



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

**AB 6172
November 1, 2022
Consent Agenda**

AGENDA BILL INFORMATION

TITLE:	AB 6172: Comprehensive Plan Amendment (Remove Figure TC-1) – Second Reading and Adoption of Ord. No. 22-17	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input type="checkbox"/> Motion <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
RECOMMENDED ACTION:	Adopt Ordinance No. 22-17 amending the Comprehensive Plan.	

DEPARTMENT:	Community Planning and Development
STAFF:	Jeff Thomas, Interim CPD Director
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Ordinance No. 22-17
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 bill is to conduct the second reading of and adopt Ordinance No. 22-17 (Exhibit 1) related to Comprehensive Plan Amendment CPA22-001. This amendment proposes removing *Figure TC-1 - Retail Use Adjacent to Street Frontages* and the associated reference from the Land Use Element of the Mercer Island Comprehensive Plan.

- *Comprehensive Plan, Land Use Element Figure TC-1 - Retail Use Adjacent to Street Frontages* identifies street frontages in the Town Center zone that require certain commercial uses and is identical to *MICC 19.11.020(B) Figure 2*. (Also commonly referred to as the “pink lines” map.)
- The City Council voted to amend *MICC 19.11.020(B)* on June 21, 2022, including adopting updates to *Figure 2*.
- The Council also directed City staff to prepare an amendment to the Comprehensive Plan to remove *Figure TC-1* from the Land Use Element to ensure consistency with the amendments to *MICC 19.11.020(B)*.
- On October 18, the City Council received the Planning Commission’s recommendation to adopt the proposed amendment and conducted the first reading of Ordinance No. 22-17 ([AB 6167](#)).
- On Tuesday, the City Council will conduct the second reading of Ordinance No. 22-17 and, if desired, adopt the ordinance.

BACKGROUND

Figure TC-1 - Retail Use Adjacent to Street Frontages was inserted into the Land Use Element of the Comprehensive Plan in 2016 as part of the periodic update. The map identifies street frontages in the Town Center zone requiring certain commercial uses and resulted from the 2014-2016 update to the Town Center vision and development standards. When the new Town Center development standards were adopted, an identical map was included in MICC 19.11.020(B) as *Figure 2 - Retail Use Adjacent to Street Frontages* (also known as the “pink lines” map).

On June 21, the City Council adopted Ordinance No. 22C-09 and amended MICC 19.11.020(B) ([AB 6102](#)). The amendment included updates to *Figure 2*, the map that was identical to *Figure TC-1* in the Comprehensive Plan. At the time of ordinance adoption, staff acknowledged that the amendment would create inconsistency between the code and the Comprehensive Plan. The City Council directed staff to prepare a comprehensive plan amendment to remove *Figure TC-1* from the Land Use Element before the development code updates take effect on December 1, 2022.

ISSUE/DISCUSSION

FIRST READING OF ORDINANCE NO. 22-17

On October 18, the City Council received the Planning Commission’s recommendation to adopt the proposed amendment. The proposal includes the following amendments to the Land Use Element, Section V., Land Use Policies, Goal 4:

- Remove *Figure TC-1 - Retail Use Adjacent to Street Frontages*; and
- Strike the associated reference to *Figure TC-1* from Goal 4.2.

After receiving a brief presentation from staff, the Council voted 7-0 to move the ordinance to a second reading. On Tuesday, the Council will conduct the second reading of Ordinance No. 22-17, which, if adopted, would remove *Figure TC-1* and the associated reference from the Comprehensive Plan Land Use Element.

STATE AGENCY NOTICING

The City is required to notify the Washington State Department of Commerce of its intention to adopt an amendment to the Comprehensive Plan and issue a SEPA determination before the amendment can be adopted. Staff notified the Department of Commerce on August 30 and issued a SEPA determination of non-significance on October 17.

NEXT STEPS

If the City Council adopts Ordinance No. 22-17, the ordinance will take effect and be in full force five days after publication.

RECOMMENDED ACTION

Adopt Ordinance No. 22-17 amending the Comprehensive Plan.