

Planning Commission

January 20, 2021

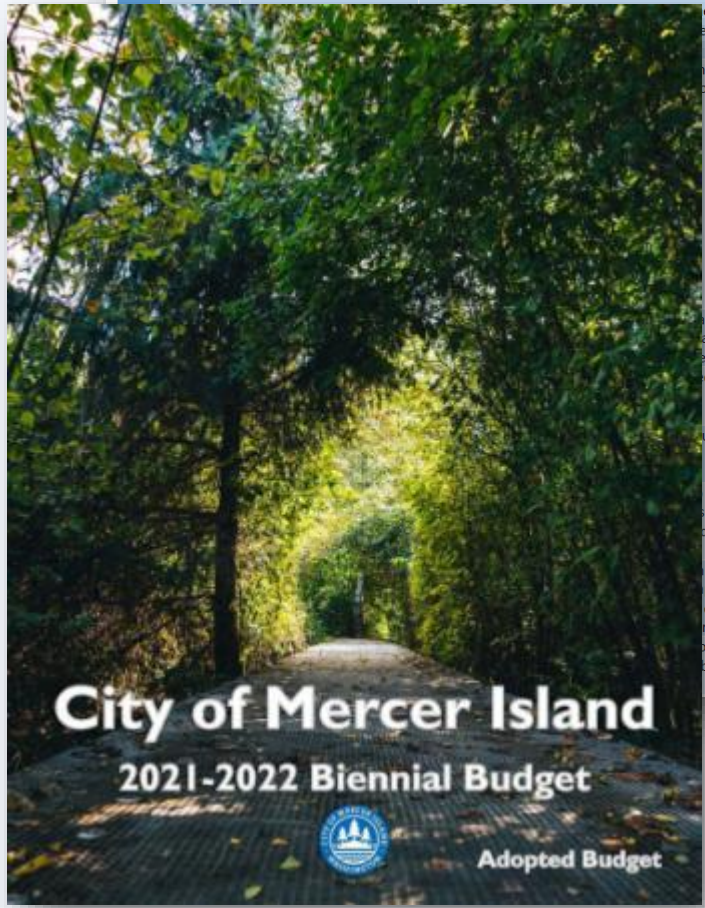


Context

- City Council updates
 - 2021 Final Docket approved
 - 2021-22 Biennial Budget approved
 - CPD staffing
 - Consulting resources: Impact Fees, Housing Needs Assessment
- Growth targets for 2024-2044 currently under consideration
 - King County County-wide Planning Policies
 - Regional geography caucus process
 - City Council input
 - Final targets will inform 2024 Comprehensive Plan Update

2021 Preliminary Comprehensive Plan and Code Amendment Docket

Item No.	Proposed By	Potentially Affected Section, Goal or Policy	Summary of Proposal
1	City Staff	Comprehensive Plan/Land Use Element/Land Use Plan Map	This amendment would correct an error in the City's Land Use Plan Map. One of the land use designations listed in Sect. VII of the Land Use Element is "Neighborhood Business", for which the implementing zone is "PBZ". The area currently zoned PBZ, and is erroneously zoned PBZ. The area currently zoned PBZ, and is erroneously zoned PBZ. The area currently zoned PBZ, and is erroneously zoned PBZ.



2021 Work Plan

- Docketed items
 - Comp Plan Land Use Map Amendment
 - Goldbach I (Comp Plan Amendment Implementation)
 - Goldbach II (CUP applicability)
 - Wireless Code
 - Town Center (?)
 - Sign Code
 - Impact Fees (?)
 - Boatsman (Nuisance Code)
 - Thompson (Administrative Code)
- Richard Hill Code Amendment (?)
- Annual Comp Plan Amendment
- 2022 Docket Review
- RDS Analysis



2021 Meeting Schedule

- January 20
- February 17
- March 17
- April 21
- May 19
- June 16
- July 21
- (No August mtg)
- September 15
- October 20
- November 17
- December 15



Review Process

1. Work Session
2. Public Hearing and recommendation
3. (option to add a 3rd meeting if needed for more complex items)



2021 Q1 Meeting Topics

January 20

- Work Plan and Schedule
- Work Session:
 - Comp Plan Land Use Map
 - Goldbach I
 - Goldbach II

February 17

- Work Session: Wireless Code
- Public Hearing:
 - Comp Plan Land Use Map
 - Goldbach I
 - Goldbach II

March 17

- Public Hearing: Wireless Code



Tonight's Work Session

- 3 items for review and discussion
 - Comp Plan Land Use Plan map amendment
 - Goldbach I (Comp Plan Amendment Implementation)
 - Goldbach II (CUP Applicability)
- No decision tonight
- Public hearing and recommendation on February 17



Comp Plan Land Use Map Amendment

- Staff error in 2018 mis-identified the south-end shopping center area as “Commercial Office”
- This amendment will re-designate this area as “Neighborhood Business”



Figure 1- Land Use Map

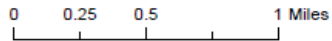
PROPOSED MAP

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

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



Map Date: 11/2/2020
Color+SymbolLandUseMap2020.mxd

Figure 1- Land Use Map

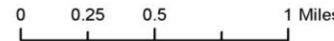
EXISTING MAP

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
 - 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.



Map Date: 5/22/2020
Color+SymbolLandUseMap2020.mxd



Review Criteria – Comp Plan Amendments

1. The amendment is consistent with the Growth Management Act, the countywide planning policies, and the other provisions of the comprehensive plan and [city](#) policies; and:
 - a. There exists obvious technical error in the information contained in the comprehensive plan; or
 - b. The amendment addresses changing circumstances of the [city](#) as a whole.
2. If the amendment is directed at a specific property, the following additional findings shall be determined:
 - a. The amendment is compatible with the adjacent land use and [development](#) pattern;
 - b. The property is suitable for [development](#) in conformance with the standards under the potential zoning; and
 - c. The amendment will benefit the community as a whole and will not adversely affect community facilities or the public health, safety, and general welfare.



Goldbach I Code Amendment - Comp Plan Amendment Implementation

- Proposed amendment repeals MICC 19.15.230(I), removing direction on Comprehensive Plan implementation
- Comp Plan implementation would instead be governed by state statute
- The City agrees that state statute and regulations provide sufficient guidance to properly implement Comprehensive Plan amendments and to adopt consistent development regulations
- Adoption of this code section was previously appealed to GMHB. The GMHB found that the adoption of the code was legal, but cautioned that implementation in certain circumstances could result in a GMA violation.
- There is no need to keep MICC 19.15.230(I) in light of the GMHB's caution
- Staff recommend approving the proposed amendment



Goldbach I Code Amendment - Comp Plan Amendment Implementation

MICC 19.15.230

...

~~I. *Implementation of Comprehensive Plan Amendments.* It is the city's intent to comply with the Growth Management Act (Chapter 36.70A RCW) and the guidelines for implementation of comprehensive plan goals and policies contained in Chapter 365-196 WAC. It is also the city's intent to allow sufficient time for review of regulations or programs that are intended to implement new or significantly amended policy direction within the comprehensive plan.~~

- ~~1. Where amendments to existing comprehensive plan goals and policies represent an adjustment to an existing policy direction, the city should generally prepare, review, and adopt implementing development regulations or programs concurrently with the adoption of the amendments to the comprehensive plan.~~
- ~~2. Where amendments to existing comprehensive plan goals and policies represent a new policy direction, or a significant amendment to the current policy direction within the comprehensive plan, the city should prepare, review, and adopt implementing development regulations or programs as soon as reasonably practicable following the adoption of the amendments to the comprehensive plan. (Ord. 19C-21 § 1 (Att. A); Ord. 18C-08 § 1 (Att. A); Ord. 16C-13 § 2. Formerly 19.15.050).~~



Review Criteria – Code Amendments

1. The amendment is consistent with the comprehensive plan; and
2. The amendment bears a substantial relation to the public health, safety, or welfare; and
3. The amendment is in the best interest of the community as a whole.



Goldbach II Code Amendment - CUP Applicability

- Proposed amendment creates a new subsection (c) within MICC 19.06.110(A)(5) adding clarity on the applicability of Conditional Use Permits (CUPs)
- Beyond providing additional clarity, the amendment would have no further effect
- Staff recommend approval of the amendment
- Also recommend revision of the amendment for clarity
 - The term “property” is not defined, and this leaves a bit of ambiguity
 - What if the property goes through a lot line adjustment or is combined with an adjacent lot?



Goldbach II Code Amendment - CUP Applicability

5. *Change After Conditional Use Permit Granted.*

- a. *Change of Ownership.* [Conditional use](#) permits granted shall continue to be valid upon change of ownership of the site.
- b. *Change of Use.* Modifications to the use shall require an amendment to the [conditional use](#) permit and shall be subject to the review process in Chapter [19.15](#) MICC.
- c. *Applicability.* A conditional use permit shall be applicable only to the property for which it was granted. Property whether contiguous or noncontiguous to the property for which the conditional use permit was granted shall require new conditional use permit applications and shall be subject to this Chapter 19.13 MICC and to Chapter 19.15 MICC.



Review Criteria – Code Amendments

1. The amendment is consistent with the comprehensive plan; and
2. The amendment bears a substantial relation to the public health, safety, or welfare; and
3. The amendment is in the best interest of the community as a whole.



Next Steps

- All three amendments discussed tonight will come back to the Planning Commission for a public hearing on February 17
- After each public hearing, the commission will be asked to make a recommendation on the amendment
- At the February 17 meeting, we will also have a work session on the Wireless code update.

