

Log #	Received From	Comment/Question	Staff Response
1	Councilmember Reynolds	I believe there is a typo in page 9 of exhibit 1.A, as the density numbers for medium-low density and very low density show as the same.	This will be addressed prior to the City Council’s first reading.
2	Councilmember Reynolds	The goals in Section 5 of land use element have some parallel structure issues . Most goals describe actions, e.g. “create....” Or “encourage...” . But some describe statuses, e.g., “be...” or “have...”. I am not sure which is more appropriate for a comp plan goal, but I would think consistency would be better.	In general, staff agrees that goals should state an aspiration or objective and the policies should articulate how the City will go about achieving the goal. In the case of the Land Use Element, the Council direction provided when setting the scope of working was to limit amendments to those necessary to remain consistent with the Growth Management Act (GMA) and changes made in other elements. With this narrow charge, some existing goals were left unchanged if they were consistent with GMA requirements or other amendments to the Comprehensive Plan.
3	Councilmember Reynolds	On a related note, I have always been under the impression that the subitems under each goal were supposed to be strategies to achieve those goals. True? It seems we are not consistently doing that in the land use element. Some “goals” read like strategies, and some “strategies” read like goals.	See Log # 2
4	Councilmember Reynolds	To what extent are we committed to executing a strategy if it does NOT use words like “consider”, “explore”, etc.	Policies should be regarded as the City committing to implement that policy with projects, programs, or development code provisions at some point during the life of the plan. The caveat that goes with this expectation is that the Comprehensive Plan considers a twenty-year timeframe, called a planning horizon. The City can plan to implement policies at any point during the planning horizon. The City Council decides whether or not to implement policies during the biennial budget process, assigning projects and programs to departmental work plans and allocating resources.
5	Councilmember Reynolds	Re 16.2 of land use element: Isn’t this kind of like saying “follow the law”? Do we need to say this?	Land Use Element Policy 16.2 states: “Through zoning and land use regulations provide adequate development capacity to accommodate Mercer Island's projected share of the King County population growth over the next 20 years.” The GMA requires that cities and counties allow sufficient capacity to accommodate its projected growth over a twenty-year time period (RCW 36.70A.115). The City is not explicitly required to have this policy. This policy comes from the existing Land Use Element and an amendment is not proposed in the Planning Commission recommended draft.
6	Councilmember Reynolds	Re 16.8 of land use element: Is this suggesting custom local fire codes? Can we do this?	Policy 16.8 states: “Evaluate locally adopted building and fire code regulations within existing discretion to encourage the preservation of existing homes.” The City has some limited local discretion when adopting building and fire codes. This

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			is why local jurisdictions adopt those building codes rather than having them set at the state or federal level. If desired, staff can provide more information to the City Council regarding the extent of that discretion and what provisions might further this strategy during implementation.
7	Councilmember Reynolds	Re 19.1 of land use element: Do we have the power to designate “species of local concern”? What are the implications of this? When else have we done this, and for which species? What is the rationale for picking bald eagles?	Counties and cities can designate species of local concern when it establishes critical area regulations for protecting fish and wildlife habitat conservation areas (FWHCAs). A process to designate species of local concern is usually established by the critical areas ordinance for FWHCAs. The City has established FWCA regulations in Mercer Island City Code (MICC 19.07.170 – Fish and wildlife habitat conservation areas). The City has not designated any species of local concern and the development code does not currently establish a process for designating a species of local concern.
8	Councilmember Reynolds	Re 26.1: Why would we need a climate element? Is this needed given that 26.2 incorporates the CAP? If we DO incorporate the CAP, can we update the CAP without it being considered a comp plan change?	The City is not required to adopt a climate element of the Comprehensive Plan during the current periodic review that must completed by December 31, 2024. The legislature adopted House Bill 1181 during the 2023 legislative session. This bill requires counties and cities to adopt a climate change element in their comprehensive plans. This new element must be adopted by the Comprehensive Plan five year progress report required by GMA (RCW 36.70A.130(10)). The five-year progress report is a new GMA process and will take place in 2029. The required climate change element will be separate from the Climate Action Plan (CAP). As proposed, Policy 26.1 would set the stage for this climate element.
9	Councilmember Reynolds	More generally, do we need the climate change section at all other than 26.2 of land use element? Are things in this section consistent with the CAP?	See response to Log # 8. The entire Comprehensive Plan periodic review was reviewed for internal consistency to make sure that the proposed policies do not conflict. Identified gaps or inconsistencies were addressed by the Planning Commission during their deliberations from May 29 to June 12. Policies related to climate change were reviewed for consistency with the CAP (PCB 24-12).
10	Councilmember Reynolds	VII of land use element says CO will be primarily commercial office. Is this consistent with our plans to allow MF housing there?	The table in Section VII of the Land Use Element states: “The commercial office land use designation represents commercial areas within Mercer Island, located outside of the Town Center, where the land use will be predominantly commercial office. Complementary land uses (e.g., healthcare uses, schools, places of worship, etc.) are also generally supported within this land use designation.” In staff’s opinion, the statement in the table does not conflict with expanding the uses in the C-O zone to allow mixed-use or multifamily uses as proposed

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			elsewhere in the Comprehensive Plan. The list of complementary land uses is nonexclusive and would not preclude multifamily or mixed-use land uses. In other words, the text only provides some examples but does not say these are the only complementary land uses.
11	Councilmember Reynolds	The “CIP Project Summary” on page 12 of exhibit 1A needs to be updated, doesn’t it?	<p>Note: The CIP Project Summary is on page 12 of the Capital Facilities Element.</p> <p>The table was up to date at the time the Element was drafted, Public Works staff will be consulted to ensure that this table is current at the time the Plan is adopted.</p>
12	Councilmember Reynolds	Similarly, do we need to update the “Mercer Island Employment by Industry 1 Sector, 2021.”?	Table 1 in the Economic Development Element is provided to add some context to the element and does not establish binding requirements, goals, or policies. The data in the table were the most recent available at the time the element was drafted. If desired, staff could update the table if there is a more recent data set available.
13	Councilmember Reynolds	Do you know why the PC decided to strike out goal 14.2 of the land use element?	This policy was struck from the Land Use Element because it is now addressed with more detail by several policies in the Economic Development Element. For example, Economic Development Element Policies 9.1, 9.2, 10.2, 11.1, 11.2, 11.3, and 12.2.
14	Councilmember Reynolds	Please provide a BRIEF overview of the King County Public Benefit Rating System and the Transfer of Development Rights program	<p>The Public Benefit Rating System (PBRs) is a system of incentives whereby property taxes are reduced in exchange for property owners providing some kind of public benefit. From King County’s website: “There are three current use taxation programs in King County that offer an incentive (a property tax reduction) to landowners to voluntarily preserve open space, farmland or forestland on their property. Once enrolled, a participating property is assessed at a “current use” value, which is lower than the “highest and best use” assessment value that would otherwise apply to the property. These programs encourage the conservation of natural resources in King County by conserving its land and water resources, which include important wildlife habitat, wetland and streams, working forests and productive farmlands.”</p> <p>King County describes its Transfer of Development Rights (TDR) program on its website as follows: “The TDR Program is a voluntary, incentive-based, and market-driven approach to preserve land and steer development growth away from rural and resource lands into King County’s Urban Area. The Program is based on free-market principles and prices that would motivate landowner and developer participation. Rural landowners realize economic return through the sale of development rights to private developers who are able to build more compactly in</p>

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			designated unincorporated urban areas and partner cities.” In the King County TDR program ‘partner cities’ are those cities that participate in the program and receive the purchased development rights in specific zones. The City of Mercer Island does not participate in this program.