



# BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 5759  
October 6, 2020  
Regular Business

## AGENDA BILL INFORMATION

<b>TITLE:</b>	AB 5759: Extend Comprehensive Plan and Code Amendment Application Period	<input type="checkbox"/> Discussion Only
<b>RECOMMENDED ACTION:</b>	Adopt Ordinance No. 20-15 to extend the Comprehensive Plan and code amendment application period	<input checked="" type="checkbox"/> Action Needed: <input type="checkbox"/> Motion <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution

<b>DEPARTMENT:</b>	Community Planning and Development
<b>STAFF:</b>	Alison Van Gorp, Deputy Director
<b>COUNCIL LIAISON:</b>	n/a
<b>EXHIBITS:</b>	1. Ordinance No. 20-15
<b>CITY COUNCIL PRIORITY:</b>	n/a

<b>AMOUNT OF EXPENDITURE</b>	\$ n/a
<b>AMOUNT BUDGETED</b>	\$ n/a
<b>APPROPRIATION REQUIRED</b>	\$ n/a

## SUMMARY

The purpose of this agenda bill is to extend the deadline to submit proposed Comprehensive Plan amendments and code amendments from October 1, 2020 to November 2, 2020. Staff are recommending this extension, with an immediate effective date, to correct a staff error in a public notice issued in August and to allow additional time for the public to submit proposed amendments.

## BACKGROUND

The City has an established process for reviewing proposed amendments to the Comprehensive Plan. Amendments are proposed and compiled into a "docket" which is reviewed no more frequently than once per year. This process is consistent with the requirements of RCW 36.70A.130(2). Last year, the City Council amended the code to add a process for reviewing proposed code amendments as well ([MICC 19.15.250](#)). Both code amendments and Comprehensive Plan amendments proposed for the docket are invited each year during the month of September as described in [MICC 19.15.230\(D\)\(1\)](#). Amendment requests are then placed on the docket for initial consideration by the Planning Commission and City Council. The City Council decides which amendments on the docket will receive further review in the coming year.

This year, public notice of the docketing period was issued in the City's permit bulletin on August 10, 2020 and in the newspaper on August 19, 2020. These published notices, however, inadvertently omitted the term

“code amendment”, indicating that only *comprehensive plan* amendments, not *code* amendments were being invited. Staff were alerted to this omission toward the end of September.

Given this error, staff recommends that the City Council take action to extend the deadline to November 2, 2020 (for 2020 only) for submitting comprehensive plan and code amendments proposals. This extension cannot be made administratively because the City Code specifies the dates during which docket items are accepted. An ordinance is required to modify the date.

Exhibit 1, Ordinance No. 20-15, is an emergency ordinance that, if approved by a majority plus one of the whole City Council, will immediately extend the docketing period to November 2. A Public Hearing will be required within 60 days and will be scheduled at a future City Council meeting, tentatively scheduled for November 2, 2020.

## **RECOMMENDATION**

Adopt emergency Ordinance No. 20-15 to extend the Comprehensive Plan and code amendment application deadline to November 2, 2020.