



**BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND**

**AB 6304
July 18, 2023
Public Hearing**

AGENDA BILL INFORMATION

TITLE:	AB 6304: Public Hearing: Interim Regulations Related to Outdoor Dining (Ordinance No. 23C-09)	<input checked="" type="checkbox"/> Discussion Only <input type="checkbox"/> Action Needed: <input type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
RECOMMENDED ACTION:	Conduct public hearing.	

DEPARTMENT:	Community Planning and Development
STAFF:	Jeff Thomas, Community Planning & Development Director Alison Van Gorp, Community Planning & Development Deputy Director
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Ordinance No. 23C-09
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	\$ n/a
AMOUNT BUDGETED	\$ n/a
APPROPRIATION REQUIRED	\$ n/a

EXECUTIVE SUMMARY

The purpose of this agenda item is to hold the required public hearing on Ordinance No. 23C-09 (Exhibit 1), which was adopted by the City Council on June 20, 2022, which extends interim regulations allowing outdoor dining in the public right of way and in private parking spaces.

BACKGROUND

On June 20, 2023 the City Council adopted Ordinance No. 23C-09 (Exhibit 1) renewing interim regulations that:

- Amend Mercer Island City Code (MICC) [19.06.050](#) to permit temporary food and beverage service in the public ROW with a simple ROW permit;
- Provide a temporary waiver of the minimum parking regulations for eating and drinking establishments identified in MICC [19.04.040](#) and MICC [19.11.030](#); and
- Authorize the temporary use of private parking spaces for outdoor dining.

This ordinance re-established the outdoor dining provisions initially adopted during the COVID-19 Pandemic to align with an extension of regulations on outdoor sales of liquor by the State Liquor and Cannabis Board, and to support a request by a local business ([AB 6285](#)).

ISSUE/DISCUSSION

Pursuant to [RCW 35A.63.220](#) and [RCW 36.70A.390](#), a public hearing must be scheduled within 60 days of adopting an interim ordinance to solicit public input on the regulations. The public hearing on Ordinance No. 23C-09 is scheduled for July 18, 2023, and was duly noticed according to state and City requirements.

NEXT STEPS

The interim regulations adopted in Ordinance No. 23C-09 will be in effect for one year from July 3, 2023, to July 2, 2024. The City will begin developing permanent regulations related to temporary uses and outdoor dining during that time, as outlined in the work plan adopted as an attachment to Ordinance No. 23C-09.

RECOMMENDED ACTION

Conduct public hearing. No further action necessary.