

**CITY OF MERCER ISLAND
ORDINANCE NO. 26C-16**

**AN ORDINANCE OF THE CITY OF MERCER ISLAND, WASHINGTON,
AMENDING CHAPTER 3.46 OF THE MERCER ISLAND CITY CODE RELATED
TO PLANNING COMMISSION; PROVIDING FOR SEVERABILITY; AND
ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, at its October 6 meeting, following expressions of interest by members of the City Council in reviewing the structure of the Planning Commission, the City Manager presented options to the City Council for restructuring the Commission; and

WHEREAS, the City Council directed the City Manager to prepare an ordinance restructuring the Planning Commission to consist of five members, with a residency requirement and no compensation, and encouraging applicants with an interest in environmental affairs, planning, architecture, land use, property development, and/or economic development, as evidenced by training or experience; and

WHEREAS, the City Council finds that the restructuring set forth in this ordinance is in the best interest of the City and its residents; and

WHEREAS, the City Council considered the proposed amendments on October 20, 2026 (first reading) and November 3, 2026 (second reading).

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

Section 1: **Chapter 3.46 MICC, Planning Commission, Amended.** Chapter 3.46 MICC, Planning Commission, is hereby amended as follows:

**Chapter 3.46
PLANNING COMMISSION**

Sections:

- 3.46.010 Established.
- 3.46.020 Purpose – Function and jurisdiction.
- 3.46.030 Membership.
- 3.46.040 Meetings – Organization.

3.46.010 Established.

There is, established pursuant to RCW Chapter 35A.63, a commission to be known as the “planning commission.”

3.46.020 Purpose – Function and jurisdiction.

The planning commission shall serve in an advisory capacity to the City Council and have the following duties and responsibilities:

- A. Review and make recommendations on amendments to the comprehensive plan;
- B. Review and make recommendations on amendments to development regulations;

- C. Hold public hearings in the exercise of its duties and responsibilities;
- D. Such other duties as may be assigned by the City Council or established by local ordinance or State statute; and
- E. When applicable, complete tasks in subsections A through D within the timeframe established by city council.

3.46.030 Membership

A. Qualifications.

1. Applicants who have an interest in environmental affairs, planning, architecture, land use, property development, and/or economic development as evidenced by training, experience, or actions are encouraged to apply. ~~*Paid practitioner non-resident.* An individual not affiliated with Mercer Island entities or interests with a minimum of five years of experience in land use planning in the state of Washington. Examples of qualifying positions include land use/municipal attorney, hearing examiner, urban planner, or architect, engineer or builder with land use experience. Demonstrated experience in public service, working with the Growth Management Act (GMA), Shoreline Management Act (SMA) and State Environmental Policy Act (SEPA) as well as the drafting of land use policies and codes preferred. This position will be compensated.~~
2. An intent of the appointment process shall be to evenly represent the areas of interest as stated above and reflect the city's diverse community. Appointed members shall represent the public interest and not specific interest groups. ~~*Lay person resident.* An individual with general interest in land use planning, environmental affairs, and/or economic development. Demonstrated experience in public service and land use planning preferred. Proof of Mercer Island residency required. This position will not be compensated.~~
- ~~3. *Paid practitioner resident.* An individual with a minimum of three years of experience in land use planning in the state of Washington. Examples of qualifying positions include land use / municipal attorney, hearing examiner, urban planner, or architect, engineer or builder with land use experience. Demonstrated experience in public service, working with the Growth Management Act (GMA), Shoreline Management Act (SMA) and State Environmental Policy Act (SEPA) as well as the drafting of land use policies and codes preferred. Proof of Mercer Island residency required. This position will be compensated.~~

B. Members.

1. **Number.** The planning commission shall consist of five members, serving in nonpartisan positions.
 - ~~a. Two paid practitioner non-resident.~~
 - ~~b. Two lay person resident.~~
 - ~~c. One paid practitioner resident.~~~~Notwithstanding the above, any vacancy may be filled by a resident lay person if unable to find a qualified paid practitioner. Additionally, the council should give preference to appointing resident paid practitioner applicants for any open planning commission positions.~~

2. *Residency.* Residency within the city limits of Mercer Island is a requirement to be appointed and to serve on the planning commission.

32. *Terms.* The term of each member is four years and expires on May 31 of the last year of the term or until the member's successor is appointed. The year of expiration of the terms of the positions shall be staggered with the following groups of positions expiring in successive years: positions 1 and 2; positions 3 and 4; position 5. Except, to stagger the expiration of the terms, the initial term for position 5 shall be two years, and for positions 3 and 4 they shall be three years — all expiring on May 31 after the second and third anniversaries of their initial appointments, respectively.

43. *Term limits.* No member shall serve more than two consecutive terms. If a member is appointed to a vacancy with two or more years remaining on the term, that term will be deemed a full term. If a member is appointed to a vacancy with less than two years remaining in the term, that term will not count toward the two-consecutive-term limit.

54. *Staff liaison.* The city manager shall appoint a staff liaison to assist with support services for the planning commission. Such staff support shall include, but not be limited to, the development of work plans and schedules, guidelines and procedures, correspondence, and agenda preparation and distribution.

C. *Appointment.* Appointments to the planning commission will be made by a vote of the city council during a regularly scheduled ~~open~~-meeting.

D. *Removal.* Members may be removed by the mayor and deputy mayor, with the concurrence of the city council, for neglect of duty, conflict of interest, malfeasance in office, or other just cause, or for unexcused absences from more than three consecutive regular meetings. The decision of the city council shall be final and there shall be no appeal therefrom. Members finding themselves unable to regularly attend meetings are expected to resign and notify the chair and staff liaison.

E. *Compensation.* No compensation will be paid to members for serving on the Planning Commission. ~~Paid practitioners shall be compensated \$500.00 per meeting of the planning commission attended (regular or special).~~

3.46.040 Meetings – Organization.

~~The planning commission shall not meet more than a total of 11 regular meetings and up to ten special meetings each calendar year.~~ The time and place of meetings and other rules and regulations shall be determined by the planning commission, which shall be on file with the city clerk.

Section 2: ~~**Removed.**~~ All members of the Planning Commission serving prior to the effective date of this ordinance are removed from the Planning Commission for just cause. Just cause for removal is the City Council's exercise of its legislative discretion to restructure the Planning Commission with different criteria for membership and terms for serving in the Planning Commission.

Section 3: ~~**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 4: Publication and Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. This Ordinance shall take effect and be in full forced on November 17, 2026 provided that five days have passed since the date of publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON, AT ITS MEETING ON NOVEMBER 3, 2026.

CITY OF MERCER ISLAND

David Rosenbaum, Mayor

Approved as to Form:

ATTEST:

Bio Park, City Attorney

Andrea Larson, City Clerk

Date of Publication: _____