



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

**AB 6454
April 16, 2024
Regular Business**

AGENDA BILL INFORMATION

TITLE:	AB 6454: Reconstitution of the Planning Commission – consideration of amendments to MICC, Chapter 3.46 (Ordinance No. 24C-06, First Reading)	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
RECOMMENDED ACTION:	Complete first reading of Ordinance No. 24C-06. Schedule second reading and adoption for May 7, 2024.	

DEPARTMENT:	City Manager
STAFF:	Jessi Bon, City Manager Jeff Thomas, CPD Director
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Draft Ordinance No. 24C-06 – MICC, Chapter 3.46 Amendments
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	\$ 31,500
AMOUNT BUDGETED	\$ n/a
APPROPRIATION REQUIRED	\$ n/a

EXECUTIVE SUMMARY

The purpose of this agenda bill is to present to City Council Ordinance No. 24C-06 (Exhibit 1) containing the directed amendments from the April 2, 2024 Council meeting to Mercer Island Municipal Code (MICC) [Chapter 3.46](#) for the reconstitution of the Planning Commission.

- After discussing the Community Planning and Development Department’s land use work plan on March 1, 2024, the City Manager was directed to bring a proposal to City Council on April 2, 2024, aiming to reconstitute the Planning Commission.
- On April 2, 2024, the City Manager presented various options for reconstitution of the Planning Commission to the City Council for consideration.
- The City Council discussed and selected various options and further directed staff to bring back an ordinance on April 16, 2024, for first reading containing these selected options to amend MICC, Chapter 3.46 to reconstitute the Planning Commission.

BACKGROUND

The City Council conducted a Planning Session on March 1, 2024, which included an overview of the Community Planning and Development Department’s land use work plan ([AB 6428](#)). To increase land use

planning capacity and efficiency as well as provide additional direction to work program priorities, the City Council made several motions including the following:

Planning Commission Reconstitution

Approved Motion: Direct the City Manager to bring a proposal to City Council at its regular meeting on April 2, aiming to reconstitute the Planning Commission. The new composition shall include four (4) land use professionals not affiliated with Mercer Island entities or interests, to be compensated for their dedicated time, and three (3) laypersons who are Mercer Island residents. The proposal must specify the effective date, detail the range of the number of meetings that will occur annually, outline the annual cost, and describe any necessary amendments to the Mercer Island Municipal Code (MICC).

On April 2, 2024, the City Manager and Community Planning and Development Director presented various options for reconstitution of the Planning Commission to the City Council for consideration ([AB 6441](#)). The City Council discussed and selected various options and further directed staff to bring back an ordinance on April 16, 2024, for first reading containing these selected options to amend MICC, Chapter 3.46 to reconstitute the Planning Commission.

ISSUE/DISCUSSION

Options selected by the City Council on April 2, 2024, to amend MICC, [Chapter 3.46](#) include:

1. **Effective Date:** January 15, 2025
2. **Member Composition:** 2/2/1 Paid Practitioner – Non-Resident / Lay Person – Resident / Paid Practitioner – Resident; any vacancy may be filled by a resident lay person if unable to find a qualified paid practitioner.
3. **Paid Practitioner – Non-Resident Definition:**
An individual not affiliated with Mercer Island entities or interests with a minimum of five years of experience in land use planning as well as five years of such experience 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.
4. **Lay Person – Resident Definition:**
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.
5. **Paid Practitioner – Resident Definition:**
An individual with a minimum of five years of experience in land use planning as well as five years of such experience 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.
6. **Annual Meeting Frequency Options:** 21 (11 Regular Meetings + Up To 10 Special Meetings)
7. **Paid Practitioner Compensation Options:** Flat Rate Per Meeting Completed

8. **Paid Practitioner Annual Compensation Maximum Amount Options:** Not to Exceed \$10,500 Per Paid Practitioner (\$500 Per Meeting)
9. **Paid Practitioner Poor Performance – Termination Authority:** Only the City Council can terminate.
10. **Ethics Code Applicability:** Applies to all Planning Commission members.
11. **Planning Commission Seats:** Permanently reduce the Planning Commission to 5 seats on June 1, 2024.

NEXT STEPS

Conduct first reading of Ordinance No. 24C-06 to reconstitute the Planning Commission. Schedule second reading and adoption for May 7, 2024.

RECOMMENDED ACTION

Move to schedule second reading and adoption of Ordinance No. 24C-06 for May 7, 2024.