



AB 6698

Briefing on Design Review Alternatives

June 3, 2025

Community Planning and Development

Jeff Thomas, CPD Director

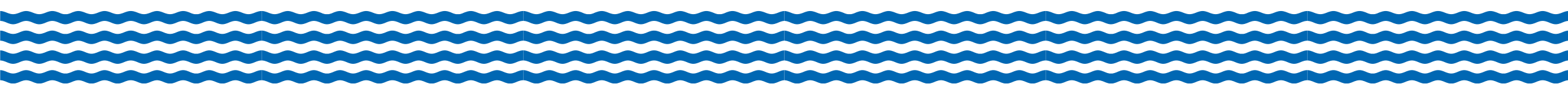
Adam Zack, Principal Planner



Purpose

Staff are asking the City Council to indicate which approach to design review is desired:

- A. Keep the Design Commission; or assign design review authority to:
- B. The Hearing Examiner; or
- C. The Code Official.



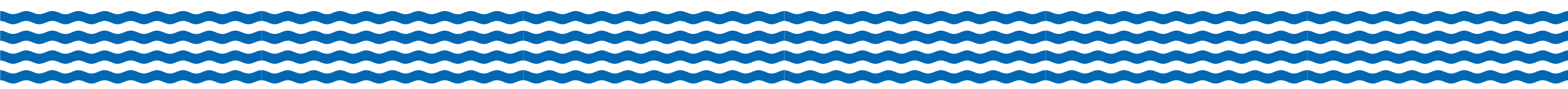
Background

- Compliance with HB 1293 will change how much discretion the Design Commission will have during design review.
- Title 19 of the Mercer Island City Code (MICC) establishes three decision makers that can be assigned design review authority:
 - Design Commission;
 - Hearing Examiner; or
 - Code Official.



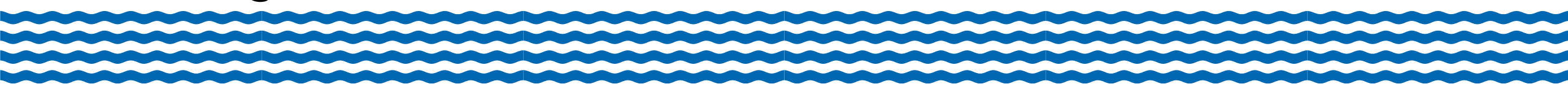
Design Commission

- Volunteer commission that reviews proposed development for whether it satisfies the design standards.
- 7 Commissioners:
 - 5 members from a design field such as architecture, and
 - 2 members can be lay people.
- The Design Commission holds a public hearing during design review.
- Design Commission will have significantly reduced discretion when amendments are made to address HB 1293.



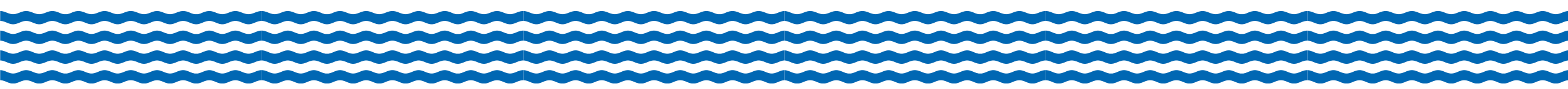
Hearing Examiner

- Independent decision maker cities hire to handle quasi-judicial hearings.
- The Hearing Examiner reviews certain Type IV land use reviews such as conditional use permits and preliminary long plats.
- The Hearing Examiner conducts a public hearing before issuing a decision.



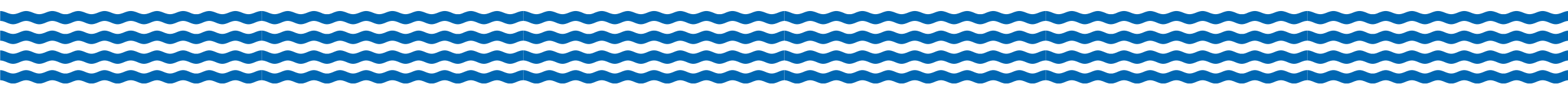
Code Official

- The Code Official is the Director of CPD or an authorized designee (City Staff).
- The Code Official is the the review for all Type I, II, and III land use reviews except final plats.
- Code Official review is administrative and does not typically involve a pre-decision public hearing.



Changing Design Review

- In the past, the design standards granted the Design Commission latitude to determine the requirements for new development subject to design review.
- Design review used to include both a study session and public hearing. After complying with state law (AB 6697) design review will only require one public hearing.
- Once the design standards are clear and objective as required by state law, design review will primarily involve nondiscretionary review.
- Examples of how design review will change under the updated design standards were provided.



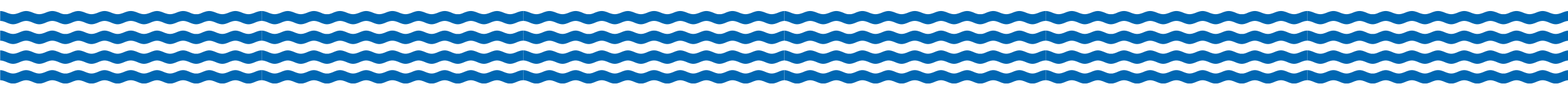
Changing Design Review – Example

MICC 19.11.130(B)(2)

Signs and wayfinding. Signs indicating the location of parking available to the public are required ~~shall be installed as approved by the design commission and city engineer.~~ Such signs shall be installed at the entrance to the parking lot/garage along the street and within the parking lot/garage ~~and shall comply with parking signage standards for the Town Center approved by the design commission and city engineer.~~

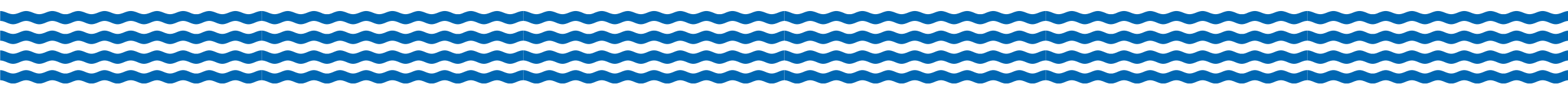
Existing Standards: The Design Commission has discretion to require sign design and placement as it sees fit.

Proposed Standards: Rather than allow the Design Commission to require a specific design or placement, the standard is a yes or no question.



Next Steps

- If the Council directs staff to change the design review authority staff will prepare an ordinance.
- Direction should clarify which decision maker should be assigned design review authority:
 - Design Commission [no change];
 - Hearing Examiner; or
 - Code Official.



An aerial photograph of a cityscape featuring a large green golf course in the foreground, surrounded by dense trees. In the background, a body of water stretches across the middle ground, with a city skyline and mountains visible on the horizon under a clear blue sky.

Additional Reference

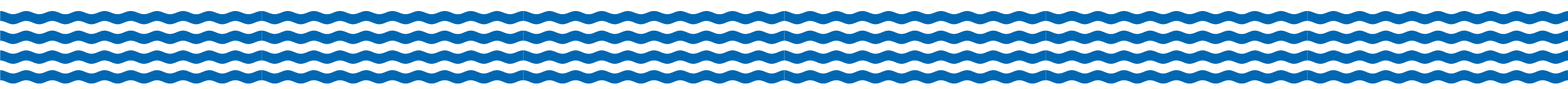
Changing Design Review – Example 2

MICC 19.11.140(B)(3)(d)

Awnings. Awnings that incorporate a business sign shall be fabricated of opaque material and shall use reverse channel lettering. ~~The design commission may require that an awning sign be less than the maximum area for wall signs to assure that the awning is in scale with the structure.~~ Back-lit or internally lit awnings are prohibited.

Existing Standards: The DC has discretion to require a reduction of an awning provided it determines that a smaller awning would be in scale with the structure.

Proposed Standards: Under the proposed standards the DC would determine only whether an awning complies with the set standards. The DC has no discretion to require anything beyond what the code requires.



Changing Design Review – Example 3

MICC 19.11.030(A)(2)

Base building height. A base building height of up to two stories (not to exceed 27 feet) shall be allowed. One-story structures located adjacent to the public right-of-way in the TC-5, TC-4, TC-4 Plus and TC-3 subareas shall be a minimum of 15 feet and may be as tall as 27 feet ~~with approval of the design commission to ensure the taller facade provides features that ensure a pedestrian scale.~~

Existing Standards: The DC would have discretion to determine what it means to ensure a pedestrian scale. The design standards do not define pedestrian scale or provide criteria to make this determination.

Proposed Standards: The DC would only review a proposal for whether it is between a minimum 15 and a maximum 27 feet tall.

