The current pedestrian infrastructure in Burien is limited to sidewalks and crosswalks. Prior to its incorporation as a City in 1993, Burien was an unincorporated area of King County, which meant that its pedestrian network was underdeveloped. While progress has been made to develop the pedestrian network in the intervening years, there remain arterials that lack sidewalks and marked crossings. This is particularly true for the streets and blocks within the North of NERA project area.

The Westside Trail provides bicycle trails along the eastern boundary of the project area through North SeaTac Park parallel to Des Moines Memorial Drive the conveniently connects to the recently extended Lake to Sound regional trail.

Within the project area there are two identified secondary pedestrian priority network routes, South 128th Street and South 136th Street. The recently, completed street and sidewalk improvements along South 136th Street between 1st Ave South and Des Moines Memorial Drive South are shown below.



This project added bike lanes in each direction, removed and replaced existing sidewalks, removed trees, and repaved the roadway along the corridor. To minimize impacts to adjacent properties, on-street parking on the north side of the roadway was eliminated to accommodate bike lanes and sidewalks. On-street parking is generally provided on the

south side but was eliminated at some locations to accommodate driveway reconstruction needs.

4.3 Future Transportation Network Improvements

Future transportation network improvements can be found on the 6- year Transportation Improvement Program (TIP). Currently, there are two projects that are within or adjacent to the project area on the TIP. Item 29 multimodal improvements across South 128th Street between SR 509 to Des Moines Memorial Drive and Item 68 to Install a multi-use bike path on unopened right of way, this project connects the physical connection for the 1st Ave South to Des Moines Memorial Drive neighborhood bikeway.

5. Seattle-Tacoma International (SEA) Airport

The SEA Airport is an expanding airport. Compatible land use surrounding airports is an important issue when planning airport systems and the surrounding communities they serve. The Growth Management Act (RCW 36.70A.070(6)) requires local comprehensive plans to discourage incompatible uses adjacent to airports.

5.1 Air and Noise Impact

Air and noise pollution from aircraft over Boulevard Park, impact health. As one of the busiest airports in the nation, and with plans to expand, Sea-Tac Airport is an important contributor to the local economy and an essential public facility. Ensuring compatible land uses protects the airport's viability and community safety and reduces impacts to surrounding uses (PSRC, 2011, p 19-20). However, aircraft landing and take-off paths see concentrated air pollutants, as well as noise impacts. Health impacts include respiratory issues (e.g., asthma, lung growth problems), especially among children, immune system suppression, adverse birth outcomes (e.g., low birth weight, preterm birth), dementia, premature death, systemic inflammation (especially from aircraft-related air pollution, as opposed to roadway-related air pollution), and higher rates of hospitalization and emergency room visits ([EPA 2018](#), [American Lung Association](#), [National Center for Biotechnology Information](#), [National Bureau of Economic Research](#)).

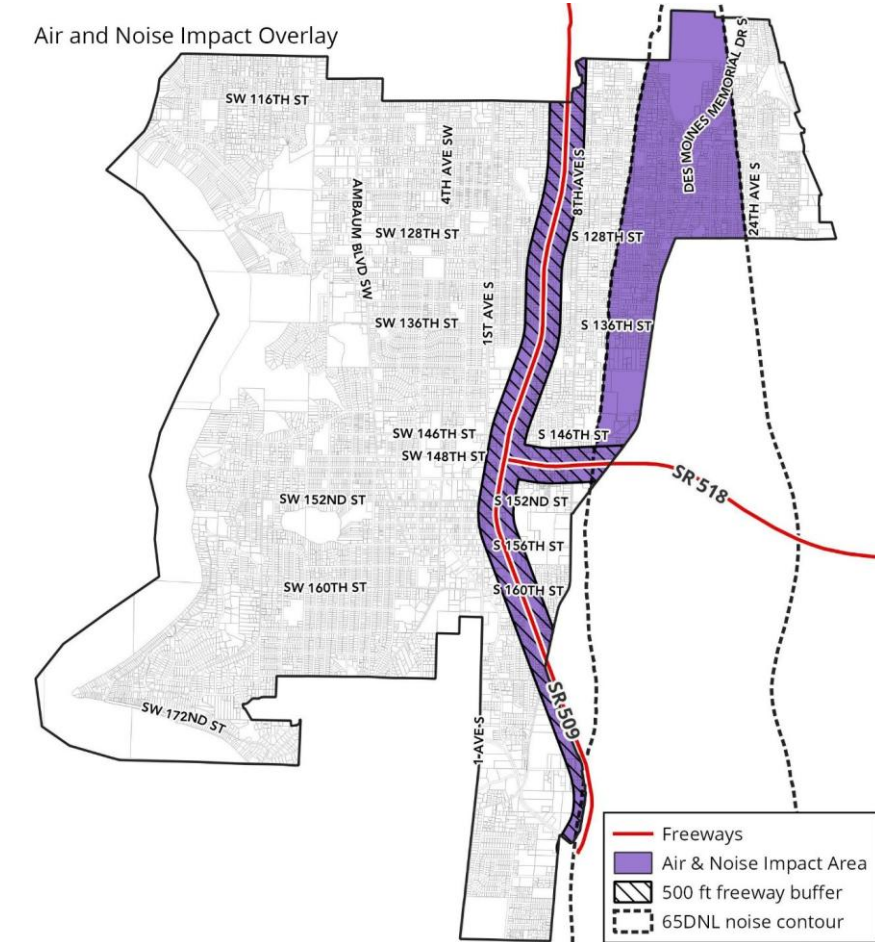
Locally, the City of Burien regulates properties within the Port of Seattle's 65 DNL Noise Contour for the Part 150 Noise and Land Use Compatibility Study as reflected in Exhibit X below. Per [BMC 19.17.145](#) parcels located within the overlay are prohibited from locating sensitive use including schools, daycare centers, hospitals, large nursing homes, and senior assisted living facilities due to age and vulnerability of these populations. and are subject to additional regulations related to air filtration and open spaces design per [BMC](#)

Commented [LS9]: Building code requirements as well would be useful here, even if a summary.

Commented [CS10R9]: done

[19.47.510](#). All but 12 parcels located in the southwest corner of the project area are located within this boundary.

Exhibit 11: Air and Noise Impact Area

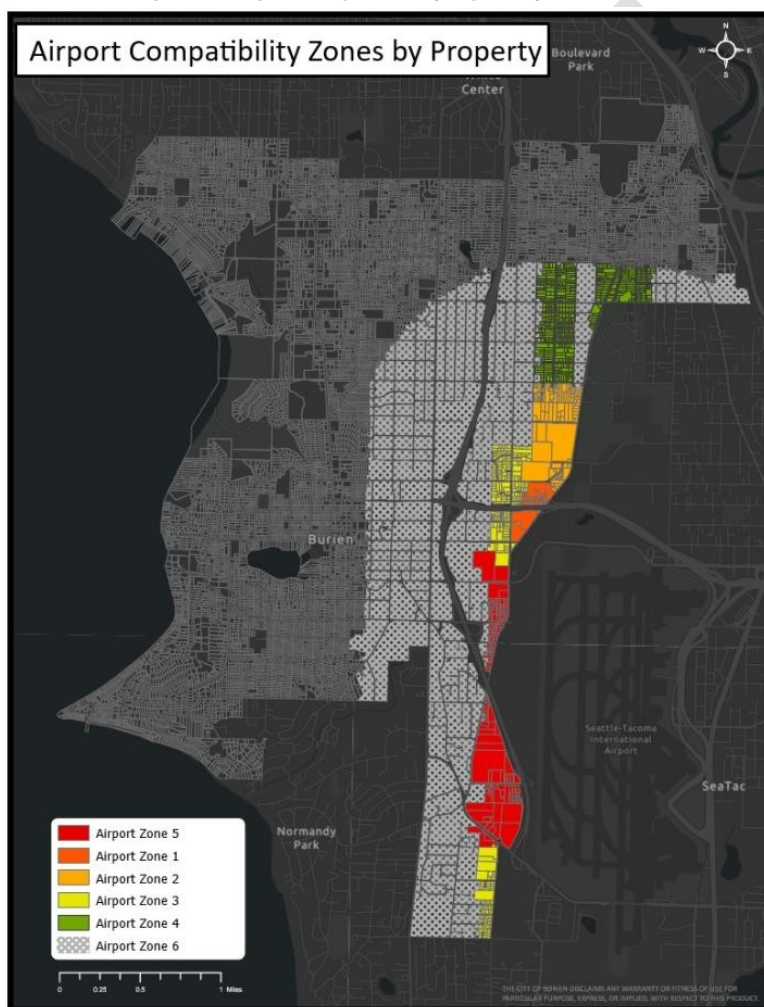


In addition, the City of Burien has adopted a Aircraft Noise Reduction Ordinance as part of [Title 15 Buildings and Construction](#) of the BMC for minimum construction requirements. See the [Aircraft Noise Reduction Submittal Checklist](#) for more information on the minimum design requirements.

5.2 Land Use Compatibility

The WSDOT Airport Land Use Compatibility framework identifies different “airport influence zones” that reflect varying levels of exposure to aircraft operations, including noise, safety risk, and overflight activity in relation to proximity to the airport layout and operations as reflected in Exhibit X: Airport Compatibility Zones. These zones are used to evaluate whether existing and future land uses are compatible with airport operations.

Exhibit 12: Airport Compatibility Zones (Citywide)



The North of NERA Project Area contains Airport Zones 2, 4, and 6. As such a land use, compatibility analysis is necessary to audit existing land uses to access potential conflicts as well as to inform future zoning alternatives to ensure the city has accounted for potential incompatible uses near the airport.

Airport Zone 2 – Inner Approach/Departure Zone – This zone wraps around and extends beyond Zone 1 along the runway centerline. Next to the runway protection zone (RPZ), it represents the area where the risk of aircraft accidents is the greatest. On departure, aircraft are typically at full power in the initial phase of climb. On approach, they are at low altitude as they prepare for landing.

Of the three zones within the project area this has the highest assessed impact and therefore has the most restrictive compatibility implications due to the high exposure to noise, low-flying aircrafts, and safety risk. Within this zone residential uses are strongly discouraged as well as uses that concentrate people (schools, assembly, etc.) are considered incompatible. Preferred uses include open space, industrial, and low-occupancy commercial uses.

Zone 2 makes up approximately 19.6% of parcels within the project area. Among these present uses in Zone 2, 87% were identified as incompatible. This is attributed to the existing single detached dwelling units and low-density residential development. The licensed home occupations, easements, tracts, and right-of-way make up the existing compatible land uses under zone 2.

Airport Zone 4 – Outer Approach/Departure Zone – This zone is further from the runway than zone 2 but is still within active flight paths. This area lies beyond Zone 3 along the extended runway centerline. Aircraft flying straight out or in overfly this area at low altitude. The zone is particularly significant at busy airports where elongated traffic patterns are common.

With little exception, residential uses are considered incompatible land uses. Preferred uses include commercial, and employment uses with limits on high density and high occupancy uses.

Zone 4 is made up of approximately 46.7% of the parcels within the project area. Among the present uses 93% are identified as incompatible. This is attributed to the low-density residential development of single detached dwelling units and a

licensed family day care home use. The licensed home occupations, easements, tracts, and right-of-way make up the remaining compatible land uses under zone 4.

Airport Zone 6 – Traffic Pattern Zone – The final zone contains the remainder of the airport environment where aircraft fly as they approach and depart the airport. Zone 6 is typically larger than the other zones combined and is made up the lands furthest from the runway. There is minimal concentrated safety risk in this zone relative to the other zone.

Zone 6 is made up of 33.7% of the parcels within the project area. All present land uses such as the single detached housing and the licensed land used are considered compatible.

The result of the Airport Land Use Compatibility Study will play an important role in determining appropriate land uses for the future zoning within the project area.

6. Environmental Critical Areas

Under the Growth Management Act (GMA) Chapter 36.70A RCW, cities like Burien are required to adopt regulations protecting environmentally critical areas to preserve the natural environment, wild habitats, and sources of fresh drinking water. As part of implementing the Burien 2044 Comprehensive Plan, the city adopted Ord No. 878 at the end of 2025, which updated the Critical Areas Ordinance to align with state and federal standards and best available science to protect and mitigate impacts from development to the natural environment.

The City of Burien maintains a Critical Areas Map that includes the designations and associated buffers of environmentally critical areas and will require any proposal located near or within a critical area or associated buffer to comply with the regulations of BMC 19.40. Regardless of whether a critical area is shown on the Critical Areas Map, the actual presence or absence of the features defined in the Burien Municipal Code as critical areas shall govern. In addition, the Director of Community Development can require the applicant to submit technical information prepared by a qualified professional per BMC 19.40.120(2) to determine whether critical areas exist on or adjacent to the applicant's site and regulate accordingly.

6.1 Streams

Within the North of NERA Rezone area, there are no designated or regulated streams. However, an unnamed waterway northwest of the intersection of South 136th Street and

Des Moines Memorial Drive appears on base layers for the GIS mapping system inherited from King County that have caused some confusion of the existing conditions.

To address this discrepancy, in 2019, the City of Burien contracted Otak consultant to verify the presence of a Type Ns (Non-fish habitat) stream. The technical memorandum¹ assessed the City of Burien Critical Areas Map and the King County iMap identified a stream emanating from the northwest corner of 13303 14th Ave S and flowing diagonally southeast to the center of stream within the project area 3429 14th Avenue S.

Per the Otak report, no stream was identified in the study area by USFS National Wetland Inventory, DNR Forest Practices Application Mapping Tool, or WDFW Salmon Scape or Priority Habitats and Species mapping database. Analysis of historic aerial imagery from 1964-2017 showed no indications of the presence of a stream in the study. These findings were corroborated with a site visit by qualified professionals as finding no evidence of stream geomorphology, processes or fluvial dynamics typically associated with stream systems.

However, it is important to emphasize that while there may be discrepancies in the data on the critical area maps and the existing conditions onsite, the city retains the ability to verify the presence of critical areas and their associated buffers and require compliance with the provisions of BMC 19.40 Critical Areas.

6.2 Critical Aquifer Recharge Areas

In the project area about 82% of the parcels are located within a Critical Aquifer Recharge Area (CARA). CARAs contribute to the recharge of aquifers used by a community for drinking water. An aquifer is an area of rock and soil that holds water or allows for water to flow underground and are one of the five types of critical areas that are required to be protected under the Growth Management Act. CARAs are protected to ensure that drinking water resources remain available and clean. They also provide important ecosystem functions, like supplying water to salmon-bearing streams in the summer. Aquifers could become contaminated if the groundwater passing through CARAs becomes contaminated. Activities in CARAs are regulated to protect the health and safety of people and to protect important ecosystem functions.

CARAs in Burien are protected by zoning regulations that restrict the types of land uses allowed where CARAs are designated. Pursuant to Burien Municipal Code (BMC) 19.40.430

¹ Burien Stream Typing Technical Memorandum January 10, 2019 Otak

many heavy and intense uses such as solid waste landfills, disposal of hazardous or dangerous wastes, mining, wood treatment facilities, and dry cleaning are prohibited.

Burien's CARA regulations are meant to safeguard groundwater resources by preventing contamination and reduced recharge. The presence of CARAs in the project area will influence the intensity and types of uses that are appropriate for the future zoning of this area.

7. Land Use Regulatory Framework

7.1 Comprehensive Plan and Zoning Consistency

As mentioned above, the planning for this project area was designated as industrial in the Burien 2044 Comprehensive Plan to ensure sufficient land to accommodate the allocated 4,770 net new jobs citywide by 2044. Currently, within the Burien 2044 Comprehensive Plan, the industrial land use designation is implemented by the Industrial (I) [BMC 19.15.025](#) and Airport Industrial (AI-1, AI-2) [BMC 19.15.035](#) zones and are subject Airport Industrial Design Standards per [BMC 19.48](#). The North of NERA rezoning is necessary because the current zoning of RS 7,200 is inconsistent with the industrial land use designation of the comprehensive plan.

However, because of the contrast between existing conditions within the project area and the large-scale industrial development pattern in NERA as implemented through the city's existing industrial zoning regulations, the City needs to evaluate additional zoning approaches that implement the industrial land use designation that may better align with the project area. Therefore, in anticipation of new zoning for this area, updating the land use chapter of the Comprehensive Plan to expand the zones which implement the industrial land use designation was included on the 2026 Annual Comprehensive Plan Amendment Docket approved by City Council January 26, 2026, via resolution 523.

7.2 Adopted Policy Direction

Burien 2044 Comprehensive Plan

2.8-5 Make best use of air and noise impacted land that is unhealthy for humans, especially in the Sea-Tac Airport flight path and near highways, by allowing employment uses where people can work in controlled environments or land uses that are not harmed by air and noise pollution.

2.8-6 Promote light industrial makers spaces and supporting services in the industrial areas along Des Moines Memorial Drive facing North SeaTac Park.

2.8-7 Monitor work-from-home and home-based business trends and allow and encourage jobs in neighborhoods when compatible with residential uses.

2.11-3 Discourage the introduction of new land uses into areas where existing noise levels and air pollution are incompatible with such land uses.

7.7-15 Ensure new industrial or commercial development is designed for compatibility with abutting residential neighborhoods. Mitigate potential impacts to surrounding neighborhoods using thoughtful multimodal planning, landscaping, greenspace, and other urban design elements.

7.2 Boulevard Park Community Plan

The northern portion of the project area is located within the Boulevard Park Community Plan.

Specific goals in the Boulevard Park Community Plan

SH-9 Prohibit sensitive uses (e.g., hospitals, schools, daycares) in areas severely impacted by air/noise pollution.

SH-10 Consider attracting land uses less impacted by air and noise. Consider ways to incentivize land uses and building types (e.g., light manufacturing, warehousing, distribution) that could effectively mitigate air/noise within the workplace environment, where operable windows and usable outdoor space may be less important than in residential and mixed-use environments with public gathering spaces. This would be a voluntary process for property owners that wished to sell or develop their land, not a mandatory program.

Case Studies: Residential to Industrial Example

City of Burien | North of NERA Rezone | January 2026

Introduction

The City of Burien recently completed its periodic update to its [Comprehensive Plan](#) in 2024, which is a 20-year vision for housing and job growth. A core objective with this update is to meet projected housing and job growth targets set forth in the King County Countywide Planning Policies applicable to all cities and the county including the City of Burien. To meet the City's job growth targets, additional economic development strategies and capacity for jobs were needed as described in the Comprehensive Plan and associated Environmental Impact Statement (EIS).

The goal of the North of NERA Rezone project is to implement the Industrial land use designation adopted in the Burien 2044 Comprehensive Plan. Underlying zoning would change from the existing residential zone (RS-7,200) to an employment-oriented zone implementing the Industrial land use designation. A core outcome of this process is to have an implementing zoning district informed by community feedback. Key steps of this process include:

- Engaging the public to build awareness of project and inform alternative concept development.
- Developing a preferred implementing zoning proposal.
- Build transparency around the planning and decision-making processes.

The preferred zoning proposal is anticipated to reflect community feedback, to support local needs, and new economic development opportunities and include a mix of employment-oriented uses, see **Exhibit 8** below for a comparison of allowed uses from the case studies as how future expansion of existing residential uses is addressed.

The purpose of this document is to provide a detailed examination of case studies throughout the region that have implemented similar zoning transitions. For each case study, the zoning intent and standards, community engagement, and lessons learned are shared to help provide real-world, site-specific outcomes and examples to inform zoning proposals for the North of NERA Rezone Project.

Case studies include:

- City of Sumner Innovation District and Enterprise Area (IDEA) Overlay
- City of Seattle Georgetown Neighborhood Plan + Greater Duwamish Manufacturing and Industrial Center Plan and Zoning

- City of Marysville Flex and Flex Residential Zones in Downtown

Each case study provides key lessons learned, including any engagement takeaways, as well as a code review of allowed land uses, and development standards for residential and industrial land use integration.

Summary Matrix

Exhibit 1 summarizes key features of the zoning approaches in the case study communities. Each community is further addressed in subsections below.

Exhibit 1: Case Study Comparison Matrix

Feature	Sumner – Town Center	Seattle – Georgetown	Marysville – Downtown
Zoning Approach	Town Center base zone, IDEA Overlay	Neighborhood Mixed Use zone inside Georgetown Industrial Zone (Maritime, Manufacturing, and Logistics MML U/85) abutting Georgetown in Duwamish Manufacturing Industrial Center	Downtown Master Plan includes Flex and Flex Residential Zones allowing light industrial, commercial, and some forms of residential uses
Size	14 acres of IDEA Overlay, with 4 acres on Zehnder Street 210 acres approximately in Sumner’s overall Town Center	Live/Work 9.7 acres in Georgetown 4,200 acres of Industrial in the Duwamish Manufacturing Industrial Center	Flex and Flex Residential Zones equal about 38 acres <i>each</i> Downtown consists of 467-acres
Mix of light industrial and live/work uses allowed	Light industrial and small entrepreneurial businesses are promoted. Live/work is allowed with residential up to 50% of floor area. ADUs are allowed.	Attention to mixed uses and live-work in Georgetown community itself; limited artists live/work allowed in abutting large industrial zone, if taking place in an existing building.	Allow for vertical and horizontal mixed uses with multifamily and middle housing.
Unique Development Standards	6 stories allowed Form-based code typology addressing Light Industrial and Artists' Lofts/Mixed Use	8 stories allowed FAR increases allowed for arts and historic preservation uses	4-5 stories allowed

Feature	Sumner – Town Center	Seattle – Georgetown	Marysville – Downtown
Single-Family Dwellings	New single-family uses are not allowed. Have a 10-year window 2018-2028 to exercise a more generous expansion option of non-conforming single family uses. Allowed to expand by 75% up to the year 2028 and after that can expand by 25%	New single-family uses are not allowed. Standard non-conforming approach – use can continue if continuous in existence.	New single-family uses are not allowed. Can expand single-family and middle housing by up to 50%.

Key Takeaways

The following key takeaways were informed by the Sumner, Seattle, and Marysville case studies.

- Establish a **clear vision/purpose/intent** that integrates land use priorities, with urban design and transportation.
- Continue **community engagement** efforts **to help develop zoning that reflects appropriate economic growth and live-work opportunities** in the study area.
- Provide a **smooth transition of land uses** with the surrounding areas. Small-scale light industrial uses and mixed uses can serve as a buffer between larger-scale light industrial and residential zones.

Review and Engagement

This document is intended to be shared with the Burien Planning Commission in February 2026 to solicit advice and feedback on zoning approaches. Most promising approaches would then be refined and shared with residents and property owners for input. Once the zoning alternatives have been developed, additional outreach and engagement will be conducted for further review and selection.

Proposed amendments to the official zoning map and Burien Municipal Code will be developed for the preferred alternative for review and action.

Case Studies

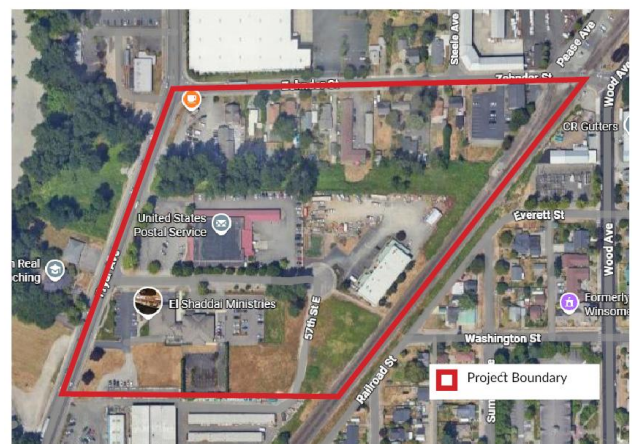
City of Sumner Innovation District and Enterprise Area (IDEA) Overlay

Context

An area along Zehnder Street in Sumner includes workforce housing that was developed when the industrial area to the north contained the Fleishmann's vinegar plant. The vinegar plant eventually was redeveloped with a large light industrial building. Over time, the workforce housing was zoned for multifamily and commercial uses, and eventually "Town Center" in 2018, which allows up to six stories of mixed uses.

The City of Sumner recently updated their Town Center Plan in 2025, including amendments to the Town Center Form-Based Code. The Town Center Plan Update added an Innovation District and Enterprise Area (IDEA) Overlay along Zehnder Street and 57th Street E. The project area and building footprints are displayed in **Exhibit 2** below. The purpose of the IDEA overlay is to encourage innovative businesses, small incubator businesses, and research and development start-ups within the city. The form-based code now includes a light-industrial/live-work typology applicable in the IDEA overlay. The City also amended its Town Center Zoning Code regarding allowed uses. Residential uses are allowed where associated with workspaces. Residential uses are allowed up to 50% of the total floor area. Fabrication and small-scale manufacturing uses are allowed at 5,000 square feet per tenant use, and if larger than 5,000 square feet must include retail uses. The sizing is meant to promote multiple small scale businesses opportunities. **Exhibit 3**, below, shows examples of desired uses in the IDEA Overlay District.

Exhibit 2: IDEA Overlay Boundaries and Building Footprints



Sources: City of Sumner, Pierce County GIS.

Exhibit 3: Example Form-Based Code Lot type Specific Standards



Source: City of Sumner, 2026

Features

- Size: IDEA Overlay extends over 14 acres, with 4 acres focused on Zehnder Street.
- IDEA Code: [City of Sumner, WA INNOVATION DISTRICT AND ENTERPRISE AREA \(IDEA\)](#)
- Form-based code final [draft](#) (Sept 2025) form-based code materials
- More information: <https://connects.sumnerwa.gov/planning-sumners-future>

Lessons Learned – Community Engagement

As part of the Town Center Plan and Form-based Code Update, the City desired to apply the IDEA overlay, as well as adjusting heights (to be lower) and creating a new light industrial and mixed use form-based code standard. The City's engagement process included a focus group inviting property owners, real estate brokers, and developers in the IDEA overlay area. Real estate professionals and developers were supportive of the IDEA overlay and asked the City to retain the current 6-story height that they felt offered more flexibility to meet the intent for mixed uses. Property owners did not attend the focus group, but based on regular contact with City staff, were interested in assembling properties including properties with commercial and multifamily uses. The new plan and code could help encourage light

industrial, makers spaces, and live/work mixed uses in the neighborhood that is at the transition point to light and heavy industrial uses.

Potential Applicability for North of NERA Rezone Project in Burien

- Offers goals and objectives that could apply to the North of NERA Rezone project such as encouraging incubator businesses, artisan businesses, and research and development start-ups and thoughtfully designed sites and buildings that provide a collaborative social environment with spaces for living, working, designing, inventing, playing, and learning (SMC 18.22.010).
- Supports small makers spaces and new entrepreneurial spaces in an area with smaller lots originally platted for residential uses.
- Limits new residential development to live/work, accessory dwelling units (ADU's), and multifamily, and requires that space devoted to residential uses not exceed 50%.
- Serves as a transition zone to adjacent larger-scale industrial uses.
- Includes clear regulations around existing single family detached dwelling units within the IDEA Overlay District. See Special Zoning Considerations on [page 17](#).

City of Seattle, Georgetown

Context

In 2023, a Seattle Industrial and Maritime Strategy was developed with the objective of creating a comprehensive strategy for manufacturing and industrial sectors in Seattle. Recommendations from this plan were incorporated into the City's Comprehensive Plan periodic update. The City also developed a Live-Work District Street Concept Plan and an Upzone within the Georgetown community itself.

The Strategy/Plans included zoning recommendations applicable to the Georgetown neighborhood as well as industrial lands surrounding Georgetown. Early engagement identified a need for transition zones between industrial and nonindustrial land uses that provide affordable spaces for small-scale manufacturers, active transportation improvements, and new creative entrepreneurial opportunities. Manufacturing Industrial Center (MIC) land uses in Georgetown's NW corner, were redesignated as commercial/mixed use areas, with some multifamily housing adjacent. City-owned open spaces were preserved as well.

The proposed Future Land Use Map for Georgetown can be found in [Exhibit 4](#). Within Georgetown itself, all areas originally proposed for Manufacturing Industrial Center (MIC) were reclassified as Commercial/Mixed Use. The Maritime and Industrial Strategy identifies this area as a Neighborhood Commercial 3 zone, with a 55 ft height limit (NC3-55). The NC3-55 zone is designed to help Georgetown be an urban village for Seattle, with a mix of commercial uses, and excellent transit service. Allowances were also developed for live-work opportunities in Georgetown itself.

The Maritime, Manufacturing, and Logistics MML U/85 is an industrial and maritime zone that surrounds Georgetown. The MML U/85 zone allows industrial and certain commercial uses along with limited opportunities for workforce housing that supports industrial uses, including the following:

- Artist's studio/dwellings allowed with an administrative conditional use permit and permitted only in a building existing on June 1, 2023 (see SMC Section 23.50A.062).
- Caretakers Quarters as a Permitted use.

Exhibit 4. Georgetown Future Land Use Map

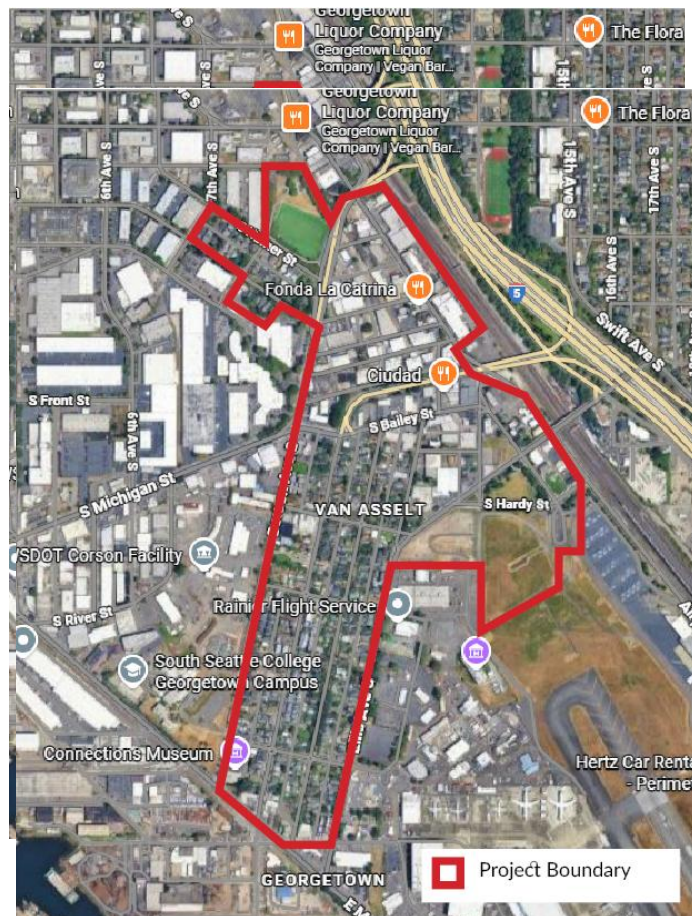
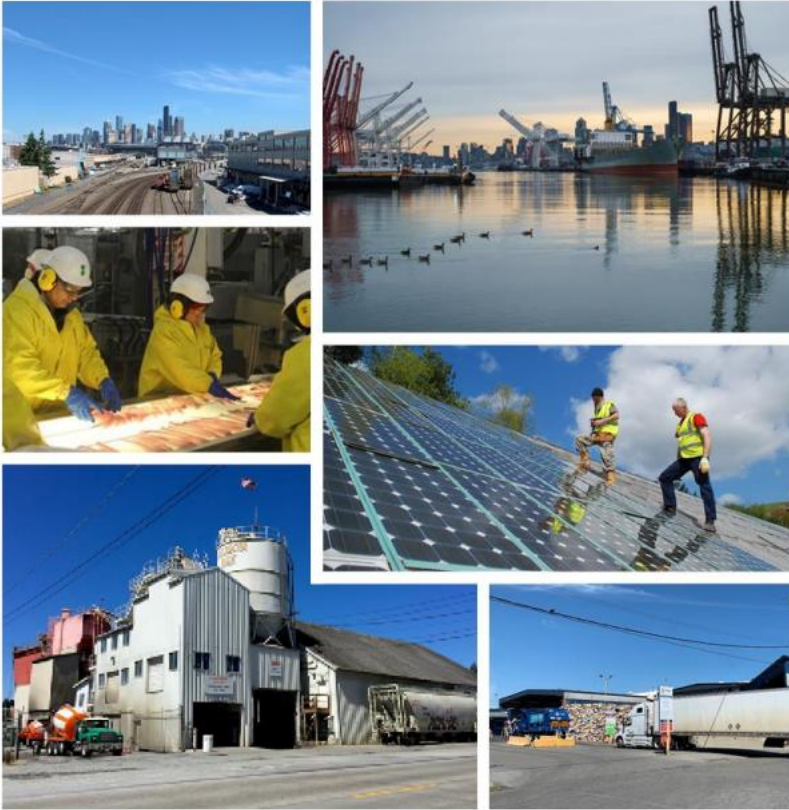


Exhibit 5. Examples of allowed uses in MML



Source: Seattle OPCD; 2025

Features

- Size: The Live-Work District within Georgetown is a 7-block area totaling 9.7 acres. The MML U/85 zone applies to much of the 4,200- acre Duwamish Manufacturing Industrial Center.
- Information:
 - Industrial and Maritime Strategy:
<https://www.seattle.gov/documents/Departments/OPCD/OngoingInitiatives/IndustrialMaritimeStrategy/IndustrialMaritimeFinalDirectorsReport2023.pdf>
 - MML Zone: [Chapter 23.50A - INDUSTRIAL AND MARITIME | Municipal Code | Seattle, WA | Municode Library](#)
 - Georgetown Live-Work District Street Concept Plan:
<https://www.seattle.gov/documents/departments/sdot/urbandesignprogram/streetconceptplans/georgetown-street-concept-plan.pdf>
 - Georgetown Upzone:
<https://seattle.legistar.com/LegislationDetail.aspx?ID=6570137&GUID=D5AB8EE4-4BDA-4487-8E93-CA460BC12401&Options=&Search=&FullText=1> and
<https://www.theurbanist.org/2024/05/17/council-greenlights-georgetown-upzone/>.

- Georgetown Neighborhood Plan:
<https://www.seattle.gov/Documents/Departments/Neighborhoods/Planning/Plan/Georgetown-plan.pdf>
- Greater Duwamish Manufacturing and Industrial Center Plan:
<https://www.seattle.gov/Documents/Departments/Neighborhoods/Planning/Plan/Duwamish-plan.pdf>

Lessons Learned – Community Engagement

Key engagement takeaways include: creating more live and work opportunities within Georgetown, supporting long-term affordable housing, supporting artists and makers, avoiding loss of industrial or commercial spaces, and acknowledging the historic significance of the Duwamish Valley for indigenous communities.

The Maritime and Industrial Land Use Strategies were based on multiple committees and direct engagement through the strategy and EIS effort. It also recommended the following protections for zoning based off community feedback:

- Limit annual Comprehensive Plan Amendments to have time to assess impacts of zoning changes.
- Tighten Zoning Code Loopholes to discourage box retail stores, or standalone office buildings in industrial uses.
- Prohibit mini-storages in all industrial zones.

Potential Applicability for North of NERA Rezone Project in Burien

- The City's plans and codes incorporated desired businesses and land uses identified by community.
- Abutting Georgetown, the extensive MML U/85 zoning designation allows limited live/work and artist housing in an industrial zone.
- The City designated Neighborhood Commercial Mixed-Use development as a transition buffer between industrial and residential uses, which may be useful to consider when developing standards for properties that abut residential and mixed-use zones in Burien's North of NERA study area.

City of Marysville Downtown

Context

The City of Marysville created a vision and strategies for its Downtown Subarea. With its Master Plan created in 2009 and then updated in 2021 and 2023, the Downtown Master Plan envisions a compact mixed-use urban downtown core. The City developed the master plan and a planned action supplemental EIS and amended a prior planned action ordinance.

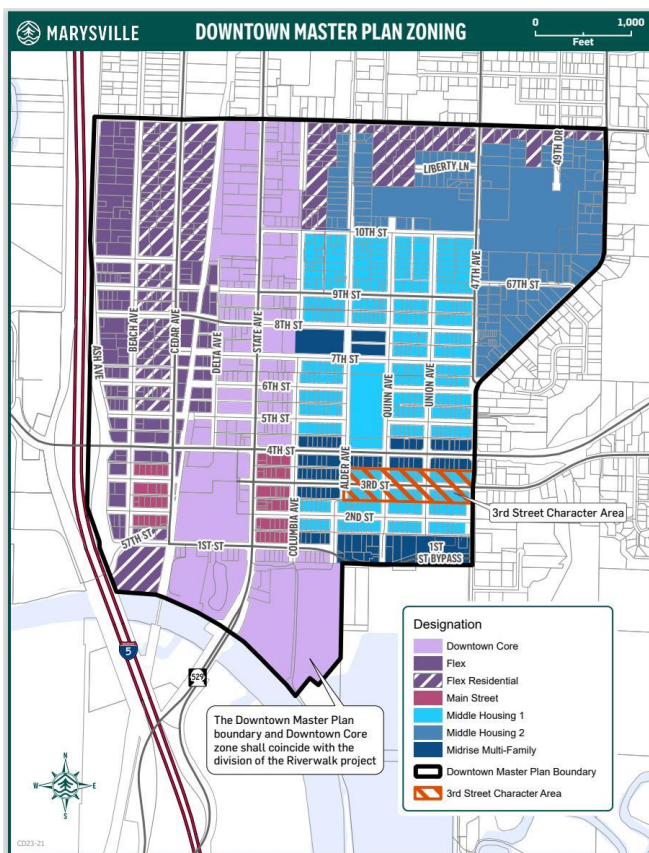
The Downtown study area is predominately single and multi-family residential and commercial-industrial uses, primarily retail and office with some industrial. With the adoption of the Downtown Subarea, the City established the Flex and Flex Residential Zones that include residential and light industrial uses:

- **Flex (F).** This zone encourages a mix of uses, including artisan, workshops, small light industrial/manufacturing (indoors), commercial, and residential above a ground-floor commercial use.
- **Flex Residential (FR).** This zone encourages a mix of uses including artisan, workshops, small light industrial/manufacturing (indoors), commercial, and allows “missing middle” housing and low-rise apartments.

The zones are applied largely along I-5 and along arterials. Existing uses are a mix of residential on smaller lots and some non-residential uses. Residential uses include multifamily in the Flex zone and middle housing, townhouses, and multifamily in Flex Residential. Light industrial/ manufacturing is allowed in the Flex zone and Artisan manufacturing in the Flex Residential zone.

Exhibit 6 shows zoning for the Downtown Subarea. The map shows a transition of land uses from Flex and Flex Residential on the west, to commercial uses for the Downtown core, and a mix of middle housing and multifamily to the east. The applicable zones for the North of NERA effort would include Flex and Flex Residential that allow for both residential and light industrial or mixed uses. This example is the most flexible of those studied in terms of the range of residential uses in a light industrial/commercial employment context.

Exhibit 6: Downtown Marysville Master Plan Zoning – Flex and Flex Residential Zones



Source: City of Marysville, 2024

Features

- Acres: Downtown consists of 467-acres divided into six land use zones that included mixed-use zones, corridors, and a neighborhood. Flex and Flex Residential Zones can be found along the waterfront, and west of the downtown core, and along the northern boundary. Flex is about 38 acres in size and Flex Residential is about 38.1 acres in size.
- Downtown Master Plan: <https://www.marysvillewa.gov/809/Downtown-Marysville>
- Code: [Chapter 22C.080 DOWNTOWN MASTER PLAN AREA – DESIGN REQUIREMENTS](#)

Lessons Learned – Community Engagement

The Downtown Master Plan is based on a public engagement process that included a Marysville Growth Management Task Force, online interactive maps, and a survey. A comprehensive list of opportunities and challenges were created to inform an urban design framework around housing, economic growth, transportation and more. Key opportunities and challenges included the need to address noise, odor, and traffic; expand multimodal transportation networks; maintain affordable housing options in the area; and maintain shoreline protections.

Potential Applicability for North of NERA Rezone Project in Burien

- Community engagement resulted in an urban design framework, which then created policies and code amendments for the Flexible and Flexible Residential Zones.
- Greater flexibility of allowed uses to support a wide mix of industrial and commercial uses as well as residential and live-work opportunities.
- Clear development standards for new development.

Development Code and Standards

The purpose of this section is to summarize allowed uses, development standards, and performance standards in the case study zones. Additional research was completed regarding how existing single family detached dwelling units are treated, such as whether they became legally non-conforming uses with any rezones and if there are allowances to improve and/or expand the use.

Exhibit 7 provides an overview of how all three case studies address housing and commercial / industrial uses. More details on allowed uses and development standards can be found in the subsequent sections. When comparing geographic boundaries. The Flex and Flex Residential zones in Marysville, combined, are closest to size to the North of NERA project area. All three examples allow for some type of new residential development. However, residential development is most accommodating in Marysville, within the Flex zones. Marysville also illustrates mixed residential and commercial development standards and allowed uses for Burien to review as well for North of NERA.

Sumner has limitations to what percent of a lot can be for residential uses, and typologies. Residential uses are most limited in industrial zones abutting Georgetown but some live-work is allowed in existing buildings. With regards to commercial and industrial uses, Sumner and Marysville focus on new light industrial and small-scale business uses, which provides goods production and consumption.

Seattle offers additional heavy industrial manufacturing abutting Georgetown. However, additional land use provisions were in place to protect housing from freight and manufacturing, as well as more separation from the commercial and residential core. Community feedback informed city policies to ensure clear separation and mitigation strategies between industrial uses and the remaining residential neighborhood to support more neighborhood identity and branding. Strategies include freight network considerations, design standards to minimize the negative impacts of industrial development, density bonuses for arts and community spaces; and more neighborhood commercial use.

Exhibit 7. Case Study Summary Considerations

	Sumner IDEA Overlay	Georgetown	Marysville Downtown
Geography Size Note: the North of NERA area is about 88 acres total	14 acres	9.7 acres The MML U/85 zone applies to much of the 4,200- acre Duwamish Manufacturing Industrial Center	Flex is about 38 acres. Flex Residential is about 38.1 acres. Total: 76.1 acres
Housing	Multifamily and live/work	Conditional uses for live/work and artist housing	A mix of allowed housing typologies dependent on zone
Legal non-conforming uses	SMC Section 18.29.060.B provides specific considerations for legal non-conforming uses or single family detached dwelling units within the overlay district.	SMC 23.42.100 provides general provision for non-conforming uses.	MMC Chapter 22C.100 provides specific provisions for legal-nonconforming uses or single family detached dwelling units.
Industrial and Commercial Uses	Prioritizes light industrial uses, maker spaces, and multiple small scale business operations as well as multifamily and live/work housing options.	Prioritizes light and heavy industrial land uses and includes additional considerations to separate	Prioritizes light industrial uses, maker spaces, and multiple small scale business operations as well as middle housing and lowrise multifamily housing.
Applicability to Burien	Retains existing single-family housing while incentivizing a transition to mixed live-work, as well as new	Prioritizes light and heavy industrial land uses while allowing for live-work in existing buildings. Offers a	Offers two zoning typologies to support a mix of residential and employment uses including light

	Sumner IDEA Overlay	Georgetown	Marysville Downtown
	light industrial and commercial uses. Limits housing to 50% to prioritize mixed and new employment uses. Considerations for existing single family could be a template for Burien.	middle definition of general industrial that is less than heavy but more inclusive than light industrial. The transition of industrial uses to the Georgetown neighborhood may offer an example in the edge areas of the North of NERA neighborhood that would transition to the north and west to residential areas.	industrial. Offers ideas to create a smoother transition of land uses inside the North of NERA area and industrial uses to the south and east.

Allowed Uses

Exhibit 8, below, provides a comparison of what zones are allowed within the case study areas. It provides an overall perspective on types of uses allowed for residential, commercial, and industrial land uses.

Exhibit 8. Allowed Use Comparison

Uses	Sumner	Seattle (Georgetown)	Marysville
Zones & Purposes	Sumner has a set of Town Center Districts, which are intended to be Transit Oriented Development (TOD) areas with a mix of residential, commercial, retail, and civic uses. The area along Zehnder Street is included in the West Sumner District. The IDEA Overlay is applied on top of the Town Center Zone and is intended to support small-scale manufacturing uses and maker activity.	The purpose of the MML U/85 zone is to create an existing industrial area with a concentration of core and legacy industrial and maritime uses including manufacturing, warehousing, shipping, and logistics activities, and is well served with truck, rail, and maritime or freight infrastructure.	Flex (F) and Flex Residential (FR) zones provide a mix of light manufacturing and commercial uses with some forms of residential. - Flex (F). This zone encourages a mix of uses, including artisan, workshops, small light industrial/manufacturing (indoors), commercial, and residential above a ground-floor commercial use. - Flex Residential (FR). This zone encourages a mix of uses including artisan, workshops, small light industrial/manufacturing (indoors), commercial, and allows “missing middle” housing and low-rise apartments.
Residential Allowed Uses	- Purpose/intent focuses on employment uses. Residential are allowed where associated with workspaces. - Permitted use: Residential units, provided residential uses are limited to 50 percent of total floor area. - ADUs are allowed. - Existing single family dwelling units are considered legally non-conforming uses.	Limited residential uses are allowed. - Artist's studio/dwellings in a building existing on June 1, 2023 with an administrative conditional use. - Caretakers Quarters as a Permitted use.	Flex - Live/Work - Multifamily housing (above ground floor commercial). Flex Residential - Low rise apartments - Middle housing typologies - Live/Work
Commercial Uses	Principal Uses include: - Artist studio, blacksmith shop, glassblowing, and similar artisan enterprises. - Bars and brew pubs	Allowed uses include: - Animal shelters - Eating and drinking establishments - Sports and recreation - Public facilities	Flex and Flex Residential - General commercial uses (goods and services, and professional office services and food) - Nonresidential accessory uses

Uses	Sumner	Seattle (Georgetown)	Marysville
	▪ Craft brewing (micro-brewing, micro-distillery, craft winery) ▪ Restaurants, cafés, coffee houses, bakeries, and similar food services. ▪ Retail services, office shared workspaces. ▪ Farmers markets		
Industrial Uses	▪ Artisanal food production ▪ Light fabrication of metal products, clothing products, small electronics, machine prototypes, and similar small-scale light industrial uses; provided all operations are conducted indoors, no noise, odor or vibrations are noticeable beyond the property lines; and provided fabrication area is limited to 5,000 square feet floor area.	▪ Light manufacturing – little or no potential of creating noise, smoke, dust, vibration or other impacts. May include smaller maker spaces, with products designed for consumption, with some transportation freight needs. Examples include small maker spaces, some goods production and arts. ▪ General manufacturing includes uses with a moderate potential for noise, smoke, dust, vibration or other impacts. May include assembly of materials, research and development/biomedical, building of smaller boats, machine shop, welding or fabrication, production of paints, and others. ▪ Heavy manufacturing – uses with a potential of creating substantial noise, smoke, dust, vibration and other impacts. May include larger scale manufacturing, shipping, and warehousing. Should be separated from residential uses. Requires heavy freight and waterway usage (if applicable). Examples	▪ Light industrial uses are only allowed in the Flex zone

Uses	Sumner	Seattle (Georgetown)	Marysville
		include food processing, logistical centers, and utilities.	

Development Standards

Sumner

[SMC Chapter 18.29 Town Center Code \(TCC\)](#), provides an overview of allowed uses and performance standards for uses. The City is currently updating this chapter to include a detailed overview of the IDEA Overlay District. A draft Ordinance of the code amendments, can be found [here](#).

All design and development guidelines for new development must follow [SMC 18.40](#) Design and Development Guidelines. It should be noted that Sumner developed form-based code for residential and commercial development in the Town Center land use. As part of the Comprehensive Plan update, Sumner now has adopted a form-based code for mixed Use and industrial uses in the IDEA Overlay. The Sumner Town Center identifies the following development standards for the IDEA Overlay:

- Form based code governs form, building types, and land uses
- 6 story maximum building height, with a minimum building height of 1-3 stories
- Control density by height and open space and parking standards
- Typical density ranges up to 112 dwelling units / acre
- Development within 200 ft of the White River is subject to the Shoreline Master Program.
- Existing single-family dwellings would be limited on expansion (to 75% for a limited period of time and thereafter 25%), except for ADU's

Seattle Georgetown

Additional revisions made to provide additional performance standards and protections. The Industrial and Maritime Strategy recommends that for any heavy manufacturing uses, the following protections must be shown: manufacturing must occur in an enclosed building, hours of operation do not impact residential neighborhoods, truck service must be directed away from residential streets, and shall not produce noises or vibration.

SMC Section 23.47A.009.J provides additional provisions that apply to Georgetown, including the following floor area ratio and height bonuses:

- An additional 1.0 FAR to the maximum FAR limit if a development includes an arts facility
- An additional 1.0 FAR to the maximum FAR limit if the development rehabilitates a historic landmark
- a 10 ft height limit increase for any development that includes floor area for arts spaces, community center, or historic landmark preservation.

Marysville

MMC Table 22C.080.140 provides an overview of development standards for the Flexible and Flexible Residential zones. See [Exhibit 9](#) for an overview of dimensional standards for development in the F and FR zoning designations.

Exhibit 9. Dimensional Standards F and FR Zones

	Flexible (F)	Flexible Residential (FR)
Base height (feet)	55	45
Minimum density (du/acre)	20	20
Maximum density (du/acre)	None	None
Minimum lot areas (sq ft)	No minimum lot area regulation; however, lot dimensions will be influenced by permitted uses, market conditions, and other development regulations herein.	
Maximum impervious surface (%)	There is no maximum percentage standard for impervious surfaces; however, the impervious surfaces will be limited by setbacks, required landscaping and open space, compliance with stormwater management provisions (see City of Marysville Storm Water Design Manual), critical areas provisions (see Chapter 22E.010 MMC), and market conditions, and compliance with other zoning and site design regulations in this chapter.	
Setbacks (minimum)		
Street setback (ft)	0-10	0-10
Side yard setback (ft)	0-15	0-15
Rear yard setback (ft)	0-15	0-15

Source: City of Marysville; 2025 (MMC Table 22C.080.140).

Special Zoning Considerations

Legal Non-Conforming Residential Uses

In Sumner, [SMC Section 18.29.060.B](#) provides guidelines for existing single family dwelling units that were permitted lawfully in the Town Center including areas with the IDEA Overlay. No additional dwelling units may be added in any parcel designed for Town Center. Structures may be rebuilt after a fire or natural disaster unless there is a health or safety impact. Within 10 years of December 3, 2018, residential uses can expand no more than 75% of their existing square footage. After 10 years, that percentage drops to 25%. Within commercial zones, residential uses cannot expand any more than 25%. Additional guidance around non-conforming uses can be found in [SMC Chapter 18.46](#) Nonconforming

lots, structures, and uses. Any additional work on a nonconforming structure must adhere to development standards for the in place on the date of the permit application. Comprehensive Plan Amendments will amend SMC Section 18.29.60 to focus solely on single family detached dwelling units, with additional guidance on development standards.

Seattle's Municipal Code Section [23.42.100](#) provides guidance on nonconforming uses and limits the expansion or change of non-conforming residential uses except for minor structural features (e.g. decks, balconies) or accessory structures. Live-work units are deemed a nonresidential use. Section 23.40.006 - Demolition of housing appears to regulate the demolition of any residential unit regardless of zone.

In Marysville, single detached dwellings units established on or prior to September 27, 2021 are considered legally non-conforming. They are not permitted in all zones associated with the Downtown Master Plan. [MMC Chapter 22C.100](#) Nonconforming Situations provides guidance on legal non-conforming uses, which allows expansion of 50% of the use for a single-family or middle housing in non-residential zones.

Sumner Form-Based Code

Exhibit 10, below provides an overview of dimensional standards for new development in the IDEA Overlay District in Sumner. While Burien does not have form based code standards in the North of NERA project area, it can help inform development standards for zoning proposal alternatives.

Exhibit 10. Sumner Form-based Code for IDEA Overlay District

Lot Parameters		Building Placement	
Lot	Area	Width	Building Setbacks Mixed Use
IDEA	7,500 SF	50' min	A. Primary street
*Residential units allowed provided, that residential uses are limited to 50 percent of total floor area			B. Secondary street
			C. Side: lot line
			D. Rear: lot line
Specifications		Lot Frontage	
Building coverage	90% max	E. Primary street	
		60 % min	
Access & Parking Location		IDEA Height and Mass	
Access		Building Height	
New curb- cuts allowed per lot	Determined by the Director	Maximum	6 stories
Distance between curb-cuts on same lot	100' max	Minimum Height	
A. Driveway width in setback	20' max	Zehnder Street	1 story min
Location of loading bays	Side or rear only	Remaining area	2 stories min
		Development within 100 feet of Arterial Street	4 stories min
Parking Setbacks*		Building Mass	
B. Street Primary	10' min	C. Street-facing building length	200' max
C. Street Secondary	10' min		
D. Side: common lot line/	0' min		
E. Rear: common lot line/	0' min		

Draft Community Engagement Plan

North of NERA Zoning Code and Map Amendment Project

Goals and Objectives

1. Inform the public about the purpose of rezoning, including its alignment with and implementation of the Comprehensive Plan.
2. Understand community concerns and preferences related to rezoning.
3. Collaborate by sharing and refining drafts based on community feedback.

Key Messages

1. What are we doing and why?
2. What is the current zoning and how will it change?
3. What does this mean for me and my property?

Tentative Phases and Key Milestones

Scoping (July – August 2025)

Project Launch and Early Engagement (August – September 2025)

Deliverable: Webpage, public materials informational handout, in-person tabling.

Research and Develop Zoning Approaches (Sept-February 2026)

Research applicable case studies, review existing conditions, and draft zoning approaches.

Deliverable: Zoning approach proposals and comparative analysis.

- Planning Commission Case Studies 2/11/2026

Solicit Feedback and select approach (January – April 2026)

Publish alternative zoning approaches, solicit feedback, identify the preferred alternative.

Deliverable: Community engagement feedback summary and presentation to Planning Commission. Select preferred alternative for Planning Commission consideration.

- Virtual Resident Interviews
- Community workshop (in-person and/or virtual)
- Planning Commission briefing
- Online engagement tools

Draft Code and Prepare for Legislative Action (March-July 2026)

Draft code amendments and zoning map amendments.

Deliverable: Planning Commission Public Hearing Staff report, Draft code, SEPA determination

- Planning Commission Public Hearing
- SEPA

Adoption and Notification (July – September 2026)

- City Council Meeting x2 minimum
- Potential individual briefings

Engagement Strategies

To Inform and Build Awareness:

- Project Webpage
- Regular Blog Posts
- Online Survey (translated)
- Fact Sheets (print + digital)
- Neighborhood Mailers
- In-person Community Events
- Social Media Updates

To Listen and Learn:

- Stakeholder Interviews
- Neighborhood Listening Sessions
- Translated materials and interpretation as needed

Solicit Feedback:

- Pop-Up Engagement at local events and businesses
- Public Comment Period on Drafts

Engagement Efforts

The city has invested in providing notification and opportunities for engagement including but not limited to the following:

- August 23, 2025 – Boulevard Park Block Party Labeling
- September 10, 2025 – Resident/Property Owner Mailer No. 1 informing of the project and live project webpage

- September 18, 2025 – Ask a Planner at Burien Farmers Market
- September 24, 2025 – Planning Commission Presentation
- February 11, 2026 - Planning Commission Presentation
- March 17, 2026 - Presented to the Burien Airport Committee
- March 20, 2026 - Resident/Property Owner Mailer No. 2 informing of the upcoming community engagement events and QR code for an anonymous survey. The mailer and survey available in English, Vietnamese, Spanish and Amharic. As of May 1st, the anonymous survey received 70 responses.
- March 27, 2026 - Presented at the Burien Economic Development Partnership (BEDP).
- March 31, 2026 - Hosted a Local Business Focus Group event at the Boulevard Park Library with licensed home occupation business operators in the project area
- April 11, 2026 - Hosted a Community Conversations Event at the Boulevard Park Library with engagement activities
- April 14, 2026, - Attended Townhall event at Boulevard Park Library hosted by the City Mayor and two Planning Commissioners.
- April 22, 2026 – Community Open House
- April 22, 2026 – Planning Commission Presentation
- June 10, 2026 – Planning Commission Presentation
- June 24, 2026 – Planning Commission Presentation

Attachments

1. September 10, 2025 Mailer No.1
2. March 10, 2026 Mailer No. 2
3. May 29, 2026, Mailer No. 3
4. March 31, 2026, Local Business Focus Group Facilitation Guide
5. April 11, 2026, Community Conversations Event posters

RE: North of NERA Zoning Code and Map Amendment Project Begins

Dear Burien Resident and/or Property Owner,

We are reaching out because your property is within an area where the City of Burien is beginning a zoning code and map amendment process. We want to ensure you're informed and invited to participate as this project moves forward.

The existing zoning is single-family residential (RS 7,200). This project will explore new zoning that expands opportunities for local jobs, entrepreneurship, and innovative industries, while balancing environmental protection and nature of the existing neighborhood. We are committed to ensuring this proposal ensures protection for environmentally critical areas and the tree canopy.

The City is exploring new zoning for the area north of the Northeast Redevelopment Area (NERA) – between South 128th Street and South 138th Street, west of Des Moines Memorial Drive. This effort implements the Future Land Use Map aligning with the Burien 2044 Comprehensive Plan.

Project Timeline

- **September 24, 2025:** Introduction at Planning Commission (purpose and intent of the project).
- **Late 2025–Mid 2026:** Development of three zoning alternatives with community input.
- **Summer/Early Autumn 2026:** Planning Commission recommendation and City Council adoption.

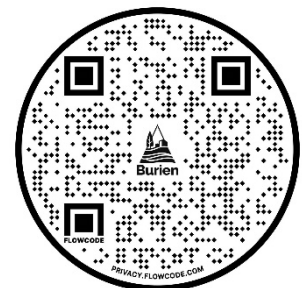
Why This Matters

Through this project, we will work with the community to:

- Create entrepreneurship opportunities for creators, builders, and small businesses.
- Support local jobs and employment opportunities.
- Promote balanced growth that strengthens Burien's economy while protecting neighborhoods and the environment.

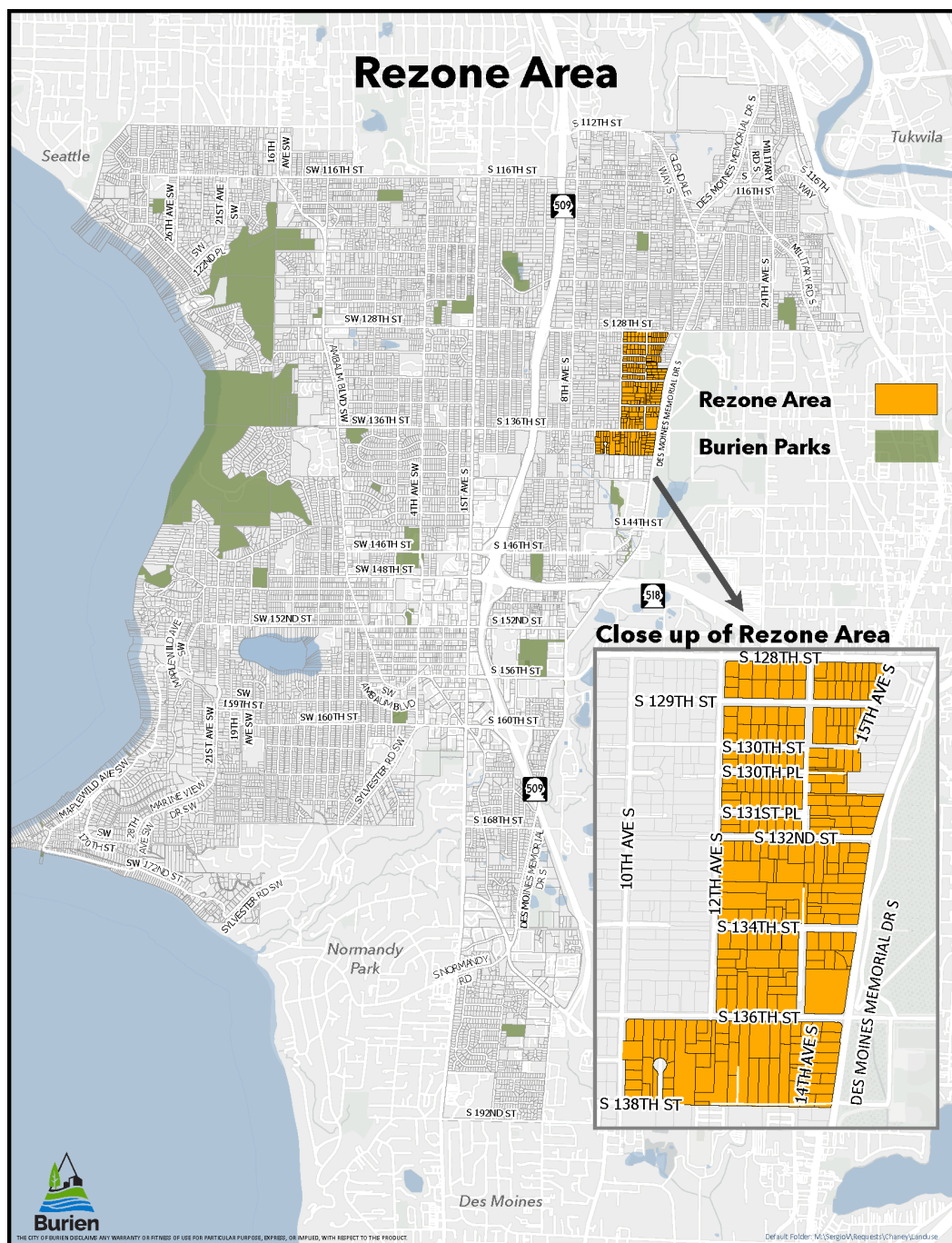
How to Get Involved

- **Attend Planning Commission Meetings!** Schedules and materials are posted online.
https://www.burienwa.gov/city_hall/boards_and_commissions/planning_commission
- **Watch for future mailers!** Property owners and residents will receive periodic updates.
- **Email us!** Share questions and comments to the project lead:
chaney@burienwa.gov
- **Visit our website!** Learn more and find participation opportunities:
www.burienwa.gov/nnz or scan the QR code



Thank you for taking the time to stay informed and engaged. Your participation will help shape a vibrant and sustainable future for this part of Burien.

Sincerely,



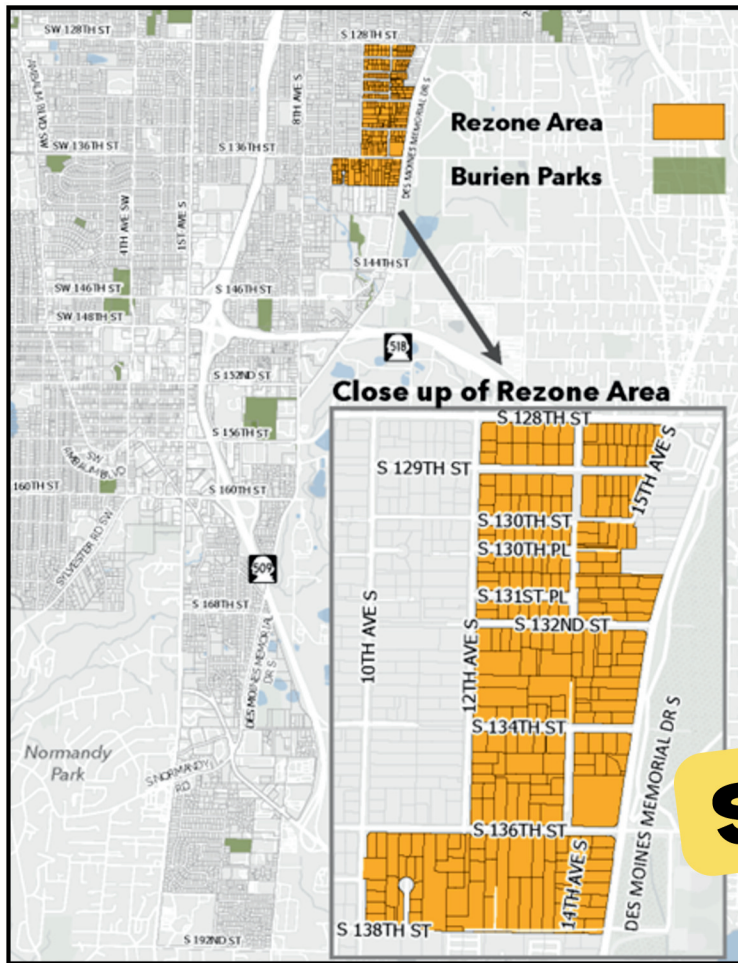


Local Jobs, Entrepreneurship, and Innovation for Burien's Future

Burien North of NERA Zoning Code and Map Amendments

The City of Burien is exploring new zoning for the area north of the Northeast Redevelopment Area (NERA) to support local jobs and small businesses.

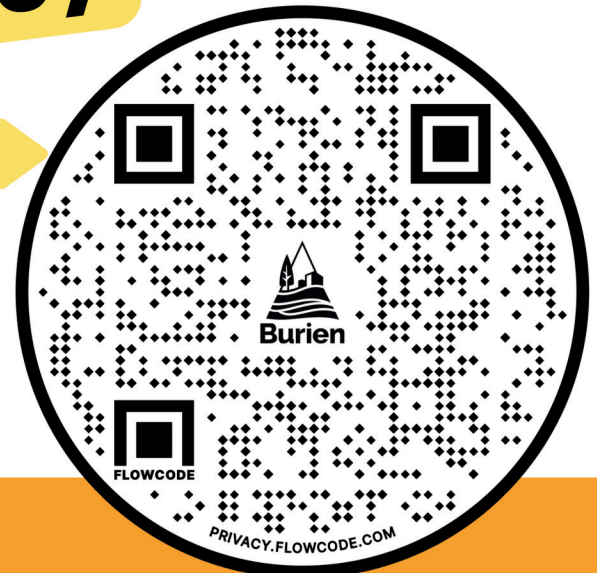
- This project explores small-scale business and employment uses.
- Existing homes can remain, and property owners are not required to make changes.
- *Large warehouses and heavy industrial uses are not being proposed.*



HOW CAN I GET INVOLVED?

- We want to hear from you! Take the 10-minute survey: burienwa.gov/nnz
- Email us! Share questions and comments: chaneys@burienwa.gov
- Learn more at a Community Open House on April 22 at 3:30 p.m. on the first floor of Burien City Hall (400 SW 152nd St) followed by a presentation to the Burien Planning Commission at 5:30 p.m.
- Learn more at a Community Open House on April 11 from 1-3 p.m. at Boulevard Park Library.
- Visit our website! Learn more and find participation opportunities:

Survey



burienwa.gov/nnz

Puestos de trabajo locales, emprendimiento e innovación para el futuro de Burien

Enmiendas al código de zonificación y mapa al norte del NERA

La ciudad de Burien está explorando nuevas normas de zonificación para el sector al norte del Área de Reurbanización Noreste (Northeast Redevelopment Area, NERA) para apoyar los empleos locales y las pequeñas empresas.

- Este proyecto explora usos para pequeñas empresas y empleo local.
- Las viviendas existentes pueden permanecer, y los propietarios no están obligados a hacer cambios.
- No se están proponiendo grandes almacenes ni usos a nivel industrial.

¿Cómo puedo participar?

- Queremos saber su opinión: Responda la encuesta de 10 minutos en burienwa.gov/nnz.
- Envíenos un correo electrónico. Envíe preguntas y comentarios a: chaneys@burienwa.gov
- Obtenga más información en la Jornada de Puertas Abiertas Comunitaria el 22 de abril a las 3:30 p. m. en el primer piso del Burien City Hall (400 SW 152nd St), seguida de una presentación ante la Burien Planning Commission a las 5:30 p. m.
- Obtenga más información en la Jornada de Puertas Abiertas Comunitaria el 11 de abril, de 1:00 a 3:00 p. m., en la Biblioteca Boulevard Park.
- Visite nuestro sitio web. Obtenga más información y encuentre oportunidades de participación en: burienwa.gov/nnz

Việc làm, tinh thần khởi nghiệp và đổi mới sáng tạo để xây dựng tương lai cho Burien

Các sửa đổi đối với Quy hoạch và Bản đồ khu vực phía Bắc của NERA

City of Burien đang xem xét kế hoạch phân khu mới cho vùng phía bắc của Khu vực Tái phát triển Đông Bắc (Northeast Redevelopment Area, NERA) nhằm hỗ trợ việc làm tại địa phương và các doanh nghiệp nhỏ.

- Dự án này xem xét việc phát triển các hoạt động kinh doanh và việc làm quy mô nhỏ.
- Các nhà hiện có vẫn có thể tiếp tục giữ nguyên và chủ sở hữu bất động sản không phải thực hiện bất kỳ thay đổi nào.
- Các kho bãi lớn và hoạt động công nghiệp nặng không nằm trong đề xuất lần này.

Làm thế nào để tham gia?

- Chúng tôi muốn lắng nghe ý kiến của quý vị! Hãy hành 10 phút để tham gia khảo sát tại burienwa.gov/nnz.
- Gửi email cho chúng tôi! Mọi thắc mắc và đóng góp, xin gửi về địa chỉ: chaneys@burienwa.gov
- Tìm hiểu thêm tại Buổi gặp gỡ cộng đồng (Community Open House) vào ngày 22 tháng 4 năm lúc 3:30 chiều tại tầng một của Burien City Hall (400 SW 152nd St), sau đó sẽ có phần thuyết trình trước Burien Planning Commission lúc 5:30 chiều.
- Tìm hiểu thêm tại Buổi gặp gỡ cộng đồng (Community Open House) vào ngày 11 tháng 4, từ 1 giờ đến 3 giờ chiều, tại Thư viện Boulevard Park.
- Truy cập trang web của chúng tôi! Tìm hiểu thêm và tìm cơ hội tham gia tại: burienwa.gov/nnz

ለBurien የወደፊት ጊዜ የአካባቢው የሥራ ዕድሎች፣ ሥራ ፈጣሪነት እና ፈጠራ

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- ሚያዝያ 22 3:30 ከሰዓት አንደኛ ፎቅ ላይ በሚገኘው የBurien መስብሰቢያ አዳራሽ (400 SW 152nd St) የህብረተሰብ መገልገያ ቤት (Community Open House) ላይ የበለጠ ይወቁ፤ በመቀጠልም 5:30 ከሰዓት ላይ የBurien ፕላን ኮሚሽን ይቀርባል።
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Local Jobs, Entrepreneurship, and Innovation for Burien's Future

Burien

North of NERA Zoning Code and Map Amendments

The City of Burien has developed a draft zoning proposal for the North of NERA area that seeks to balance opportunities for small-scale local jobs and businesses while respecting the existing residential neighborhood.

The proposal has been informed by community feedback, existing neighborhood conditions, and airport compatibility considerations. Thank you to everyone who has participated in the process so far.

Key elements of the draft proposal include:

- Existing homes would be allowed to remain and be maintained indefinitely.
- Existing homes would be allowed to expand and add an accessory dwelling unit (ADU), though property owners would not be required to make any changes.
- Existing developed lots with a single-family home would be allowed to be completely rebuilt with a new single-family home.
- Expanded opportunities for home occupations and small-scale business activities compatible with the neighborhood.
- New primary development would be employment oriented with limitations, restrictions, and additional regulations applicable to mitigate impacts to the neighborhood.

Community members are encouraged to learn more and provide feedback at the upcoming public meetings:

- June 10, 5:30 p.m. at City Hall: Planning Commission Meeting
- June 29, 5:30 p.m. at City Hall: City Council Meeting
- July 1, 6 p.m. on Zoom: Virtual Code Amendments Walkthrough
- July 8, 5:30 p.m. at City Hall: Planning Commission Public Hearing



For the complete proposal, project updates and meeting materials, please visit the project webpage:

burienwa.gov/nnz

Puestos de trabajo locales, emprendimiento e innovación para el futuro de Burien

Enmiendas al código de zonificación y mapa al norte del NERA

La City of Burien ha elaborado una propuesta de zonificación al norte del Área de Reurbanización del Noreste (Northeast Redevelopment Area, NERA) para equilibrar las oportunidades para los pequeños negocios y los empleos locales, mientras mantiene el carácter del vecindario residencial actual.

La propuesta ha sido elaborada teniendo en cuenta los comentarios de la comunidad, las condiciones actuales del vecindario y los criterios de compatibilidad con el aeropuerto. Queremos agradecer a todos los que han formado parte del proceso hasta este momento.

Las próximas reuniones públicas:

- 10 y 29 de junio de 2026
- 1 y 8 de julio de 2026

Para obtener la propuesta completa, las actualizaciones del proyecto y el material de las reuniones, visite la página web del proyecto: burienwa.gov/nnz

Việc làm, tinh thần khởi nghiệp và đổi mới sáng tạo để xây dựng tương lai cho Burien

Các sửa đổi đối với Quy hoạch và Bản đồ khu vực phía Bắc của NERA

City of Burien đã xây dựng dự thảo đề xuất quy hoạch cho vùng phía bắc của Khu vực Tái phát triển Đông Bắc (Northeast Redevelopment Area, NERA) nhằm tạo cơ hội phát triển việc làm và các hoạt động kinh doanh quy mô nhỏ tại địa phương, đồng thời vẫn tôn trọng khu dân cư hiện hữu.

Đề xuất này được xây dựng dựa trên phản hồi từ cộng đồng, điều kiện hiện tại của khu dân cư và cân nhắc các yếu tố tương thích với hoạt động của sân bay. Cảm ơn tất cả mọi người đã tham gia vào quá trình này cho đến nay.

Công cộng sắp tới:

- Ngày 10 tháng 6 năm 2026
- Ngày 29 tháng 6 năm 2026
- Ngày 1 tháng 7 năm 2026
- Ngày 8 tháng 7 năm 2026

Để xem toàn bộ đề xuất, cập nhật dự án và tài liệu cuộc họp, vui lòng truy cập trang web dự án: burienwa.gov/nnz

ለBurien የወደፊት ጊዜ የአካባቢው የሥራ ዕድሎች፣ ሥራ ፈጣሪነት እና ፈጠራ

የአሜሪካ NERA የዞን ኮድ እና የካርታ ማሻሻያዎች

የCity of Burien ለNorth of NERA አካባቢ የመሬት አጠቃቀም እቅድ ሀሳብ አዘጋጅቷል፣ ይህም ለአካባቢ የአካባቢ ስራዎች እና ንግዶች እድል ለመፍጠር በማሰብ እንዲሁም ያለውን የመኖሪያ ሰፈር ባህሪ ለማክበር የተዘጋጀ ነው።

ሀሳቡ በማህበረሰብ አስተያየት፣ በነባር የአካባቢ ሁኔታዎች እና በአውሮፕላን ማረፊያ ተኳሃኝነት ግምቶች ተነግሯል። በሂደቱ እስካሁን ድረስ ለተሳተፉት ሁሉ እናመሰግናለን።

የሚከተሉት ህዝባዊ ስብሰባዎች፡-

- ሰኔ 10፣ 2026
- ሰኔ 29፣ 2026
- ሐምሌ 1፣ 2026
- ሐምሌ 8፣ 2026

ፕሮፖዛል ሙሉ፣ የፕሮጀክት ማሻሻያ እና የስብሰባ ቁሳቁሶች ከፈለጉ፣ እባክዎ የፕሮጀክቱን ድረ-ገጽ ይጎብኙ፡

Local Business Focus Group – Facilitation Guide

North of NERA Rezone Project

Goal: Understand the needs, challenges, and opportunities for local businesses (while also acknowledging participants as residents) to inform a zoning proposal that supports business growth *and* a livable neighborhood.

1. Welcome attendees (6:00-6:10pm)

2. Meeting Kick off (6:10-6:15)

Staff Introductions

Thanks for being here tonight. We really appreciate you taking the time.

We're working on the collecting input, ideas, and information from entrepreneurs and business owners in this area to inform the next phase of the North of NERA zoning project. The goal tonight is simple: to hear directly from business owners about what's working, what's not, and what you'd want to see change to be able to sustain and grow your business.

We know many of you are not just business owners you also live here. That dual perspective is really important. We're trying to understand how to support local businesses *without losing what makes this neighborhood a place people want to live*.

This isn't about presenting a finished proposal. We're still shaping options, and your input will directly inform what that looks like.

Ground Rules

- Everyone's perspective is valid
- One person at a time
- We're here to listen, not debate
- Staff is here to learn (not defend a proposal)

Guest Introductions

- Please introduce yourself and briefly share your business and how long you've been in the area?
- What made you choose this location?

3. Background Information (6:15-6:25)

Short PowerPoint (5–7 minutes)

Q&A

4. Focus Group Discussion Questions (6:25-7:25)

Understanding Current Conditions

What are the biggest challenges you face operating your business here today?

- Physical space? (size, layout, parking, storage)
- Zoning or permitting issues?
- Customer access
- Compatibility with surrounding uses?
- Cost pressures (rent, property, etc.)

3.31.2026

If you could expand or improve your business here, what would that look like?

- More space? Different type of space?
- Ability to add services or products?
- Outdoor space?
- Shared working spaces?
- Hiring more employees?

What's stopping you from doing that today?

Zoning Development

What types of changes would help businesses succeed here?

What types of businesses or activities do you think are missing from this area?

Resident Perspective - Since many of you live here too, we need to talk about balance

What do you value most about living in this neighborhood today?

What kinds of business growth or changes would feel compatible—or incompatible—with that?

If we had to prioritize, what's more important expanding opportunities for local businesses, or limiting impacts on residential areas?

What would a good balance look like to you?

Is there anything we didn't ask that you think is important for us to understand?

5. Closing (7:25-7:30)

Thank you

. We're taking this input and using it to shape zoning options, which will come back to the community for more discussion.

There will be additional opportunities to stay involved as this moves forward.

- April 11, 2026, North of NERA Community Conversation from 1pm-3pm
- April 22, 2026, North of NERA Open House Event 3:30-5 p.m. at first floor of Burien City Hall (400 SW 152nd St)
- April 22, 2026, Planning Commission Briefing

Why This Project is Important

This project will **update**
the **City's zoning map**
and **development**
regulations (Burien
Municipal Code).



These rules guide:

- ✓ What can be built
- ✓ What types of activities
can occur
- ✓ How development
looks and functions



This project will:

- ✓ Plan for growth in Burien by implementing the
Comprehensive Plan
- ✓ Reduce land use conflicts near the airport
- ✓ Respect existing residents and neighborhoods
with future opportunities

What Shapes What's Possible Here?



These factors **shape what is appropriate here** and limit some types of development:



- WSDOT Airport Land Use Compatibility Manual recommendations on appropriate land uses for area near the expanding airport
- 20-year growth projections and employment allocation from the Comprehensive Plan
- Environmental constraints, including the existing critical aquifer recharge area
- Existing land use pattern of 265 lots made up of 247 housing units and 31 licensed businesses



How we'll build **a plan that works**:



- Use community input to shape future zoning options
- Identify tools to reduce impacts on existing residents, such as:
 - Limits on certain uses and their operations
 - Development standards (limits on scale, size, location, screening)
 - Environmental protections

What We've Heard So Far

Support for
allowing small-
scale, local
businesses

Strong
opposition to
large-scale
industrial uses

Desire to keep
neighborhood
quiet

Interest in
protecting trees
and
environmentally
critical areas

Concerns
about
increased
traffic



Did we get this right?
What would you add or change?

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North of NERA Rezone Project

What We're Hearing Tonight

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North of NERA Rezone Project

Which Business Types?

Business Operation Type	Example	Comfortable	Unsure	Uncomfortable
Onsite creation and offsite sales:				
Commissary kitchen or light food production				
Artisan Manufacturing like jewelry production				
Plant nursery				
Onsite services				
Barber or nail salon				
Doggy daycare or training				
Art-related services/activities/sales like musical instruction, pottery classes, etc.				
Small engine repair, auto body repair, car detailing				
Onsite sales and restaurants				
Wine tasting/ microbrewery/ tasting room				
Coffee roaster, café, ice cream parlor				
Home-based business with offsite services				
Trades like landscaping, electrician, plumber, janitorial services, junk hauling				
Construction and other uses which store materials and equipment on site				

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