

**CITY OF MERCER ISLAND
ORDINANCE NO. 20-04**

AN ORDINANCE OF THE CITY OF MERCER ISLAND AMENDING THE LAND USE ELEMENT OF THE MERCER ISLAND COMPREHENSIVE PLAN TO REPEAL 2018 COMPREHENSIVE PLAN AMENDMENTS RELATED TO THE COMMUNITY FACILITY ZONE, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Mercer Island City Code (MICC) establishes development regulations that are intended to result in the implementation of the Mercer Island Comprehensive Plan pursuant to the Revised Code of Washington (RCW) 36.70A.040; and

WHEREAS, the Mercer Island City Council adopted Ordinance No. 18-13 on November 20, 2018 amending the Mercer Island Comprehensive Plan land use map and establishing goals and policies related to the establishment of a Community Facility zoning designation and related development regulations in the Land Use Element; and

WHEREAS, on August 5, 2019, the Growth Management Hearings Board, as result of appeals of Ordinance No. 18-13, issued a Final Decision and Order (Case No. 19-3-0003c) directing the City to correct certain inconsistencies between the Comprehensive Plan and the City's development regulations related to the Community Facility zone created by the Ordinance No. 18-13; and

WHEREAS, on January 29, 2020, following review and deliberation, the Mercer Island Planning Commission recommended that the City Council forgo implementation of a Community Facility zoning designation and adoption of related development regulations; and

WHEREAS, the City Council intends to comply with the Growth Management Hearings Board's Final Decision and Order (Case No. 19-3-0003c) to ensure that the City's development regulations implement, and are consistent with, the Comprehensive Plan by repealing those Comprehensive Plan amendments in Ordinance No. 18-13 that created the inconsistencies cited in Final Decision and Order (Case No. 19-3-0003c); and

WHEREAS, RCW 36.70A.130(2) authorizes the City Council to adopt Comprehensive Plan revisions and amendments "out of cycle" to resolve an appeal of a comprehensive plan filed with the Growth Management Hearings Board as herein described;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1: **Repeal of Amendments Related to Community Facility in Attachment A of Ordinance No. 18-13.** Amendments related to Community Facility in Attachment A of Ordinance No. 18-13 are repealed as set forth in Attachment A to this ordinance.

Section 2: **Repeal of Amendments Related to Community Facility in Amendment 1 in Attachment B of Ordinance No. 18-13.** Amendments related to Community Facility in Amendment 1 of Attachment B of Ordinance No. 18-13 are repealed as set forth in Attachment B to this ordinance.

Section 3: **Repeal of Amendment 8 in Attachment B of Ordinance No. 18-13.** The amendments adopted in Amendment 8 of Attachment B of Ordinance No. 18-13 are repealed.

Section 4: **Publish Comprehensive Plan as Amended.** The City Council authorizes the Community Planning and Development Director and the City Clerk to correct scrivener's errors in Attachments A and B, effectuate the amendments in Sections 1, 2 and 3 of this ordinance into the Mercer Island Comprehensive Plan, and publish the amended document.

Section 5: **Severability.** If any section, sentence, clause or phrase of this ordinance or any municipal code section amended hereby should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause or phrase of this ordinance or the amended code section.

Section 6: **Publication and Effective Date.** A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. This Ordinance shall take effect and be in full force five days after the date of publication.

PASSED by the City Council of the City of Mercer Island, Washington at its regular meeting on February 18, 2020 and signed in authentication of its passage.

CITY OF MERCER ISLAND

Benson Wong, Mayor

Approved as to Form:

ATTEST:

Bio Park, Interim City Attorney

Deborah A. Estrada, City Clerk

Date of Publication: _____









Attachment A

Figure 1- Land Use Map

Mercer Island Land Use Plan

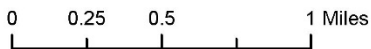
The Land Use Plan is intended to be a generalized depiction of land uses. The map is not a description of zoning boundaries nor should it be interpreted on a site specific basis.

Legend

-  Park
-  Linear Park (I-90)
-  Open Space
-  Public Facility
-  Commercial Office & Neighborhood Business
-  Town Center
-  Multi-Family
-  Single Family

The Mercer Island City limits delineates the communities' Urban Growth Area. The City limits are contiguous with the Mercer Island Lake Washington Shoreline.

0 0.25 0.5 1 Miles




Map Date: 2/10/2020
Color+SymbolLandUseMap2020.mxd

Attachment B

2018 Comprehensive Plan Amendment 1 – Land Use Designations

Amend the Land Use Designation table in Section VII to read as follows:

Land Use Designation	Implementing Zoning Designations	Description
Park	PI R-8.4 R-9.6 R-12 R-15	The park land use designation represents land within the City that is intended for public use consistent with the adopted Parks and Recreation Plan.
Linear Park (I-90)	PI	The linear park (I-90) land use designation primarily contains the Interstate 90 right-of-way. The land use designation is also improved with parks and recreational facilities (e.g. Aubrey Davis park, I-90 Outdoor Sculpture Gallery, etc) adjacent to and on the lid above the Interstate 90 freeway.
Open Space	PI R-8.4 R-9.6 R-12 R-15	The open space use designation represents land within the City that should remain as predominantly unimproved open space consistent with the adopted Parks and Recreation Plan.
Commercial Office	CO B	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.
Neighborhood Business	PBZ	The neighborhood business land use designation represents commercial areas within Mercer Island, located outside of the Town Center, where the land uses will be predominantly a mix of small scale, neighborhood oriented business, office, service, public and residential uses.
Single Family Residential (R)	R-8.4 R-9.6 R-12 R-15	The single family residential land use designation (R) represents areas within Mercer Island where development will be predominantly single family residential neighborhoods. Complementary land uses (e.g. private recreation areas, schools, home businesses, public parks, etc) are generally supported within this land use designation.
Multifamily Residential (MF)	MF-2 MF-2L MF-3	The multifamily residential land use (MF) represents areas within Mercer Island where the land use will be predominantly multifamily residential development. Complementary land uses (e.g. private recreation areas, schools, home businesses, public parks, etc) are generally supported within this land use designation.

Town Center (TC)	TC	The Town Center land use designation represents the area where land uses consistent with the small town character and the heart of Mercer Island will be located. This land use designation supports a mix of uses including outdoor pedestrian spaces, residential, retail, commercial, mixed-use and office-oriented businesses.
Public Facility	C-O PI R-8.4 R-9.6 R-15 TC	The public facility land use designation represents land within the City that is intended for public uses, including but not limited to schools, community centers, City Hall, and municipal services.
Community Facilities	CF	The community facilities use designation represents land within the City that is intended for community use including but not limited to private schools and other educational uses, religious facilities, and non-profit community centers and recreation facilities.