

Development Code Update Planning Commission Comment Matrix

NOTE:

- This form is for Planning Commission comments on the Draft Comprehensive Plan update, including the proposed development code amendments.
- Submit amendments only, no commentary or discussion. Save your discussion of amendments and commentary for the next public meeting.
- Do not use this form for confidential matters.
- Staff will prepare responses, as time allows, and provide the Planning Commission with the completed matrix document by June 3, 2025.
- The matrix will also be appended to the Planning Commission packet for each meeting it will be discussed and published online.

Log #	Received From	Section	Comment	Staff Response
1	Dan Thompson	MICC 19.06.080(A)(2)	"2. Reasonable accommodation. Reasonable accommodations shall be made to handicapped persons, pursuant to the process provided in MICC 19.01.030, when such accommodations may be necessary to afford such persons equal opportunity to use and enjoy a dwelling, as required by the Federal Fair Housing Amendments Act (FHAA). B. Social service transitional housing..." Replace "handicapped" with "disabled".	Non-Substantive
2	Dan Thompson	MICC 19.06.080(B)	B. Social service transitional housing. 3(g). "The written certification by the sponsor or managing entity constitutes full compliance with (a) through (f) of this subsection. Nothing in this subsection prohibits the sponsor or managing agency from voluntarily updating any of the information submitted under (a) through (f) of this subsection". I don't understand this section. I would delete 3(g). Written certification that a-f have been fully complied with should come from the code official, not the sponsor.	Substantive – Not recommended Applicant submittal of the certification is required by House Bill 2266 Section 2(5). Code official certification would not comply with this requirement. Removal of this section is not recommended.

Log #	Received From	Section	Comment	Staff Response
3	Dan Thompson	MICC 19.06.080(B)(3)(c)	<p>Former 3(e) deleted:</p> <p>"c. The facility is at least 600 feet from the property line of educational or recreational facilities where children are known to congregate, including but not limited to any public park, the I-90 Trail, churches or synagogues, schools, licensed daycares, the Mercer Island Branch of the King County Library, public pools, the Mercerwood Shore Club, Mercer Island Beach Club, the Jewish Community Center, Mercer View Community Center, or the Boys and Girls Club."</p> <p>Maintain distance barriers for elementary schools.</p>	<p>Substantive – Not Recommended</p> <p>The City cannot impose this spacing requirement under House Bill 2266, which stipulates that cities cannot have development regulations for emergency housing that are more restrictive than those that generally apply to residential development in zones where the use is allowed.</p>
4	Dan Thompson	MICC 19.06.XXX (p.6)	<p>MICC 19.06.XXX – AFFORDABLE HOUSING [NEW SECTION]</p> <p>B. Design elements.</p> <p>"4. Affordable units may not be smaller than other units with the same number of bedrooms in the development, unless the code official determines that rooms within the affordable units provide adequate space for their intended use. In no case shall the affordable units be more than ten percent smaller than the market rate units having the same number of bedrooms in the development, or less than 500 square feet if a studio unit, 600 square feet if a one-bedroom unit, 800 square feet if a two-bedroom unit, 1,000 square feet if a three-bedroom unit, or 1,200 square feet if a four-bedroom unit; whichever is less.</p> <p>Clarify whichever is less. The 10% or 500/600/800/1000/1200 sf limit. In any development "whichever is less" becomes the maximum.</p>	<p>Non-Substantive</p>

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5	Dan Thompson	MICC 19.06.XXX(D)(p. 7)	<p>D. "Agreement. Prior to issuance of a building permit, an agreement in form and substance acceptable to the city attorney shall be executed providing price restrictions, homebuyer or tenant qualifications and long-term affordability".</p> <p>"At the sole discretion of the code official, the city may approve a shorter affordability time period for owner-occupied affordable housing, not to be less than 30 years, in order to meet federal financial underwriting guidelines."</p> <p>Clarify "federal financial underwriting guidelines" since a 20 year reduction for affordable mandates is a huge financial benefit to the developer. If a developer cannot qualify with only a 10% mandate for affordable units then that developer should not get a 20 year reduction in affordability mandates, especially if we don't know how commerce will score 30 year affordability mandates (not unlike under the MFTE).</p>	Non-Substantive
6	Dan Thompson	MICC 19.06.080(D)(2)	<p>"2. The city may agree, at its sole discretion, to subordinate any affordable housing regulatory agreement for affordable ownership units for the purpose of enabling the owner to obtain financing for development of the property".</p> <p>Delete this section. Diluting affordability standards to help a developer obtain financing is antithetical to affordable housing, and contrary to the entire upzoning plan to help subsidize affordable housing. On paper this guts the entire affordability mandate.</p>	<p>Substantive – Not Recommended</p> <p>This provision does not change the affordability standard. It allows the City in some instances to subordinate the recorded affordability covenant in position on title to the lender's deed of trust.</p>

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7	Dan Thompson	MICC 19.06.080(E)	<p>E. "Alternative Compliance".</p> <p>"b. Fee schedule, review of schedule and updates. i. The fee in lieu shall be adopted in the City's fee schedule based on the most recent rate study approved by the city council and updated annually thereafter as described in this section. ii. Fee in lieu rates shall be updated annually using the following procedures: A. The code official shall use the Construction Cost Index for Seattle (June-June) published by the Engineering News Record to calculate annual inflation adjustments in the fee in lieu rates. The fee in lieu rate shall not be adjusted for inflation should the index remain unchanged".</p> <p>Can you provide some information on how the fee in lieu of is calculated considering the affordability mandates are for 50 years. In the past there has been a lot of abuse in fee in lieu of programs.</p>	<p>Question</p> <p>The fee amount is a policy decision that will be made by the City Council. Community Attributes conducted an Affordable Housing Nexus Study to establish the maximum supportable fee amount; the Council will set a fee level at or below that maximum. Community Attributes has also conducted feasibility analysis on how various fee levels could impact developer decision making around whether to build required affordable units or to opt to pay the fee in lieu instead. This will help inform the Council's decision in setting the fee amount. The City Council will review an updated fee resolution on July 7.</p> <p>The fee will be set for the entire development on a cost-per-square-foot basis. This methodology for determining the fee is similar to the methodology used in neighboring cities, including Seattle.</p> <p>Fee revenue will be placed in a city-managed Housing Fund that will provide financial support towards the creation of affordable housing. The City can direct these funds towards the creation of affordable housing units at income levels where the market and other subsidies do not provide the needed housing units to meet the City's housing targets.</p>

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8	Dan Thompson	MICC 19.06.080(F)	<p>F. "Impact fees. Affordable housing may be exempt from impact fees pursuant to MICC 19.17.090, 19.18.070, and 19.19.070".</p> <p>Clarify that impact fees will only be waived if paid for by a third party including another government agency or the state. Otherwise, the other citizens pay for the impact fees, or the city does when the city is facing uncertain fiscal times. This is especially important considering Gov. Ferguson and the Legislature removed \$663 million from the 2025-27 biennium from the public works account which is supposed to fund local government assistance for vital infrastructure that upzoning will require.</p>	<p>Substantive – Not Recommended</p> <p>Allowing a waiver of the impact fees for affordable housing development was an action to reduce barriers for affordable housing identified in the Barriers Analysis. This is one of the actions the City must take to reduce barriers as required by the GMA.</p> <p>The impact fee code sections (Chapters 19.17, 19.18, and 19.19 MICC) already allow the City to exempt affordable housing developments from up to 80% of the impact fees in alignment with the provisions of RCW 82.02.060. The reference in this code section to those chapters highlights that existing exemption. Affordable housing is eligible for this exemption whether subsection (F) is part of the affordable housing code or not. Amendments to Chapters 19.17, 19.18, and 19.19 MICC are beyond the scope of the project.</p>

Log #	Received From	Section	Comment	Staff Response
9	Dan Thompson	MICC 19.110.020	<p>FIGURE 3 — PARCELS SUBJECT TO FAR REQUIREMENT FOR GROUND FLOOR USES</p> <p>FIGURE 4 — PARCELS SUBJECT NO NET LOSS REQUIREMENT FOR GROUND FLOOR USES</p> <p>These two sections are designed to limit the loss of retail space from new development because the town center lost 38,000 sf of retail space in past mixed-use developments. These sections were adopted before the recent upzone of town center building heights. Does it make sense with the new upzones to exempt properties like the Rite Aid property from these retail space requirements during redevelopment or am I misreading the map and all town center parcels are subject to these code provisions even with affordability mandates?</p>	<p>Question</p> <p>No changes to Figures 3 and 4 are proposed beyond updating the Town Center boundary to reflect the zoning changes.</p> <p>An exemption from the ground floor commercial requirement for developments with affordable housing units was not found to be necessary to address the City's housing needs. An exemption could be considered during Phase 2 of the Station Subarea Plan.</p>

Log #	Received From	Section	Comment	Staff Response
10	Dan Thompson	MICC 19.11.040	<p>MICC 19.11.040 – "Affordable housing".</p> <p>A. "Affordable Housing Requirement. Developments with five or more dwelling units "must provide affordable housing units equal to at least (fifteen) ten percent of the total units in the development."</p> <p>B. "Affordability level. "Affordability level. All required affordable housing units must be affordable at the (70) 50 percent of median income level for rental housing or 90 percent of median income level for ownership housing."</p> <p>I agree with councilmembers Reynolds and Weinberg that the percentage of affordable units should be 15% and not 10% considering the amount of upzoning the city is providing developers even though the level is reduced from 70% to 50% (which is the current mandate), and disagree with 90% median income for ownership which I think is too high and should be no more than the original 80% AMI.</p>	<p>Substantive – Not Recommended</p> <p>The affordability requirements in this section were set based on City Council direction received earlier in the project and were informed by the findings of the Land Capacity Analysis and Affordable Housing Nexus Study. Amending this provision would be counter to City Council direction.</p>

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11	Dan Thompson	MICC 19.11.060	<p>MICC 19.11.060 – "SITE DESIGN".</p> <p>C. "Public open space standards".</p> <p>"The following areas shall not be counted as part of the required open space: i. lobby entrances, ii. stairs, and iii. cordoned off/private outdoor restaurant seating.</p> <p>I move to allow private cordoned off private restaurant/bar seating to count toward the open space requirement. Any establishment that serves alcohol must be cordoned off, and one of the competing goals for the town center plan is retail density and vibrancy. Outdoor seating (heated in inclement weather) provides both retail vibrancy and opens space in an commercial town center. In effect, outdoor dining and drinking is no different than the walk through requirement.</p>	<p>Substantive</p>
12	Dan Thompson	MICC 19.11.130	<p>MICC 19.11.130 – "PARKING, VEHICULAR AND PEDESTRIAN CIRCULATION".</p> <p>7. "7. Affordable Housing. The code official may authorize an alternative minimum number of parking stalls for any development that includes affordable dwelling units at or below 49 percent of the median income level subject to review of a parking demand study prepared by a qualified professional. The applicant shall provide the parking demand study, which must include a description of the physical structure(s), identification of potential uses, and analysis of parking demand."</p> <p>Move to lower the AMI to 40%. 49% is indistinguishable from the 50% AMI requirement and will incentivize developers to adopt 49% affordability units to reduce parking without any real affordability gains.</p>	<p>Substantive – Not Recommended</p> <p>Allowing an alternative number of required parking stalls for affordable housing development was an action to reduce barriers for affordable housing identified in the Barriers Analysis. This is one of the actions the City must take to reduce barriers as required by the GMA.</p> <p>The 49% metric is used here to allow the alternative minimum number of parking stalls for development that includes affordable housing units that are more affordable than the minimum (50%) required by the inclusionary zoning requirement. This is one of the tools that can incentivize deeper affordable units below those required by the inclusionary zoning requirement.</p>

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13	Dan Thompson	MICC 19.15.220	<p>MICC 19.15.220 – "Design Review".</p> <p>"ii Hearing examiner design review not required for specific applications. Applications for social service transitional housing and special needs group housing that would otherwise be subject to hearing examiner design review under this section shall be subject to code official design review.</p> <p>"iii. Code Official design review. All other development proposals requiring design review and not requiring hearing examiner design review under subsection (A)(1)(c)(i) of this section shall be reviewed by the code official. Code official design review is an administrative process that does not require a pre-decision public hearing;</p> <p>Delete both sections. Applications for social service transitional housing — more than anything — should require hearing examiner review and be subject to a pre-decision hearing, especially in the residential zones. The neighbors should not be left out of the decision making.</p>	<p>Substantive – Not Recommended</p> <p>The amendments to MICC 19.15.220 are proposed to comply with the state law, specifically HB 2266. HB 2266 stipulates that cities can only require an administrative design review process for shelters, temporary, emergency, and permanent supportive housing (see HB 2266 Section 2(4)). The City cannot require a pre-decision public hearing for social service transitional and special needs group housing.</p>
14	Dan Thompson	MICC 19.16.010	<p>MICC 19.16.010 – DEFINITIONS</p> <p>4. "Moderate-income household: a single person, family, or unrelated persons living together whose adjusted income is at or below 120 percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development".</p> <p>Move to reduce threshold from 120% to 100% AMI. 120% AMI is more than moderate income.</p>	<p>Substantive – Not Recommended</p> <p>The income-level definitions are specifically taken from the GMA at RCW 36.70A.030. Specifically, moderate-income is defined in RCW 36.70A.030(30), which states "'Moderate-income household' means a single person, family, or unrelated persons living together whose adjusted income is at or below 120 percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development." Defining moderate income differently would be inconsistent with the GMA.</p>

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15	Dan Thompson	MICC 19.16.010	<p>"Social Service Transitional Housing: Noninstitutional group housing facilities for unrelated persons, other than special needs group housing or rooming houses, that are privately or publicly operated, including those facilities required to be licensed by the state or federal governments as well as those that may not be required to be licensed, that provide temporary and transitional housing to meet community social service needs including, but not limited to, work-release facilities and other housing facilities serving as an alternative to incarceration, halfway houses, emergency shelters, homeless shelters, domestic violence shelters and other such crisis intervention facilities".</p> <p>Include the definition of "permanent supportive housing" from R.C.W. 36.70A.030 for those unfamiliar with it:</p> <p>(33) "Permanent supportive housing" is subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services. Permanent supportive housing is subject to all of the rights and responsibilities defined in chapter 59.18 RCW.</p>	<p>Non-Substantive</p> <p>The proposed definition would include the reference to the RCW without duplicating the language. This effectively links the City Code to the RCW without expanding the existing definition.</p>

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16	Dan Thompson	MICC 19.16.010	<p>Special Needs Group Housing: Noninstitutional group housing that primarily supports unrelated persons with handicaps or persons protected by familial status within the meaning of the FHAA, but not including individuals whose tenancy would constitute a direct threat to the health and safety of other individuals or whose tenancy would result in substantial physical damage to the property of others. Special needs group housing includes, but is not limited to, foster family homes, adult family homes and residential care facilities as provided in Chapter 70.128 RCW, but excludes facilities that typically cannot be accommodated in a single family residential structure such as hospitals, nursing homes, assisted living facilities and detention centers. Further, the term shall include "permanent supportive housing" as defined in RCW 36.70A.030 or as hereafter amended.</p> <p>Replace "handicaps" with "disabilities".</p>	Non-Substantive
17	Kate Akyuz	MICC 19.06.080(A)(1)(c)	<p><i>New proposed:</i> The facility shall be accessible to the police chief for emergency ingress if there is probable cause to believe a criminal assault has been committed therein.</p>	<p>Substantive – Not recommended</p> <p>Laws governing probable cause and police work are covered elsewhere in criminal code and should not be included in Title 19 MICC, which deals with land use and zoning.</p>
18	Kate Akyuz	MICC 19.06.XXX (B)(4) - Affordable Housing	<p><i>Proposed amendment:</i> "...In no case shall the affordable units be ten percent smaller than the market rate units having the same number of bedrooms in the development, or less than 500 <u>300</u> square feet if a studio unit, 600 <u>400</u> square feet if a one-bedroom unit, 800 <u>600</u> square feet if a two-bedroom unit, 1000 <u>800</u> square feet if a three-bedroom unit, or 1,200 <u>1,000</u> square feet if a four-bedroom unit."</p>	<p>Substantive</p> <p>Allowing a smaller minimum unit square-footage for affordable housing units could reduce per-unit costs for affordable housing developments overall. Reducing the minimum will also give more flexibility for affordable housing developers to design developments so that they are more economically feasible based on their estimation of the unit size demanded.</p>

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19	Kate Akyuz	MICC 19.11.015 (A)(1) - Town Center Subareas	<i>Proposed change:</i> Public facility, make TCMF-6 P <i>Proposed addition:</i> Cannabis dispensary, make TC-8A (N), TC-8B (C), TCMF-6 (N)	Substantive – Not recommended The regulation of public facilities and cannabis dispensaries is beyond the scope of this project. Additional direction from the City Council would be required to make the change proposed.
20	Kate Akyuz	MICC 19.11.040 (B) - Affordable Housing	<i>Proposed amendment:</i> Affordability level. All required affordable housing units must be affordable at the 50 percent of median income level for rental housing or 90 70% of median income level for ownership housing.	Substantive – Not recommended The affordability requirements in this section were set based on City Council direction received earlier in the project and were informed by the findings of the Affordable Housing Nexus Study. Amending this provision would be counter to City Council direction.
21	Kate Akyuz	MICC 19.11.060 (B)(1)- Site Design	<i>Editorial comment:</i> It appears that the figure reference should be Figure 7.	Non-Substantive
22	Kate Akyuz	MICC 19.11.060 (D)(2)(h)- Site Design	<i>Question:</i> Can staff explain the relationship between items h and k? They appear to be contradictory.	Question MICC 19.11.060(D)(2)(h) requires that where a through-block connection fronts on a right of way or parking area that no more than 50% of the <i>frontage</i> can be parking. The frontage is the area abutting the through-block connection. On the other hand, MICC 19.11.060(D)(2)(k) requires that the area of the through-block connection cannot be used for vehicles except as provided. More simply: MICC 19.11.060(D)(2)(h) regulates the frontage abutting the through-block connection and MICC 19.11.060(D)(2)(k) addresses the area of the through-block connection.

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23	Kate Akyuz	19.11.080 (B)(1) - Landscape Screening	<i>Proposed amendment 1. Full Screen Please add additional sentence, "Full screen shall not exceed a height of 6-feet".</i>	Substantive – Not recommended MICC 19.11.080(B)(1) requires trees as part of the landscaped screening. Capping the height of the screen at six feet would require ongoing maintenance of the landscaping that would likely be detrimental to the required trees.
24	Kate Akyuz	19.16.010 - Definitions	<i>Propose re-ordering items 1-4 in order of economic bracket or readability.</i> <i>Comment:</i> For the Special Needs Group Housing definition, it appears to include a statement that was struck from earlier text, i.e. "but not including individuals whose tenancy would constitute a direct threat to the health or safety of others..." My preference is to keep this language in the definition, however I am flagging for staff in case it needs to be removed per the new state laws and for consistency.	Non-Substantive
25	Anthony Perez	Chapter 19.11 MICC - MICC 19.11.010:	Title Question: " General " is struck and noted with an underlined...(insert) " Reserved ". Question to Staff - why and please explain for clarity the ramifications over the next few years.	Question The entirety of MICC 19.11.010 is proposed to be struck. To preserve the numbering of other sections this section will be "reserved".
26	Anthony Perez	Figure 1: Town Center SubAreas	The Triangular parcel north of SE 27th St between 78th Ave SE and 80th Avenue SE is extended over the roadway into the I(90) Park Area. Request of Staff: Please explain vehicular and pedestrian access and egress requirements on that and associated with that parcel as it relates to public vs private development and restrictions on Use and access to the new City 2hr parking lot	Question The lot is owned by the City and provides public parking. Some of the lot is in the public right of way, which could constrain the lot. A full analysis of access easements and agreements can be done at the time of development. The Planning Commission can request additional information if needed to make a recommendation concerning MICC 19.11.015 – Figure 1.

Log #	Received From	Section	Comment	Staff Response
27	Anthony Perez	Chapter 19.11 MICC - MICC 19.11.020 - Land Uses - Section B.2:	Question to Staff: FAR ratio 0.2623 for street level uses, is this a King County requirement? Can the minimum be higher than this? Say .33 to justify Access Lobby, Parking driveway, structure and required Art, landscaping? In short - where did this come from and why?	<p>Question</p> <p>The FAR requirement for street-level commercial uses is a local choice. The City Council established this minimum as part of a recent update to the Town Center code adopted in 2022 (Ordinance No. 22C-09).</p>
28	Anthony Perez	Figure 4: Maximum Building Height	Note to Staff - adjust diagram to reflect 78' instead of old code 63'	Non-Substantive
29	Anthony Perez	MICC 19.11.030 - Bulk Regulations - Section A.6a:	The Idea of Daylight Plane as stated in this section is very difficult to enforce and allow any level of development of individual lots and instead strongly encourages mega-lot development as a means of minimizing required frontages to enable the stated Maximum Heights with variegated facades. After some research the following are recommendations for Commissioner Consideration as intended from the architectural interpretation point-of-view, balanced with a recognition of the prior (6) story (outdated) limitation of maximum height and long-term exposure to Xing Hua development. Creativity in interpretations should be encouraged, extreme contorsions to comply in any massing compatible with an 8 Story code limited height should not be required: From a height of...(REPLACE 27 feet with...) 45' at the front property line, buildings shall step back at a 45-degree angle up to the maximum...(insert) frontage...height. (Insert) Stories above this frontage shall step back 10'-15' for every other floor to the maximum height.	<p>Substantive – Not Recommended</p> <p>The City Council directed staff to not amend the average daylight plane standard during Phase 1 but to include policy direction to revisit this and other design standards during Phase 2 of the Station Subarea Plan. Making this amendment would be counter to City Council direction.</p> <p>See also, Station Subarea Plan Policy 7.3: “Review how the average daylight plane, major site features, and major façade modulation requirements impact the maximum allowed floor area ratio during Station Subarea Plan Phase 2.”</p>

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30	Anthony Perez	MICC 19.11.030 - Bulk Regulations - Figure 6:	<p>Note to Staff - adjust diagrams X3 for above recommended changes OR formal collective Planning Commission direction TBD.</p> <p>NOTE: Text Below Figure 6: The average daylight plane extends vertically from the property line (insert) 45 feet' and then steps back at a 45-degree angle to help reduce the massing of buildings fronting street. (Insert) see above for story requirements for setbacks above this line.</p>	<p>Substantive – Not Recommended</p> <p>The City Council directed staff to not amend the average daylight plane standard during Phase 1 but to include policy direction to revisit this and other design standards during Phase 2 of the Station Subarea Plan. Making this amendment would be counter to City Council direction.</p> <p>See also, Station Subarea Plan Policy 7.3: “Review how the average daylight plane, major site features, and major façade modulation requirements impact the maximum allowed floor area ratio during Station Subarea Plan Phase 2.”</p>
31	Anthony Perez	MICC 19.11.060 - Site Design - Section B: Major Site Features	...which exceeds... (Replace 2 Stories) 4 - stories shall include...	<p>Substantive – Not Recommended</p> <p>The City Council directed staff to not amend the site design standards during Phase 1 but to include policy direction to revisit this and other design standards during Phase 2 of the Station Subarea Plan. Making this amendment would be counter to City Council direction.</p> <p>That policy direction is established in Station Subarea Plan Policy 7.3: “Review how the average daylight plane, major site features, and major façade modulation requirements impact the maximum allowed floor area ratio during Station Subarea Plan Phase 2.”</p>
32	Anthony Perez	MICC 19.11.090 - Lighting - Section A.2: Light Type:	designed to provide (insert) approximately 3000 degrees K... "natural" light (insert) to reduce glare, protect circadian rhythms and minimize light pollution. Non-color...	Non-Substantive
33	Anthony Perez	MICC 19.11.090 - Lighting - Section A.3: Building-mounted...:	(remove) ...for " _ " walkways...	Non-Substantive
34	Anthony Perez	MICC 19.11.100 - Building Design 2:e & k	(combine) flower baskets and planter boxes	Non-Substantive

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35	Anthony Perez	MICC 19.11.100 - Building Design 7: Weather Protection: Section d:	Other weather condition, (insert): while meeting associated dead and live-wind loading.	Non-Substantive

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36	Anthony Perez	MICC 19.11.100 - Building Design ADD NEW SECTION 9: Incentivization: (HEADER)	Proposed as follows: Incentivization: Encouraging low carbon, mass-timber module development and offsite fabrication to elevate consideration of emerging building methodologies, may provide extra-ordinary benefits and minimize negative impacts for all Mercer Islanders. The consideration of a concentrated multi-development within an attractive area with high upzoning, geographic traffic chokepoints and extreme unit cost consideration within this TOD District creates a high level incentivization opportunity in benefit of all Mercer Islanders both on and off developments into the collective future. Key opportunities are: minimized community traffic impact, 60% faster on-site construction assembly speed, increased biophilic benefits for tenants, possible lower-per-unit cost (if approached in scale or multi-sites), greatly reduced foundation/podium sizes (highly beneficial with reduced parking requirements) and costs and the generation of Economic Development District with associated options for study-grants, development-grants and strategic Public/Private Partnerships: B: Building code compatibility: 1: IBC 2021 & IBC 2024 now allowed 5-8 Story Type III over-podium (6:2 / 7/1) and up to 12 stories (Type IV-B and Type IV-C) and has been adopted at the WA State level with WA Building Code amendments. WA State has adopted HB 1282 (Mar 28th 2024) State Building incentivization for Mass Timber and is creating a local product industry targeting Early Adopters and Market Signal Setters of which MI may participate 2: Study Opportunities: BCBF, WA Mass Timber Accelerator Org, Net-Zero Carbon Reduction metric Grants, Emerging WA Industry grants, WA State to initiate (July 1st 2026) Carbon Metric data collection for all buildings via (Environmental Protection Declaration) EPD data for all state buildings to seek and support mass timber scale. Both Seattle and Bellevue have current and expanding Mass Timber Incentives with eventual mandates expected.	Substantive – Not Recommended This amendment would be beyond the scope of the project to comply with the GMHB Order and is not required for GMA compliance. Discussion of potential incentives for mass timber can be included during Phase 2 of the Station Subarea Plan. The proposed amendments are not recommended at this time because of the time constraints and narrow scope for the current project.

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37	Anthony Perez	MICC 19.11.100 - Building Design NEW SECTION 9: Incentivization: A: Opportunities	Proposed as follows: Incentivization Opportunities: 1: Repeating Fast-Building Systems in conjunction with Public/Private partnerships shall be encouraged for scale solutioning across 2-3 simultaneous developments with a single accelerated permitting opportunity. Utilization of same building/assembly/fabrication/transport and on-site assembly methods required, with a window of concurrency for timing consideration, will allow a single, expedited permitting process. In short, the permitting for one-site development shall apply to the other sites, for a 1.5 year window, above the podium, foundations and required siting and geo-tech integrations. 2. 1' greater horizontal extensions allowed in Mass Timber Awning and Exposed Structural extensions for greater visibility. 3. Mercer Island City shall allow the marketing of the permitting, construction, on-site assembly and traffic management data for the shared betterment of fabricators, State Agencies and local emerging business awareness campaigns serving the Mass Timber industry. All agreements to be preconsidered and reviewed on all sides for alignment and clear mutual benefits and understanding.	Substantive – Not Recommended This amendment would be beyond the scope of the project to comply with the GMHB Order and is not required for GMA compliance. Discussion of a potential incentives for mass timber can be included during Phase 2 of the Station Subarea Plan. The proposed amendments are not recommended at this time because of the time constraints and narrow scope for the current project.
38	Anthony Perez	MICC 19.11.130 - Parking, Vehicular and Pedestrian Circulation: Section A:1:a: (spreadsheet)	Under Office (stalls per gross square foot) (Change) Financial Services 3 to 5 per 1,000 to 3 to 4 per 1000 . Health/Barber/Beauty 4 to 5 per 1,000 to 4 per 1000 . Other Professional Services 3 to 5 per 1,000 to 3 to 4 per 1000 .	Substantive – Not Recommended This amendment would be beyond the scope of the project to comply with the GMHB Order and is not required for GMA compliance.

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39	Nazim Nice	MICC 19.11.015(A)(1) – Town Center Subareas	<p>TC-78 subarea. The purpose of the TC-78 subarea is to create a focused mixed use core, oriented toward pedestrian connections and regional transit access. A broad mix of land uses is allowed. Buildings may be up to seven eight stories in height. The TC-8 subarea is divided into TC-8A and TC-8B with the difference being the allowed uses in TC-8A and TC-8B established which differ in the allowed uses specified in MICC 19.11.020 are different.</p>	Non-Substantive
40	Nazim Nice	MICC 19.11.015 – Figure 1 – Town Center Subareas	<p>FIGURE 1 — TOWN CENTER SUBAREAS AND MAXIMUM HEIGHT LIMIT</p>	Non-Substantive
41	Nazim Nice	MICC 19.11.030 – Figure 5 – Bulk Regulations	Amend figure to reflect the updated building height.	Non-Substantive
42	Nazim Nice	MICC 19.11.030(A)(6)(a)&(b) – Bulk Regulations	<p>Once you add more stories, does this make sense? A 45 degree angle from the second to eighth floor may extend back 60+ feet. See diagram below. If the calculation is only within the first 30', then everything behind that has no method for averaging.</p>	<p>Question</p> <p>The City Council directed staff to not amend the average daylight plane standard during Phase 1 but to include policy direction to revisit this and other design standards during Phase 2 of the Station Subarea Plan. Making this amendment would be counter to City Council direction.</p> <p>See also, Station Subarea Plan Policy 7.3: “Review how the average daylight plane, major site features, and major façade modulation requirements impact the maximum allowed floor area ratio during Station Subarea Plan Phase 2.”</p>

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43	Nazim Nice	MICC 19.11.030(A)(6)(e) – Bulk Regulations	<p>The average daylight plane extends vertically from the applicable property line 2527 feet and then steps back at a 45-degree angle to help reduce the massing of buildings fronting streets.</p> <p>We changed this in the 2025 Omnibus to 27' to align with the Base Building Height limit, but that got eliminated in this revision. In a situation like this, 27' would allow for a parapet which would be a common thing to have at a step back. An allowance for open railings would be helpful too.</p>	Non-Substantive
44	Nazim Nice	MICC 19.11.030(A)(6)(e) – Bulk Regulations	Figure 6 7 illustrates how a development with multiple block frontages and a through-block connection could meet the average daylight plane standards.	Non-Substantive
45	Nazim Nice	MICC 19.11.040(B) – Affordable Housing	check 80%? RCW 36.70A.540 references 80% or less.	<p>Question</p> <p>The City Council directed staff to use these affordability rates for the inclusionary zoning requirements. RCW 36.70A.540 establishes parameters for affordable housing incentive programs. The proposed zoning changes would establish a <i>mandatory</i> affordable housing percentage (inclusionary zoning) in the Town Center. Because the proposed affordable housing requirements would be mandatory rather than incentive based, the City can use a different affordability rate than the one listed in RCW 36.70A.540.</p>
46	Nazim Nice	MICC 19.11.060(B)(1) – Site Design	<i>Through-block connection.</i> Any major new construction that exceeds the two-story base height in the locations shown on Figure 7 8 must include a through-block connection.	Non-Substantive
47	Nazim Nice	MICC 19.11060(D)(1)	<i>Location.</i> Connections shall be located on the lots eligible for through-block pedestrian connections as shown on Figure 7 8 and in other locations based on the following criteria:	Non-Substantive

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48	Nazim Nice	MICC 19.11.130(A)(7)	Is this for both Rental and Ownership(vs the 50% of median income for rental and 80% of median income for ownership)? Or is it independent of these other numbers?	Question The proposed standard does not differentiate between owner- and renter-occupied housing. See also the response to Log #12 for more background about this proposed amendment.