



BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 6815
November 18, 2025
Regular Business

AGENDA BILL INFORMATION

TITLE:	AB 6815: Amendments to the Historical Designation Criteria in MICC 16.01.030 to Comply with HB 1576 (Ordinance No. 25C-28 First Reading)	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
RECOMMENDED ACTION:	Conduct a public hearing, first reading, and set Ordinance No. 25C-28 for second reading.	

DEPARTMENT:	Community Planning and Development
STAFF:	Jeff Thomas, Community Planning & Development Director Madelyn Nelson, Assistant Planner
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Ordinance No. 25C-28
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 a public hearing and complete the first reading of Ordinance No. 25C-28 (Exhibit 1) amending the historical designation criteria in MICC 16.01.030 to comply with HB 1576.

- In 2025, the Washington State legislature enacted HB 1576. The bill establishes additional requirements for the historical designation process. It took effect on July 27, 2025, and currently supersedes, preempts, and invalidates any conflicting local regulations ([RCW 35A.21.450](#)).
- Some amendments to the [Mercer Island City Code \(MICC\) 16.01.030 – Historical Designation Criteria](#) are needed to comply with the requirements of RCW 35A.21.450.
- The proposed code amendment would make two changes:
 - Property owner consent would be required prior to historical designation if the designation would restrict the use, alteration, or demolition of the property.
 - Written consent from the property owner is not needed if the property is within an area recognized as a historical district via ordinance or if the property exceeds 125 years old.
- Ordinance No. 25C-28 would make the amendments necessary to comply with RCW 35A.21.450 (Exhibit 1).
- After the City Council completes the first reading, a second reading of Ordinance No. 25C-28 is planned for December 2, 2025.

BACKGROUND

On April 19, 2025, the State of Washington Legislature passed House Bill 1576 (HB 1576). This bill established [RCW 35A.21.450 - Historic landmark designation—Limitations](#), which sets standards for how code cities may designate historical buildings, structures, and sites. RCW 35A.21.450 became effective on July 27, 2025, and supersedes, preempts, and invalidates any conflicting local regulations. RCW 35A.21.450 requires the following for historical landmark designations:

- The property must be older than 40 years old.
- If the designation would restrict the use, alteration, or demolition of the property, then written consent of the owner of the property must be obtained prior to designation. If a designation without consent has been made following the adoption of this house bill, then that designation is void.
- The property may be historically designated if it is within a historic district established through a local preservation ordinance, or if the nominator of the property has provided written documentation to show that the nominated property exceeds 125 years old and the City confirms this age.

EXISTING REGULATIONS

The City of Mercer Island adopted Historical Designation standards in 2002 via ordinance No. 02-16, establishing standards for designation of historic structures, buildings, and sites in [MICC 16.01.030 – Historical Designation Criteria](#). This code section allows designation of a historic building, structure, or site in any zone if it is more than 50 years old and satisfies one or more of the following criteria:

- It is associated with events that have made a significant contribution to national, state or local history; or
- It is associated with the lives of persons significant in national, state or local history; or
- It embodies the distinctive characteristics of a type, period, style or method of design, architecture or construction.

EXISTING HISTORICAL DESIGNATIONS

Simultaneous to the adoption of the Historical Designation standards in 2002, the Luther Burbank building and certain parts of Luther Burbank Park were transferred from being recognized under King County's historical designation process to the new Mercer Island historical designation becoming the first buildings, structures, and sites to be historically designated in the city.

In 2004, the Veterans of Foreign Wars building was historically designated. Historical designation curtails certain property rights by requiring additional permissions before engaging in work on the building, structure, or site. Historical designation offers incentives such as:

- Development agreements even if inconsistent with the MICC, street vacations, beneficial placement of public improvements, public amenities, and/or rezoning per MICC 16.01.060.

Special assessed valuation where the owner of a building, structure, or site may seek to have the property's assessed value adjusted in compliance with all provisions of RCW Chapter 84.26.

ISSUE/DISCUSSION

Staff have identified two amendments to MICC 16.01.030 that are needed to comply with the new requirements in HB 1576. Ordinance No. 25C-28 would make the following amendments to [MICC 16.01.030 – Historical designation criteria](#) to comply with RCW 35A.21.450:

- If historical designation would restrict the use, alteration, or demolition of the property then written consent from the property owner is required prior to designation.
- Written consent from the property owner is not needed if the property is within an area recognized as a historical district via ordinance or if the property exceeds 125 years old.

The proposed code amendments would not affect any existing historical designations.

NEXT STEPS

The second reading of Ordinance No. 25C-28 is scheduled for December 2, 2025. If adopted, Ordinance No. 25C-28 would become effective five days after the notice of adoption is published

RECOMMENDED ACTION

Set Ordinance No. 25C-28 for second reading and adoption.