



BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 5736
August 4, 2020
Regular Business

AGENDA BILL INFORMATION

TITLE:	AB 5736: Town Center Moratorium Update and Findings of Fact	<input type="checkbox"/> Discussion Only
RECOMMENDED ACTION:	Adopt Ordinance No. 20-18 Amending the Scope of the Town Center Moratorium and Adopting Additional Findings of Fact.	<input checked="" type="checkbox"/> Action Needed: <input type="checkbox"/> Motion <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution

DEPARTMENT:	Community Planning and Development
STAFF:	Alison Van Gorp, Community Planning & Development Deputy Director & Bio Park, City Attorney
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Adopted Ordinance No. 20-12 2. Proposed Ordinance No. 20-18
CITY COUNCIL PRIORITY:	n/a

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

SUMMARY

On June 2, 2020, the City Council adopted Ordinance No. 20-12 (see Exhibit 1), which established a 6-month moratorium on major new construction south of SE 29th Street in the Town Center (TC) zoning designation. On July 21, 2020, the City Council held a public hearing on the Town Center Moratorium and directed staff to prepare an amended ordinance reducing the size of the area subject to the moratorium and including additional findings of fact.

BACKGROUND

The current Town Center development regulations were established in June 2016 (see [Ordinance No. 16C-06](#)) and require that:

- Major new development located north of SE 29th Street in the Town Center, must provide ground floor street frontage commercial space for use by retail, restaurant, or personal service (e.g. barber shop, nail salon, fitness center, etc.);
- Between 40 and 60 percent of the ground floor street frontage north of SE 29th Street must be designated for retail, restaurant, or personal services; 40 percent is required for those major new developments that provide public parking, while 60 percent is required for those developments that do not provide public parking; and

- Commercial retail space is allowed, but not required, south of SE 29th Street in the Town Center zoning designation.

Based on City Council direction on July 21, 2020, staff have prepared Ordinance No. 20-18 decreasing the geographical area affected by the moratorium for Council adoption (see Exhibit 2). The new area is within the Town Center (TC zone) south of SE 29th St, east of 77th Ave SE and west of 80th Ave SE. Additional findings of fact have been prepared based on the public hearing and subsequent City Council discussions.

NEXT STEPS

Development Regulation Amendment: Scope of Work and Funding

Staff anticipates that additional staff resources and consultant support will be required to provide an economic analysis of the viability of requiring more commercial space. Staff will prepare a scope of work for the consultant and an appropriation request for City Council review and approval in the fall of 2020. The scope of work will be informed by the discussion of the moratorium scope at the July 21, 2020 Council Meeting and the adoption of the findings of fact for the moratorium on August 4, 2020.

Review Process

Any proposed amendments to the Town Center regulations will require review by the Planning Commission, a public hearing, and final adoption by the City Council. Certain Town Center code amendments may also require an amendment to the Comprehensive Plan.

RECOMMENDATION

1. Suspend Council Rules of Procedure 6.3 and 10.1 requiring second reading of an ordinance.
2. Adopt Ordinance No. 20-18 amending the scope of the Town Center moratorium and adopting additional findings of fact.