

**CITY OF MERCER ISLAND
ORDINANCE NO. 19-23**

**AN ORDINANCE OF THE CITY OF MERCER ISLAND AMENDING THE
MERCER ISLAND COMPREHENSIVE PLAN LAND USE ELEMENT, CAPITAL
FACILITIES ELEMENT, AND TRANSPORTATION ELEMENT; PROVIDING
FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, in compliance with the Washington State Growth Management Act, chapter 36.70A RCW, the City of Mercer Island adopted a Comprehensive Plan in 1994 and has amended the plan on several occasions since that time; and

WHEREAS, in accordance with RCW 36.70A.130, an adopted Comprehensive Plan shall be subject to continuing evaluation and review; and

WHEREAS, the City sought community participation in the 2019 Citizen Comprehensive Plan Amendments by publishing notice through multiple channels, publicizing the opportunity for residents, business owners and interested parties to submit amendments to the Mercer Island Comprehensive Plan; and

WHEREAS, on November 20, 2018, the City Council passed Resolution No. 1554, which established a docket of four proposed Comprehensive Plan amendments for review in 2019; and

WHEREAS, pursuant to RCW 36.70A.130(2)(b), all proposals that were submitted were considered concurrently so the cumulative effect of the various proposals could be ascertained; and

WHEREAS, the City of Mercer Island has met all applicable public notice requirements for said Comprehensive Plan amendments consistent with chapter 19.15 MICC in effect at the time notice was given; and

WHEREAS, the Department of Commerce received notice of Mercer Island's proposed Comprehensive Plan amendments on August 20, 2019; and

WHEREAS, the City of Mercer Island issued SEPA Threshold Determinations (DNS) for the respective amendments on August 30, 2019; and

WHEREAS, the Planning Commission held the required public hearing on October 2, 2019 and recommended approval of the Comprehensive Plan Amendments; and

WHEREAS, the proposed amendments have been reviewed for internal consistency with the comprehensive plan and for consistency with the applicable review criteria in chapter 19.15 MICC; and

WHEREAS, the City Council considered the proposed Comprehensive Plan Amendments on October 15, 2019 (first reading) and December 3, 2019 (second reading);

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

Section 1. Adoption of Amendments.

The amendments to the Land Use, Capital Facilities, and Transportation Elements as set forth in Attachment "A" to this Ordinance are hereby adopted.

Section 2. 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 3. Effective Date.

This ordinance shall take effect five days after passage and publication in the official newspaper of the City.

ADOPTED BY THE CITY COUNCIL OF MERCER ISLAND, WASHINGTON AT ITS REGULAR MEETING ON THE 3RD DAY OF DECEMBER 2019.

CITY OF MERCER ISLAND

Debbie Bertlin, Mayor

ATTEST:

APPROVED AS TO FORM:

Deborah A. Estrada, City Clerk

Bio Park, Interim City Attorney

Date of Publication: _____

2019 Comprehensive Plan Amendments

Amendment 1: Remove Specific Town Center subarea designations from the Land Use Element

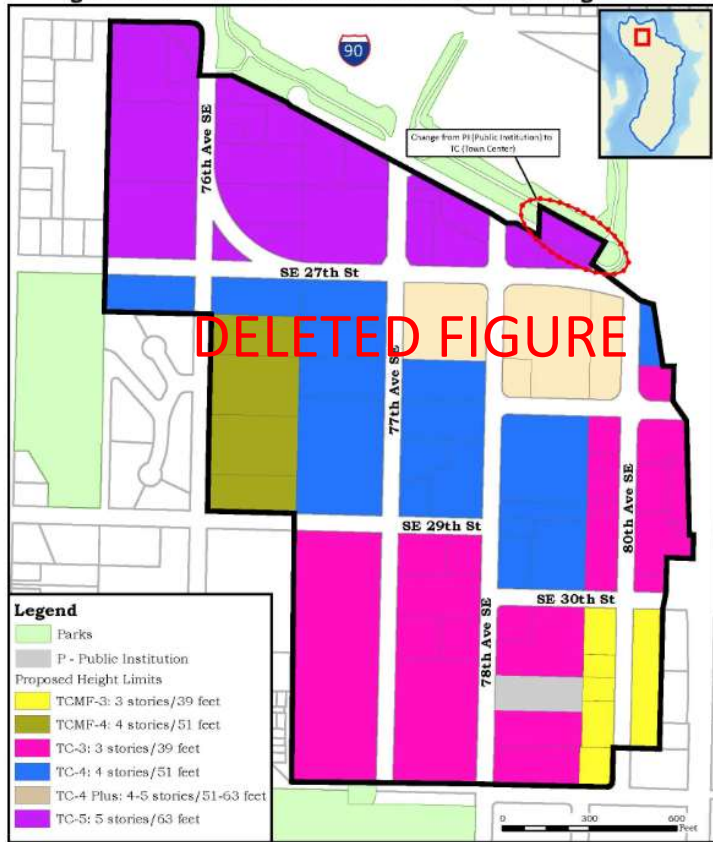
Land Use Element

Land Use Goal 3: Have a mixture of building types, styles and ages that reflects the evolution of the Town Center over time, with human-scaled buildings, varied height, set-backs and step-backs and attractive facades.

3.1 Buildings taller than two stories may be permitted if appropriate public amenities and enhanced design features are provided.

3.2 Locate taller buildings on the north end of the Town Center and step down building height through the center to lower heights on the south end, bordering Mercedale Park. **See Figure TC-1.**

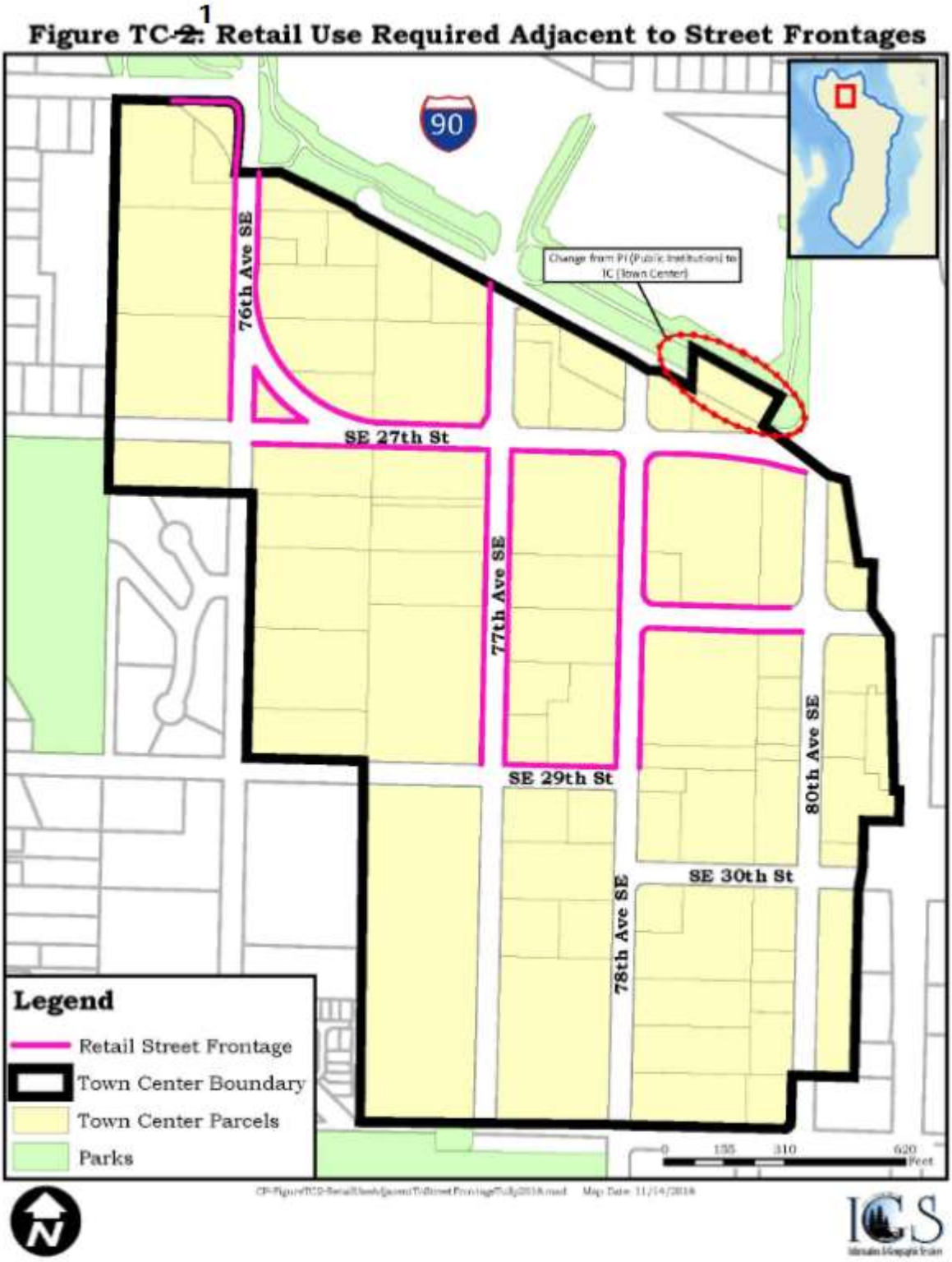
Figure TC-1: Town Center Subareas & Maximum Height Limit



CP-Figure011-TCMap&HeightJuly2019.mxd Map Date 11/14/2019

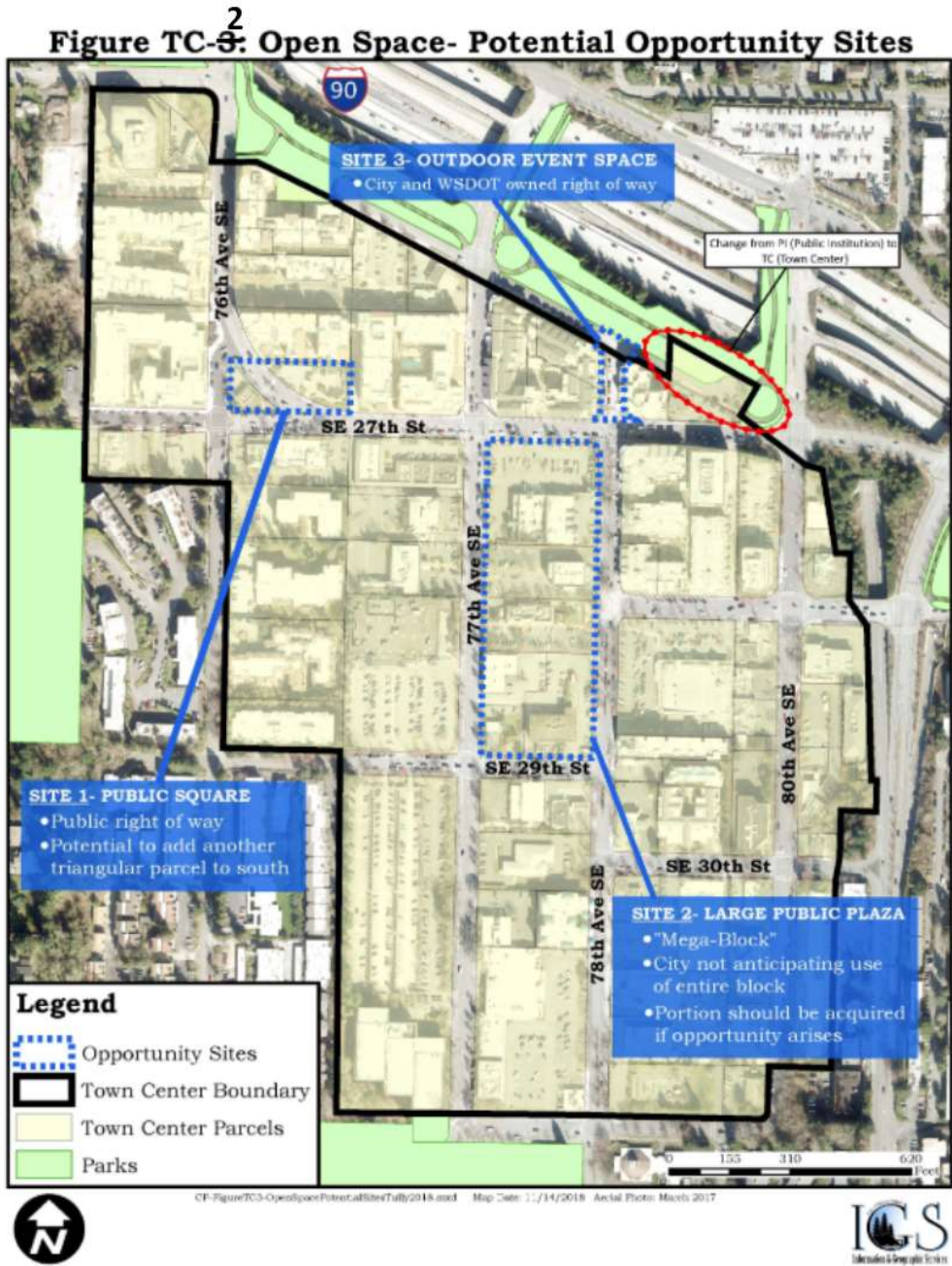


- 1
- 2 4.2 Retail street frontages (Figure TC-21) should be the area where the majority of retail activity is
- 3 focused. Retail shops and restaurants should be the dominant use, with personal services also
- 4 encouraged to a more limited extent. [...]



5

- 1 12.3 Investigate potential locations and funding sources for the development (and acquisition if
- 2 needed) of one or more significant public open space(s) that can function as an anchor for the
- 3 Town Center’s character and redevelopment. Identified “opportunity sites” are shown in Figure
- 4 TC-3-2 and described below. These opportunity sites should not preclude the identification of
- 5 other sites, should new opportunities or circumstances arise.



6
7

1 Amendment 2: Establish goals and policies to prevent and/or mitigate the impacts of
2 climate change

3 Land Use Element

4 I. Introduction [...]

5 The community strongly values environmental protection. As a result, local development regulations
6 have sought to safeguard land, water and the natural environment, balanced with private property
7 rights. To reflect community priorities, development regulations also attempt to balance views and tree
8 conservation.

9 Town Center

10 For many years, Mercer Island citizens have been concerned about the future of the community’s
11 downtown. Past business district revitalization initiatives (e.g. Project Renaissance in 1990) strove to
12 overcome the effects of “under-capitalization” in the Town Center. These efforts sought to support and
13 revitalize downtown commercial/retail businesses and devised a number of recommendations for future
14 Town Center redevelopment. Growing out of previous planning efforts, a renewed interest in Town
15 Center revitalization emerged in 1992 -- one looking to turn the 33-year-old downtown into the vital
16 economic and social center of the community.[...]

17 Sustainability

18 In 2006, a grassroots effort of Island citizens led the City to modify the vision statement in its
19 Comprehensive Plan to include language embracing general sustainability, and in May 2007 the City
20 Council committed to a sustainability work program as well as a specific climate goal of reducing
21 greenhouse gas (GHG) emissions by 80% from 2007 levels by 2050, which was consistent with King
22 County and Washington State targets. Later in 2007, the City Council set an interim emissions reduction
23 goal (often called a “milepost”) for City operations of 5% by 2012.

24 Mercer Island has a proud tradition of accomplishment toward sustainability. One of the earliest efforts
25 was the formation of the Committee to Save the Earth by high school students in the early 1970s.
26 Through the students’ fundraising, the construction and opening of the Mercer Island Recycling Center
27 (Center) was realized in 1975. The self-supported Center was well-patronized by Islanders and, during its
28 many years of operation, it prevented millions of pounds of recyclable materials from ending up in the
29 landfill while contributing to the development of a sustainability ethic on Mercer Island.

30 Numerous community groups have contributed to sustainability accomplishments in the ensuing years,
31 and many are still active. Sustainable Mercer Island (SMI), has helped organize and publicize solarize
32 campaigns, among other contributions. SMI participants are also independently involved in youth
33 environmental education, public outreach, advocating for bicycle and pedestrian facilities, and many
34 other activities. Some are doing research, and many are volunteering with national and local
35 organizations working to solve the climate crisis. One volunteer leads the very successful Green Schools
36 program for the Mercer Island School District, supported by King County Department of Natural
37 Resources and Parks. SMI fosters waste reduction, recycling, and conservation by students and schools.

1 IslandVision, a non-profit organization, encourages and supports sustainable practices on Mercer Island.
2 It provided to the City, in 2018, a technical analysis of GHG sources on Mercer Island and recommended
3 strategies to reduce GHG emissions.

4 In 2012, the City convened a Sustainability Policy Taskforce, a City/community partnership, to
5 recommend sustainability policies to the City. The City Council adopted its recommendations including
6 dedicated staffing, incorporation of recommendations into City planning documents, development of a
7 Sustainability Plan, and legislative actions to foster sustainability. The City's Sustainability Manager was
8 hired in 2013.

9 From 2010 to 2014⁹, with the entire community's sustainability in mind, the City has implemented a
10 wide range of outreach programs, efficiency campaigns, alternative energy initiatives, land-use
11 guidelines, and other natural resource management measures designed to minimize the overall impacts
12 generated by Island residents, for the benefit of future generations. Due to the 20-year horizon
13 envisioned by this Comprehensive plan, it is especially appropriate to include measures that address
14 the long-term actions needed to reduce greenhouse gas emissions, ideally in collaboration with other
15 local governments. Actions that the City will take in the management of its own facilities and operations
16 are addressed in the Capital Facilities Element of this plan. In 2018, the City continued to promote and
17 support sustainable development, through the development of green building goals and policies for all
18 residential development.

19 Climate Change

20 Climate change has far-reaching and fundamental consequences for our economy, environment, public
21 health, and safety. Cities have a vital role in mitigating and adapting to climate change both individually
22 and by working collaboratively with other local governments. Current science indicates that to avoid the
23 worst impacts of global warming we need to reduce global GHG emissions sharply.

24 In 2008, the City created a Climate Action Task Force which was charged with developing a climate
25 action plan for the City and community. The resulting plan called for tracking emissions and the
26 formation of a City/community partnership which was called the Green Ribbon Commission. It was
27 tasked with identifying strategies to reduce GHG emissions. Notable outcomes were the successful
28 promotion of Puget Sound Energy's Green Power Program, which generated funds to cover the cost of
29 the solar array the City installed at the Mercer Island Community & Events Center, and the 22 Ways
30 emissions reduction campaign.

31 Leap for Green Sustainability Fair spearheaded by IslandVision and co-developed with the City is a vital
32 instrument to educate and encourage engagement in sustainability. In addition to food and
33 entertainment, the fair offers activities for kids and adults, demonstrations and displays of
34 environmentally friendly ways of living, sustainability vendors, and more. The fair was not held in 2019
35 due to budget constraints.

36 The City has been very active in addressing climate change and has received national recognition for its
37 efforts. In 2013, the City was recognized by the EPA as a Green Power Community of the Year for its very

1 successful Green Power sign up campaign for residents and for its commitment to local solar power
2 generation. It was awarded Sol Smart Gold Designation from the Department of Energy in January 2018
3 for meeting stringent and objective criteria targeting removal of obstacles to solar development
4 including streamlined permitting. As of January 2018, there were 184 known solar installations in the
5 City, higher per capita than any other Eastside City. The City offers same day permitting for most solar
6 installations and most require only an electrical permit. The City has also installed electric vehicle
7 charging stations, banned plastic bags, successfully piloted bike share and ride hailing services, and
8 contracted with PSE for energy from a new windfarm to power 100% of City facilities, among many
9 other actions.

10 The Capital Facilities Element includes a summary of the City’s actions to reduce its own carbon
11 footprint.

12 King County and cities formed the innovative King County-Cities Climate Collaboration (K4C) in 2014 to
13 coordinate and enhance local government climate efforts. Mercer Island was a founding member. The
14 K4C has charted opportunities for joint action to reduce GHG emissions and accelerate progress toward
15 a clean and sustainable future. Mercer Island, through K4C, seeks opportunities to partner on outreach
16 to decision-makers and the public, adopt consistent standards and strategies, share solutions,
17 implement pilot projects, and cooperate on seeking funding resources. In 2016, Mercer Island, along
18 with King County and other partners in K4C, was recognized with a national Climate Leadership Award
19 from EPA.

20 Community GHG emissions have been inventoried and reported to K4C and the public when possible,
21 though 2016 through 2019 data have yet to be entered. The major sources of GHG on Mercer Island
22 have been found to be passenger car travel (estimated at 40% of total) and building energy consumption
23 (48% residential plus commercial).

24 With many good efforts completed and underway, it is necessary to take further action in order to meet
25 GHG reduction targets, both in our households and in our community.

26
27 Land Use Element

28 Goal 28: Reduce community-wide greenhouse gas emissions

29 28.1 Partner with the King County-Cities Climate Collaboration (K4C) to mitigate climate change.

30 28.2 Establish, and support annual reporting on, Mercer Island GHG emission reduction targets
31 consistent with K4C’s.

32 28.3 Provide public information and support to individual and community efforts to mitigate climate
33 change.

34 28.4 Evaluate and prioritize K4C-recommended actions to reduce GHG emissions.

1 28.5 Encourage the reduction of ~~and~~ emissions from passenger vehicles through the development of
2 zero- or low-greenhouse gas emitting transportation options and by reducing single-occupancy
3 vehicle trips.

4 28.6 Promote an energy-efficient built environment by:

5 1. Focusing development where utility and transportation investments have been made;

6 2. Promoting the use of renewable and zero- and low-GHG emitting energy sources; and

7 3. Encouraging the use of carbon-efficient building materials and building design.

8 4. Mitigate urban heat island effects by expanding tree canopy and vegetation cover.

9 28.7 Promote renewable power generation in the community.

10

11 Goal 29: Develop and implement a Climate Action Plan.

12

13 Goal 30: Adapt to and mitigate local climate change impacts.

14 30.1 Prioritize the prevention of climate change.

15 30.2 Develop an adaptive response to expected climate change impacts on the community.

16 30.3 Increase carbon sequestration through expanding tree canopy and vegetation cover.

17 [...]

18 Utility Element

19 Solid Waste Policies

20 5.1 All new construction, with the exception of single-family homes, shall be required to provide
21 adequate space for on-site storage and collection of recyclables pursuant to Ordinance A-99.

22 5.2 The City shall actively promote and support recycling, composting and waste reduction
23 techniques among the single-family, multi-family and commercial sectors with the aim of
24 meeting or exceeding King County diversion goals.

25 5.3 The City shall, whenever practical, provide convenient opportunities for residents to recycle
26 appliances, tires, bulky yard debris and other hard-to-recycle materials.

27 5.4 The City shall actively promote and support the proper handling and disposal of hazardous
28 waste produced by households and businesses. The use of alternate products that are less
29 hazardous or produce less waste shall be encouraged.

- 1 5.5 City departments and facilities shall actively participate in waste reduction and recycling
2 programs.
- 3 5.6 All hazardous waste generated by City departments and facilities shall be handled and disposed
4 of in accordance with applicable county, state, regional and federal regulations.
- 5 5.7 The City shall actively enforce the Solid Waste Code and other ordinances and regulations that
6 prohibit the illegal dumping of yard debris and other types of waste.
- 7 5.8 The City shall play an active role in regional solid waste planning, with the goal of promoting
8 uniform regional approaches to solid waste management.
- 9 5.9 The City shall actively promote and support the recycling, re-use or composting of construction,
10 demolition and land-clearing debris wherever feasible.

11 [...]

12 Capital Facilities Element

13 I. Introduction [...]

14 In 2012, activities were expanded further with the hiring of the City’s first dedicated Sustainability
15 Manager, who designs, implements, and then oversees much of the internal sustainability project work.
16 In addition, the Mayor and City Council have increasingly addressed or supported specific regional and
17 state-level climate commitments or legislation.

18 In 2017, the City confirmed a major commitment to clean power by announcing its contract with Puget
19 Sound Energy for 2019 through 2039, in which it will buy 20 years of clean wind power to replace its
20 current mix of electricity, covering its annual municipal usage of three million kilowatt hours.

21 Due to the 20-year horizon envisioned by this Comprehensive pPlan, it is especially appropriate to
22 include internal measures that address the long-term actions needed to reduce greenhouse gas
23 emissions, ideally in collaboration with other local governments. Actions that the City will implement
24 with the entire community’s sustainability in mind are addressed in the Land Use Element of this plan.
25 Various City Departments, such as Parks and Recreation and Maintenance, prepare functional plans that
26 directly implement some sustainability programs.

27 ~~These Capital Facilities measures, and others under consideration, are identified in more detail in a~~
28 ~~rolling 6-year Sustainability Plan, to be adopted in 2016, which will guide the City’s internal and external~~
29 ~~actions while taking into account the interrelated issues of climate change, population change, land use,~~
30 ~~public infrastructure, natural resources management, quality of life, public health, and economic~~
31 ~~development.~~

32 V. Capital Facilities Goals and Policies [...]

- 33 1.20 City operations should be optimized to minimize carbon footprint impacts, especially with
34 respect to energy consumption and waste reduction. New Capital Facilities should incorporate
35 and encourage the sustainable stewardship of the natural environment, ~~and~~ consider the
36 benefit of creating cutting-edge, demonstration projects, and favor options that have the lowest

1 feasible carbon footprint and greatest carbon sequestration potential. The adoption of GHG
2 emission reduction targets recommended by K4C should be considered.

3 1.21 City procurement should include consideration of total lifecycle costs, recycled content, and
4 other common measures of product sustainability.

5 1.22 Current City facilities are operated in an energy-efficient manner, and opportunities for
6 improvement are implemented when feasible. New City facilities should explore meeting public
7 and private-sector sustainable building certification standards, such as the 'BuiltGreen' system
8 and the Leadership in Energy and Environmental Design (LEED) system.

9 1.23 Parks & Open Space Capital Facilities – Identify measures to reduce carbon footprint and GHG
10 emissions when planning projects, choosing options with the lowest feasible carbon footprint
11 and greatest carbon sequestration potential. Implement sustainability measures identified
12 within the City's Parks and Recreation Management Plan, including special attention to direct
13 sustainability measures, such as tree retention, preference for native vegetation and habitat
14 creation, minimized use of chemicals, and reductions in energy and fuel use.

1 Amendment 3: Placeholder for the development of goals and policies supporting
2 economic development on Mercer Island

3

4 Land Use Element

5 Goal 14: ~~Support the further Continue to encourage vitality through the support of~~ economic
6 development ~~of Mercer Island, particularly activities~~ in the Town Center.

7 14.1 Develop an Economic Development Plan.

8 14.2 Establish the Town Center as an active and attractive commercial node, including the use of
9 gateways, wayfinding and signage, and links to transit.

10 ~~14.32~~ Maintain a diversity of downtown land uses.

11 ~~14.43~~ Support economic growth that accommodates Mercer Island’s share of the regional
12 employment growth target of 1,228 new jobs from 2006-2035, by maintaining adequate zoning
13 capacity, infrastructure, and supportive economic development policies.

14 14.54 Investigate formation of a business improvement area (BIA), or other mechanism authorized by
15 state law, to help promote Island businesses, to support Town Center activities, and to finance
16 improvements and amenities.

17 14.6 Identify a staff person who will help coordinate economic development activities.

18 ~~14.75~~ Support public and private investment in existing properties, infrastructure, and marketing to
19 help maintain longstanding businesses and attract new ones.

20 ~~14.86~~ Create a healthy and safe economic environment where Town Center businesses can serve the
21 needs of Mercer Island residents as well as draw upon broader retail and commercial market
22 areas.

23 14.97 Proactively and persistently engage residents, community organizations, and businesses in a
24 collaborative effort to establish a strategy for Mercer Island economic development.

25

1 Amendment 4: Goals and policies supporting the review and possible establishment of
2 multi-modal transportation level of service

3

4 Transportation Element

5 Goal 7: Provide a safe, convenient and reliable transportation system for Mercer Island.

6 7.1 Include in the City’s roadway design standards, requirements for facilities to safely
7 accommodate travel by all travel modes.

8 7.2 Provide a safe transportation system through maintenance and upkeep of transportation
9 facilities.

10 7.3 Monitor the condition and performance of the transportation system to compare growth
11 projections with actual conditions, assess the adequacy of transportation facilities and services,
12 and to identify locations where improvements may become necessary.

13 7.4 Monitor traffic collisions, citizen input/complaints, traffic violations, and traffic volumes to
14 identify and prioritize locations for safety improvements.

15 7.5 Where a need is demonstrated, consider signage, traffic controls, or other strategies to improve
16 the safety of pedestrian crossings.

17 7.6 Verify the policies, criteria and a process to determine when, and under what conditions, private
18 roads and privately maintained roads in the public right of way should be accepted for public
19 maintenance and improvement.

20 7.7 Coordinate with local and regional emergency services to develop priority transportation
21 corridors and develop coordinated strategies to protect and recover from disaster.

22 7.8 Strive to create a complete, connected active transportation system allowing direct and safe
23 access for active transportation modes.

24 7.9 New or remodeled public institution, commercial mixed use and multifamily facilities should
25 have sufficient storage for bicycles and other active transportation modes.

26

27 [...]

28 Goal 10: Maintain acceptable levels of service for transportation facilities and services on Mercer Island.

29 10.1 The City of Mercer Island Level of Service (LOS) at arterial street intersections shall be a
30 minimum of “C” within and adjacent to the Town Center and “D” for all other intersections.

31 10.2 Use the level of service standard to evaluate the performance of the transportation system and
32 guide future system improvements and funding. Emphasize projects and programs that focus on
33 the movement of people and provide alternatives to driving alone.

- 1 10.3 Implement the following strategy when vehicle capacity or funding is insufficient to maintain the
2 LOS standard: (1) seek additional funding for capacity improvements, (2) explore alternative,
3 lower-cost methods to meet level-of-service standards (e.g., transportation demand
4 management program, bicycle corridor development or other strategies), (3) reduce the types
5 or size of development, (4) restrict development approval, and (5) reevaluate the level of service
6 standard to determine how it might be adjusted to meet land use objectives.
- 7 10.4 Ensure that the City’s level of service policies are linked to the land use vision and comply with
8 concurrency requirements.
- 9 10.5 Revise the Transportation Element if the Land Use and/or Capital Facilities Element of the
10 €Comprehensive PPlan are changed to maintain a balanced and consistent plan.
- 11 10.6 Levels of service for pedestrian, bicycle, and transit transportation modes should be established.
12
- 13 [...]
- 14 Goal 12: Promote bicycle and pedestrian networks that safely access and link commercial areas,
15 residential areas, schools, and parks within the City.
- 16 12.1 Maximize the safety and functionality of the bicycle system by enhancing road shoulders, which
17 are to be distinguished from designated bicycle lanes.
- 18 12.2 Implement the Pedestrian and Bicycle Facilities Plan to meet existing and anticipated needs for
19 non-motorized transportation. This Plan should be coordinated with other transportation
20 planning efforts and periodically updated.
- 21 12.3 Study opportunities for use of innovative methods for pedestrians crossing streets, including use
22 of colored and textured pavements within the City.
- 23 12.4 Strive to build community through the in-person interactions facilitated by active transportation
24 at community connection points (schools, library, community centers, bikeshare hubs, etc.)
- 25 12.5 Prioritize areas near schools and commercial areas for a higher level of service for pedestrians,
26 bicycles, and transit.
27