
CITY OF MERCER ISLAND

COMMUNITY PLANNING & DEVELOPMENT

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PLANNING COMMISSION

To: Planning Commission
From: Alison Van Gorp, Deputy CPD Director
Date: July 19, 2023
Subject: 2024 Annual Docket

SUMMARY

Every year the City accepts proposals for potential amendments to the Comprehensive Plan and Unified Land Development Code (Title 19 Mercer Island City Code (MICC)) through a process called the Annual Docket. Members of the public, City boards and commissions, and City staff can propose amendments through the Annual Docket. Applications are accepted September 1 through October 1 each year. After the application period, City staff prepare a staff report summarizing the Annual Docket proposals and their potential impacts on the Community Planning and Development (CPD) work plan. Next, the Planning Commission reviews the proposals and makes a recommendation to the City Council. Finally, the City Council considers the staff and Planning Commission recommendations and decides which Annual Docket proposals are added to the Final Docket. Items added to the Final Docket will be placed on the CPD work plan work plan for legislative review in the upcoming year.

DOCKET PROCESS

The Mercer Island City Code (MICC) describes the formal process for soliciting and reviewing docket proposals in section 19.15.230 MICC:

“D. Docketing of Proposed Amendments. For purpose of this section, docketing refers to compiling and maintaining a list of suggested changes to the comprehensive plan in a manner that will ensure such suggested changes will be considered by the city and will be available for review by the public. The following process will be used to create the docket:

1. Preliminary Docket Review. By September 1, the city will issue notice of the annual comprehensive plan amendment cycle for the following calendar year. The amendment request deadline is October 1. Proposed amendment requests received after October 1 will not be considered for the following year’s comprehensive plan amendment process but will be held for the next eligible comprehensive plan amendment process.

a. The code official shall compile and maintain for public review a list of suggested amendments and identified deficiencies as received

throughout the year.

b. The code official shall review all complete and timely filed applications proposing amendments to the comprehensive plan or code and place these applications and suggestions on the preliminary docket along with other city-initiated amendments to the comprehensive plan or code.

c. The planning commission shall review the preliminary docket at a public meeting and make a recommendation on the preliminary docket to the city council each year.

d. The city council shall review the preliminary docket at a public meeting. By December 31, the city council shall establish the final docket based on the criteria in subsection E of this section. Once approved, the final docket defines the work plan and resource needs for the following year's comprehensive plan and code amendments."

Public notice of the opportunity to submit docket requests will be provided in early August via the permit bulletin, the City website, and the Mercer Island Reporter. Dockets requests may be submitted to the City between September 1 and October 1. Requestors are strongly encouraged to confer with City Staff prior to submitting a request. Docket requests are made by completing the [Docket Request Form](#) and emailing it to the Deputy Director at alison.vangorp@mercerisland.gov. Requests will be posted to the [Docket webpage on Let's Talk Mercer Island](#) when the docket submission period closes. The Planning Commission will review the docket requests at its October 25, 2023, meeting and make a recommendation to the City Council. The Council will review the requests and the Commission's recommendation at a meeting in November or December and must approve a final docket before the end of the year.

DOCKETING CRITERIA

The City Council will use the criteria in MICC 19.15.230(E) when evaluating proposed comprehensive plan and development code amendments for the final docket:

"E. Docketing Criteria. The following criteria shall be used to determine whether a proposed amendment is added to the final docket in subsection D of this section:

1. The request has been filed in a timely manner, and either:

a. State law requires, or a decision of a court or administrative agency has directed, such a change; or

b. All of the following criteria are met:

i. The proposed amendment presents a matter appropriately addressed through the comprehensive plan or the code;

ii. The city can provide the resources, including staff and budget, necessary to review the proposal, or resources can be provided by an applicant for an amendment;

iii. The proposal does not raise policy or land use issues that are more appropriately addressed by an ongoing work program item approved by the city council;

iv. The proposal will serve the public interest by implementing specifically identified goals of the comprehensive plan or a new approach supporting the city's vision; and

v. The essential elements of the proposal and proposed outcome have not been considered by the city council in the last three years. This time limit may be waived by the city council if the proponent establishes that there exists a change in circumstances that justifies the need for the amendment."

CPD WORK PLAN

The docketing criteria, shown above, include a requirement that the City "can provide resources, including staff and budget, necessary to review the proposal". As has been the case in the last several years, City staff capacity for legislative review is limited and the workload is large. The existing CPD work plan already includes major work items that will continue in 2024, most notably the periodic update of the Comprehensive Plan (see the [2023 Final Docket](#)). Any items added to the docket will be additive to the items already on the work plan.

The existing work plan items represent a significant amount of CPD staff time, as well as a significant portion of the available Planning Commission, City Council and community bandwidth. Staff anticipate the periodic update of the Comprehensive Plan will require more than half of the time available at the Planning Commission's monthly meetings in 2024, as well as several briefings and final action by the City Council. As such, time available for review and consideration of additional docket items will be very limited. Each item added to the final docket typically requires at least three touches by the Planning Commission and two by the City Council, a process that often takes 6 months or more to complete.

NEXT STEPS

Public notice for 2024 docket requests will go out in early August. The window for docket requests will open September 1 – October 1. The planning commission will review the requests and make a recommendation to the City Council at its October meeting. The City Council will make a decision on the final docket before the close of 2023.