

## **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 coordinated subdivision or master-planned development, resulting in partial street connections and a continued residential presence that is expected to remain.

While the area is primarily residential, existing conditions also demonstrate a baseline level of employment activity through home occupations and small-scale businesses operating under current zoning regulations. These uses are dispersed, generally compatible with surrounding residences, and reflect employment patterns that are modest in scale and often service oriented. This suggests that future zoning approaches may be more feasible if they build upon existing patterns of small-scale employment rather than assume rapid or comprehensive conversion to large-format industrial uses.

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 requirements, and the presence of Critical Aquifer Recharge Areas that restrict certain high-intensity or hazardous uses. Together, these constraints limit the suitability of some industrial uses that may otherwise be appropriate elsewhere in the city.

Zoning alternatives presented 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 existing conditions.

## **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. While the Comprehensive Plan establishes the long-term vision for land use, zoning serves as the implementing tool that determines what uses are allowed, how they can look, and what regulations apply. Future zoning alternatives will be developed 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 and selection of a preferred alternative.

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

## **2. Project Area Overview**

### **2.1 Location and Boundaries**

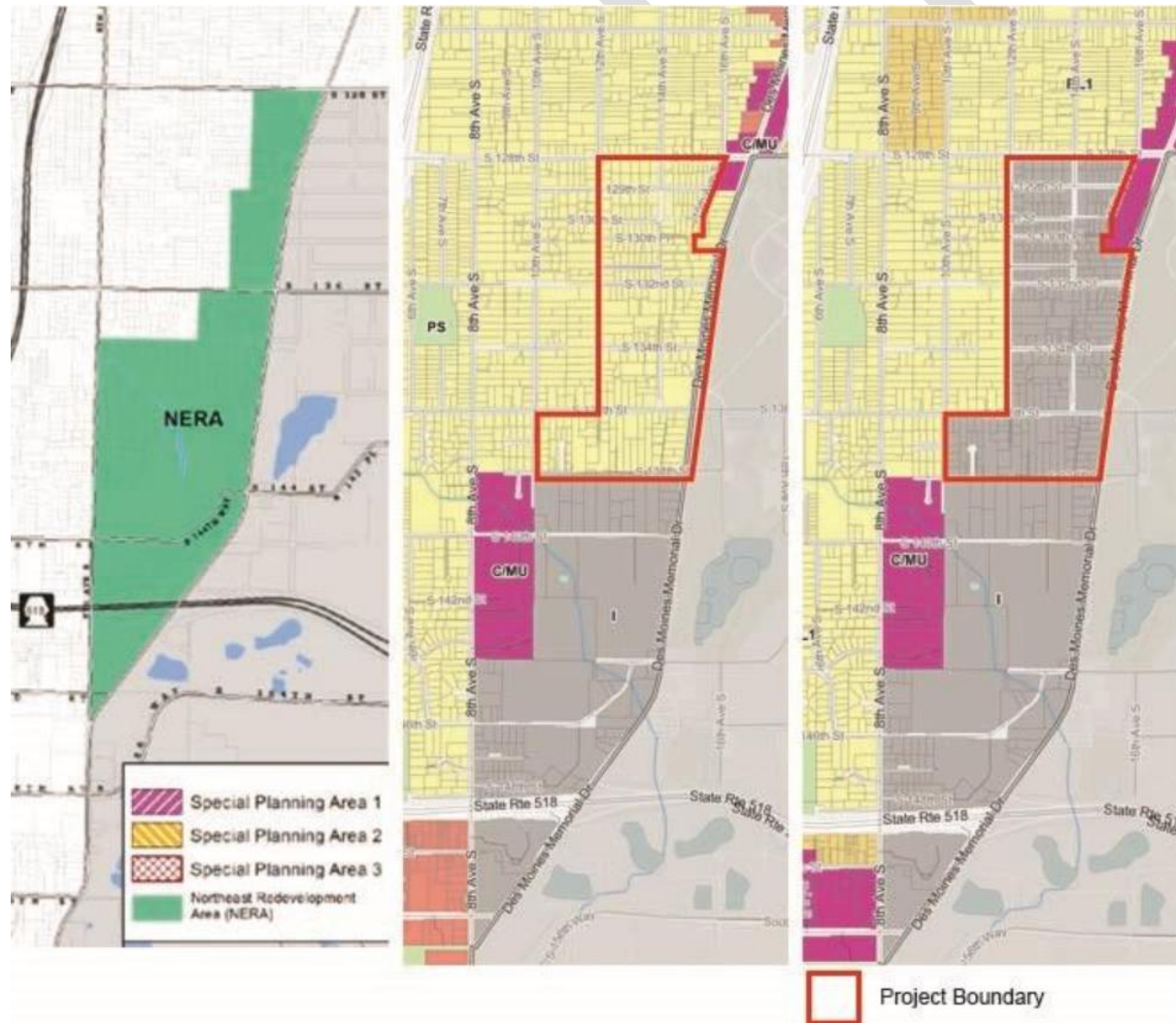
The project area is located along the eastern city limits of Burien adjacent to the City of SeaTac. It is generally bounded by Des Moines Memorial Drive to the east, S 138th Street to the south, S 128th Street to the north, and 12th Avenue S (between S 128th Street and S 136th Street) and 10th Avenue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



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](#).

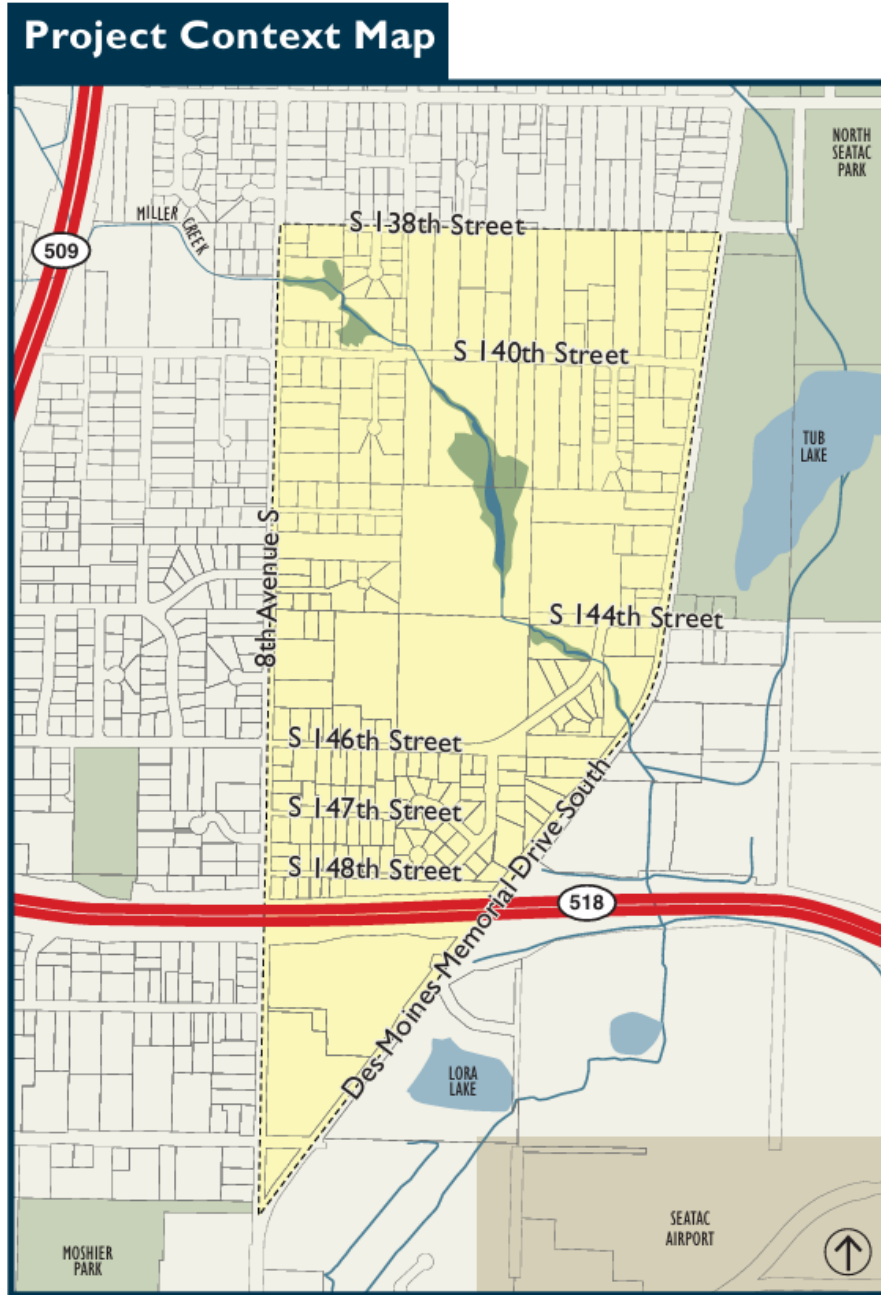
Exhibit 2 below provides an overview of the boundary of the land use designation change from the Burien Comprehensive Plan over the years.

Exhibit 2. Comprehensive Plan Amendment Change in 2024



The 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

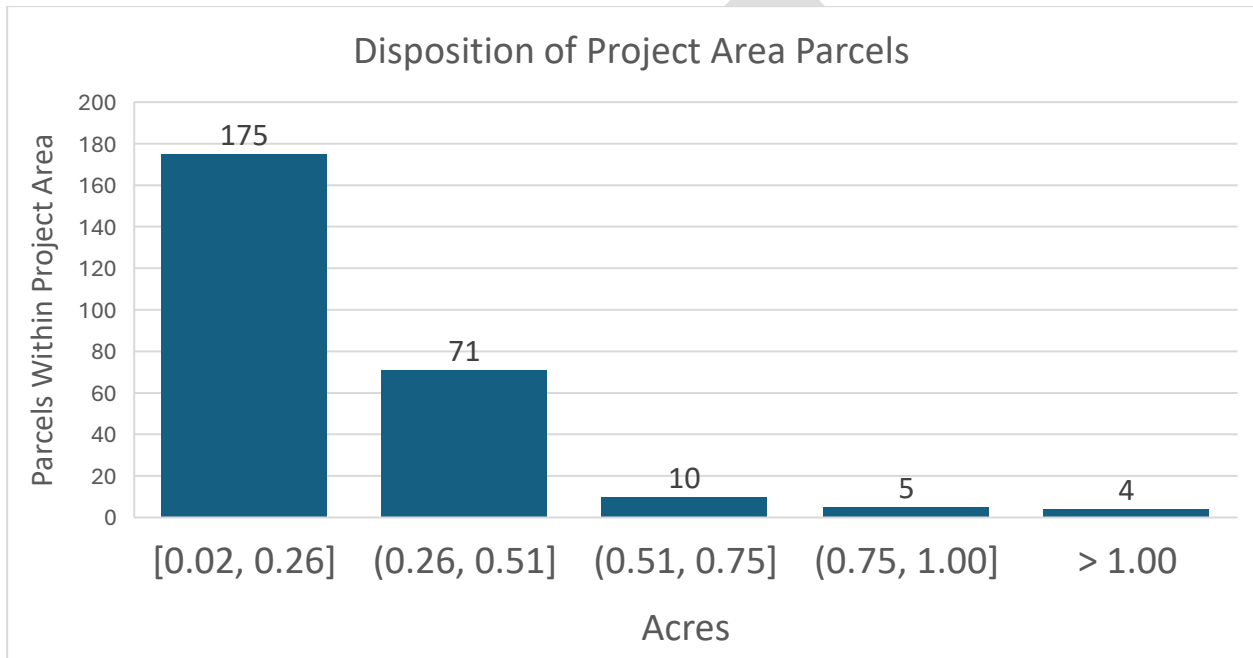


## 2.2 Size and Lot Configuration

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 platted lots within the project area impacts future zoning feasibility and development outcomes. 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 be taken into consideration as to 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 132<sup>nd</sup> and South 128<sup>th</sup> Street or the cul-de-sac north of South 138<sup>th</sup> street.

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 units or less commonly resulting in flag shape lots for access. A consequence of small-scale infill development versus 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 making it more difficult to connect the street grid since dedication generally occurs as part of the development permit review. For example, within the project area 14<sup>th</sup> Ave SW is completely interrupted and does not currently connect through 132<sup>nd</sup> Street.

### 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. 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 of coordinated redevelopment activity.

### 2.5 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.

### **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:

- 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 4. 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

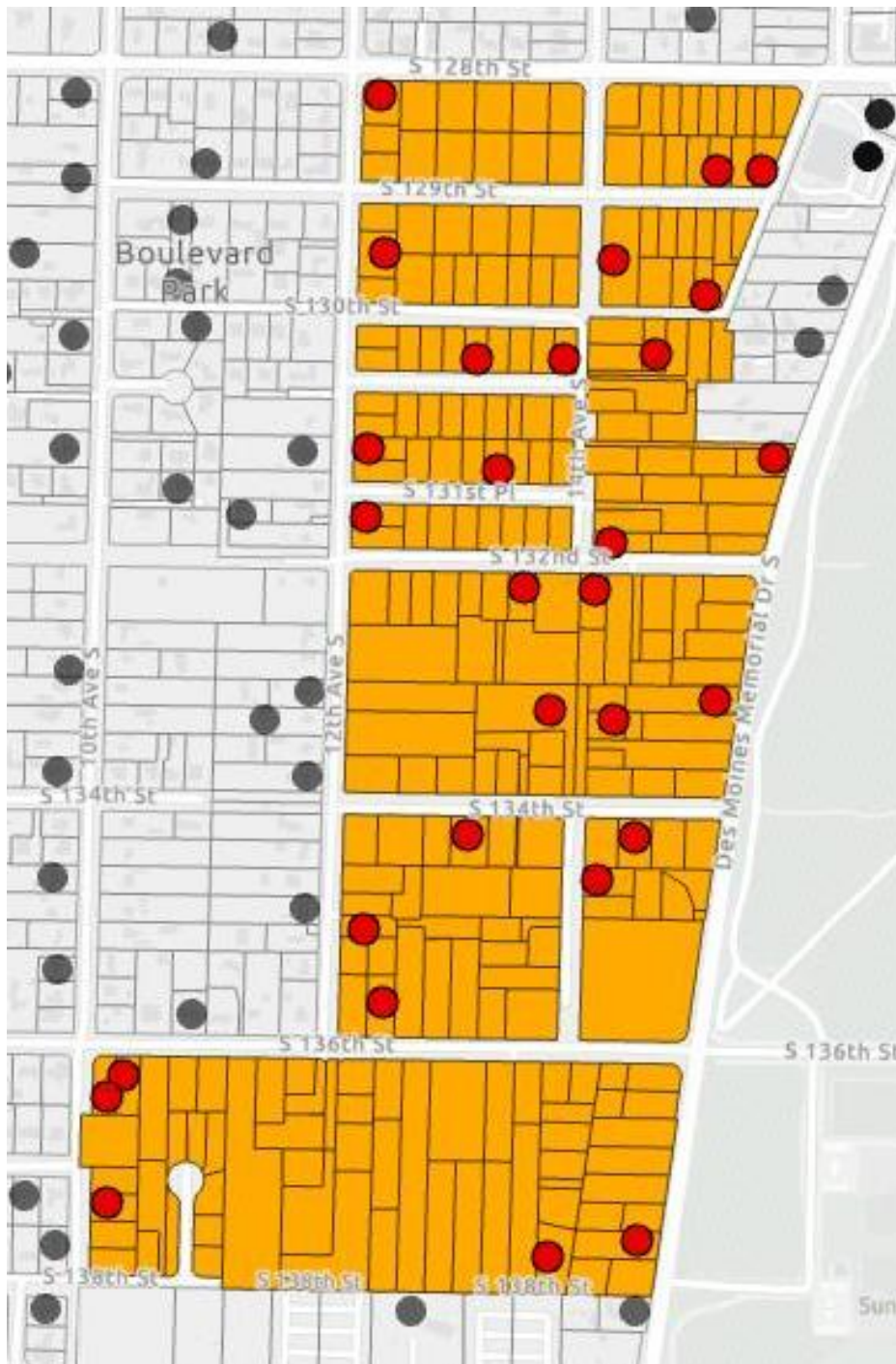
landscaping services, trucking and hauling, small-scale apparel, food service, and community-serving uses such as adult family homes and childcare. Many of the businesses involve off-site services while some include limited on-site operations or services.

Exhibit 5. The types of business

<b>ID</b>	<b>Business Name</b>	<b>Description</b>
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.

Exhibit 6. 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 7 reflecting and reflects 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 dwelling 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 is the most intense abutting zone to the project area and occupies the area along the southern boundary.

Exhibit 7. Zoning Vicinity Map



### 3.2. 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 the Exhibit 8 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.

Exhibit 8. 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 <sup>th</sup> St Robbins and Company	73,180 acres	2021	35,407	Robbins and Company – Construction

## 4. Transportation, Access, and Mobility – Section to be completed in the future

### 4.1 Road Network

- Major arterials and local streets
- classification of roadways

### 4.2 Transit Access and Nonmotorized Mobility

- Bus access
- Sidewalks and bike lanes

## 5. Airport and Environmental Constraints

### 5.1 Seattle-Tacoma International (SEA) Airport

Compatible land use surrounding airports is an important issue when planning for 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.

For consistency with Puget Sound Regional Council's (PSRC) [Airport Compatible Land Use Guidance](#), the city is conducting Airport Land Use Compatibility Study citywide to be included in the Comprehensive Plan and more specifically assess the North of NERA boundary. The study will assess existing and planned land uses adjacent to the airport to ensure the city has accounted for potential incompatible uses near the airport.

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 per [BMC 19.17.145](#). All but 12 parcels located in the southwest corner of the project area are located within this boundary and are currently subject to additional regulations related to air filtration and open spaces design per [BMC 19.47.510](#). 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.

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.

## 5.2 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 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.

### 5.3 Streams

In 2019, the City of Burien hired a consultant to verify the presence of a Type Ns (Non-fish habitat) stream. City of Burien Critical Areas Map and the King County iMap identified a stream emanating from the northwest corner of 13303 14<sup>th</sup> Ave S and flowing diagonally southeast to the center of stream within the project area 3429 14<sup>th</sup> Avenue S. 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.

In conclusion, the regulations protecting stream and stream buffers are not applied to the project area as there are no streams identified, however, development activities proposed on sites containing a CARA will be restricted based on the recently amended protections per [BMC 19.40 Critical Areas](#).

## **6. Land Use Regulatory Framework**

### 6.1 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 including on the 2026 Annual Comprehensive Plan Amendment Docket approved by City Council January 26, 2026, via resolution 523.

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