



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

**AB 6274
June 6, 2023
Consent Agenda**

AGENDA BILL INFORMATION

TITLE:	AB 6274: Development Code Amendment – Business Zone Permitted Uses (Second Reading Ord No. 23C-08)	<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. 23C-08, amending MICC 19.04.050 to permit public and private schools in the Business Zone.	

DEPARTMENT:	Community Planning and Development
STAFF:	Jeff Thomas, CPD Director Alison Van Gorp, Deputy CPD Director
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Ordinance No. 23C-08
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 adopt a code amendment to [MICC 19.04.050](#) that would permit public and private schools in the Business Zone.

- The Planning Commission reviewed the proposed code amendments and prepared a recommendation for City Council consideration on May 16, 2023.
- The City Council held a first reading of Ordinance No. 23C-08 on May 16, 2023 and directed staff to amend the draft Ordinance to remove the proposed development standards for the schools use.
- Therefore, the proposed code amendment would allow schools in the Business Zone, subject to existing development standards.

BACKGROUND

Legislative Review Process

The proposed code amendment was brought forward on behalf of Herzl Ner-Tamid as part of the annual docket process in the fall of 2021. The docket request proposed an amendment to [MICC 19.04.050 Business – B](#) to add public and private schools to the list of permitted uses in the Business Zone. The City Council added this proposal to the final docket and the CPD work program with the approval of [Resolution No. 1615](#) on

December 7, 2021. The proposal was assigned file number ZTR22-001. The Planning Commission first discussed and provided initial feedback on ZTR22-001 at their meeting on [February 22, 2023](#). Staff prepared a draft code amendment based on this initial feedback. The Planning Commission held a public hearing on ZTR22-001 on [March 22, 2023](#). The Planning Commission's recommendation was transmitted to the City Council on May 16, 2023 ([AB 6270](#)).

MICC 19.04.050 Business – B

[MICC 19.04.050](#) establishes the permitted uses and other zoning regulations for the Business Zone (B Zone). The B Zone currently permits a variety of commercial uses, including restaurants, retail, offices, hotels, theaters, service stations, preschools, and daycares, but does not allow public or private K-12 schools. Three areas in Mercer Island are included in the B Zone; all are located just to the south of I-90, with two being adjacent to the Town Center Zone and one being on a portion of the Herzel Ner-Tamid properties and an adjacent Puget Sound Energy (PSE) property near the eastern tip of the Island.

ISSUE/DISCUSSION

The proposed code amendment provided in Ordinance No. 23C-08 (Exhibit 1) amends the list of permitted uses in MICC 19.04.050 to add public and private schools. As directed by the City Council at the May 16, 2023, meeting, no additional development standards are included in the proposed amendment. If the proposed amendment is adopted, schools will be subject to the existing standards in MICC 19.04.050, as well as MICC 19.12, which includes design guidelines for non-single-family development outside the Town Center.

NEXT STEPS

If adopted, Ordinance No. 23C-08 would enable property owners in the Business Zone to propose development that includes school uses within the zone.

RECOMMENDED ACTION

Adopt Ordinance No. 23C-08, amending MICC 19.04.050 to permit public and private schools in the Business Zone.