

Question & Answer Matrix
November 4, 2024 - City Council Meeting

Lo g #	AB No.	Received From	Question	Staff Response
1	6559	Councilmember Weinberg	Exhibit 2. Logs 1-1 and 2-29. Would you please share why you recommend striking the list of examples of incompatible activities and land uses?	This change was requested by legal counsel. Both references conflict with RCW 36.70A.200 , which specifies that "[n]o local comprehensive plan or development regulation may preclude the siting of Essential Public Facilities.
2	6559	Councilmember Weinberg	Exhibit 2. Log 2-16B. Land Use Goal 8.2. Was the omission of the word “safe” unintentional when moving this text from the Land Use element to the Transportation element?	<p>The revised text in Transportation Element Policy 13.2 is intended to provide policy guidance on pedestrian route design in Town Center, specifically the desire to break up larger City blocks. The policy statement was revised from the original to clarify this intent.</p> <p>Pedestrian safety is already well covered in the Transportation Element, some examples below (emphasis added):</p> <p>GOAL 7: Provide a <u>safe</u>, convenient, and reliable transportation system for Mercer Island.</p> <ul style="list-style-type: none"> 7.1 Include <u>safety</u> accommodations for all travelers in the City’s roadway design standards. 7.2 Provide a <u>safe</u> transportation system through maintenance and upkeep of transportation facilities. 7.3 Seek to reduce the number of deaths and serious injuries caused by vehicle collisions on Mercer Island. <p>GOAL 12: Promote bicycle and pedestrian networks that <u>safely</u> access and link commercial areas, residential areas, schools, parks, and transit within the City.</p> <ul style="list-style-type: none"> 12.1 Maximize the <u>safety</u> and functionality of the bicycle system by enhancing road shoulders which are distinguished from designated bicycle lanes. 13.2 Town Center streets should be pedestrian-friendly and provide for <u>safe</u> and convenient multi-modal access to existing and future development in the Town Center.
3	6559	Councilmember Weinberg	Exhibit 2. Log 2-26B. Land Use Goal 13. Would you please describe how the community benefits from the proposed replacement of the words “above and beyond” with the word “maintain” in the context of encouraging green building practices?	<p>Log 2-26B recommends moving Land Use Goal 13 to a policy (new policy 13.3) and including additional language to align with City Code.</p> <p>The previous language in the Comprehensive Plan “Goal 13” referred to going “above and beyond” what is required by the construction code. That policy language is arbitrary and difficult to implement. The community benefits by having clear goals and policies.</p>

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				<p>The state energy code, for example, is continuously evolving, resulting in a higher and higher bar as each new code is adopted. This makes going “above and beyond” a moving target, which is very challenging to the administer.</p> <p>City Code currently requires major new construction in the Town Center to attain green building certification through LEED or Built Green. The process of meeting these code requirements is achieved through a third-party certification process, which is continually evolving as technology changes.</p> <p>The staff proposed change is intended to meet the spirit of the original comp plan Goal, while also ensuring alignment with City Code.</p>
4	6559	Councilmember Weinberg	Exhibit 2. Log 2-28. Land Use Goal 15.4. Would you please elaborate upon the reason for the proposed removal of the word “Council”?	The recommendation is to refer to the “City” as a whole as the decision-making entity.
5	6559	Councilmember Weinberg	Exhibit 2. Log 2-31. There is only one action in the Building & Energy section of the CAP which relates to Green Building and it contains just 15 words. Land Use Goal 20 contains, once one removes the duplicated header, 117 words and helpfully divides the proposed effort into three logical workstreams. This seems like a helpful first step towards developing the green energy program. Is there a good reason to undo that work?	<p>The proposed revision was prepared to align with the City Council adopted Climate Action Plan (CAP), which was approved in April 2023. The CAP serves as the primary policy guide for climate related matters and is incorporated into the Comprehensive Plan by new policy reference 13.2. Green Building policies are included in the “Buildings and Energy” section of the CAP, see pages 30 to 32.</p> <p>If the City Council desires to amend or modify climate policies related to green buildings, revisions should be made to the CAP.</p>
6	6559	Councilmember Weinberg	Exhibit 2. Log 2-32. Land Use Goal 23.6.1. With which specific action in the Climate Action Plan does goal 23.6.1 conflict? Might there be another place in the Land Use or Housing elements where we already capture the core intent of the language, “Focusing development where utility and transportation investments have been made”? If not, where in the Comp Plan would such language best belong? Perhaps merging it into Land Use Goal 15.3?	<p>The proposed revision to remove Goal 23 and the associated policies was proposed to align with the CAP. The CAP serves as the primary policy guide for climate related matters and is incorporated into the Comprehensive Plan by new policy reference 13.2.</p> <p>In addition, policy 23.6.1, which is recommended to be removed, suggests that development be focused where “utility and transportation investments have been made,” which is overbroad and potentially refers to most of Mercer Island. Over time, the City has developed more specific policies related to the siting of new development. See for example, Goal 2, Goal 4, Goal 7, Goal 8, and Goal 9 in the Land Use Element. See also the policies in the Housing Element.</p>

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				<p>If the City Council desires to amend or modify climate policies related to the siting of new development, revisions should be made to the CAP.</p>
7	6559	Councilmember Weinberg	<p>Exhibit 2. Log 2-32. Land Use Goals 23.1 and 23.2. These goals, which the Council chose not to change at our 9/3/24 meeting, explicitly calls out the King County Cities Climate Collaboration (K4C) as an organization with which we should partner. Action CC1.2 in the Climate Action Plan just says to “partner with neighboring cities and other regional groups.” Goals 23.1 and 23.2 don’t say that MI should *only* work with K4C; we can still work with others as well. By proposing the removal of goals 23.1 and 23.2, are you essentially saying that Mercer Island will not be collaborating with K4C? If not, in what way do the two approaches conflict which necessitates the removal of goals 23.1 and 23.2?</p>	<p>A handful of the climate-related goals were missed during the initial reconciliation process (comparing the draft Comp Plan to existing plans) performed by staff over the summer. Staff are recommending that most of the climate-related policies reside in the CAP, which is adopted by reference in the Comp Play by new policy 13.2.</p> <p>The entirety of Goal 23 is recommended to be removed given that GHG reduction strategies and actions are covered extensively in the CAP. Policy 23.1 is also covered in the CAP. See the following:</p> <ul style="list-style-type: none"> • Focus Area Goal (CAP, page 27): “Reduce overall community and municipal GHG emissions, integrate climate considerations into City reporting and decision-making, and encourage community members to participate in local climate action.” Note: Detailed metrics, including the 2030 and 2050 targets are included in the CAP, page 27. • See also CC3.1 (CAP, page 29): GHG tracking and reporting, which says, “Continue to maintain a publicly available online dashboard that tracks and reports on CAP and GHG reduction progress on an annual basis. Report to City Council and the community on progress annually.” <p>Policy 23.2 in the Comprehensive Plan is proposed to be removed given that it duplicates the partnership strategy reference in the CAP. You correctly note that CC1.2 Climate advocacy and partnerships (CAP, page 27), says “Advocate for legislation that supports local climate mitigation and adaptation efforts. Continue to partner with neighboring cities and other regional groups to advance regional initiatives to reduce greenhouse gas emissions and increase adaptive capacity.” This policy language was included to ensure it was inclusive of the many partners the City will likely work with on climate policy.</p> <p>Staff did not make the assertion <u>in any materials</u> that the City would not partner with K4C.</p> <p>The partnership with K4C is well-represented in the CAP. Here are a few examples:</p> <ul style="list-style-type: none"> • Page 3: Reference to City partnership and membership in K4C. • Page 18: Reference to City partnership and founding membership in K4C. • Page 24: K4C partnership acknowledgement and reference to the shared K4C targets.

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				<ul style="list-style-type: none"> • Page A-1: Implementation Matrix, includes numerous references to K4C as an implementing partner.
8	6559	Councilmember Weinberg	Exhibit 2. Log 2-32. Land Use Goal 23.6.3. With which specific action in the Climate Action Plan does goal 23.6.3 conflict? Is there a place in the Comp Plan where you feel it would be more appropriate to include encouraging the use of carbon-efficient building materials and design?	<p>The proposed revision was prepared to align with the CAP. The CAP serves as the primary policy guide for climate related matters and is incorporated into the Comprehensive Plan by new policy reference 13.2. Green Building policies are included in the “Buildings and Energy” section, see pages 30 to 32.</p> <p>If the City Council desires to amend or modify climate policies related to green buildings, revisions should be made to the CAP.</p>
9	6559	Councilmember Weinberg	Exhibit 2. Log 2-32. Land Use Goal 23.6.4. With which specific action in the Climate Action Plan does goal 23.6.4 conflict? Might there be a place in the Comp Plan, perhaps in the Parks and Open Space element, where you feel it would be more appropriate to include the important goal of reducing the heat island effect by increasing tree canopy coverage?	<p>The proposed revision was prepared to align with the CAP. The CAP serves as the primary policy guide for climate related matters and is incorporated into the Comprehensive Plan by new policy reference 13.2. Matters related to the tree canopy are included in the “Natural Systems” section, see CAP pages 38 to 40.</p> <p>Expansion of the tree canopy is specifically addressed in the CAP on page 38, “Increase urban tree canopy and green space.” See also all of the associated actions on pages 39 to 40. If the City Council desires to amend or modify climate policies related to natural systems or the tree canopy, revisions should be made to the CAP.</p>
10	6559	Councilmember Weinberg	Exhibit 2. Log 2-33. Land Use Goal 24.3. With which specific action in the Climate Action Plan does goal 24.3 conflict? If you don’t feel the important goal of increasing carbon sequestration by expanding tree canopy coverage belongs in the Land Use element, where in the Comp Plan would you recommend we place it?	<p>The proposed revision was prepared to align with the CAP. The CAP serves as the primary policy guide for climate related matters and is incorporated into the Comprehensive Plan by new policy reference 13.2. Matters related to the tree canopy are included in the “Natural Systems” section, see pages 38 to 40.</p> <p>See also, Action NS2.9, page 40 of the CAP related to carbon sequestration.</p> <p>If the City Council desires to amend or modify climate policies related to natural systems, carbon sequestration, or the tree canopy, revisions should be made to the CAP.</p>

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11	6559	Councilmember Weinberg	Exhibit 2. Log 8-4. Economic Development Goal 6.8. What is the proper procedure for changing the noticing requirements to ensure businesses are notified of potential redevelopments nearby? Would that need to be an annual docket item? If so, would it be a docket item to change the Comp Plan, the Code, or both?	The proper procedure to amend the Mercer Island Development Code is to submit a docket request. Depending on the exact request, it may be an amendment to just the code or the Comprehensive Plan and code. Noticing requirements are already required by code for the vast majority of new / redevelopment. Therefore, any request to revise the code would need to be carefully evaluated for potential conflict with the existing requirements.
12	6559	Councilmember Weinberg	Exhibit 2. Log 8-12. Economic Development Goal 10.4. Can you help me understand how this re-wording of goal 10.4 evaluates the impact on businesses of the fees charged by the City? It seems to me that it's been re-worded to focus entirely on the impacts on the City.	The proposed wording was revised to align with State Law. This change was recommended by legal counsel. "City fees imposed on development" are permit related fees. Calculation of permit related fees is strictly regulated by state statute. RCW 82.02.020 enables cities to collect reasonable permit fees to cover the costs to the city of processing applications, inspecting and reviewing plans, and conducting environmental review. Cost recovery targets for permitting related work are established by City Council and were last updated in 2020. Permit fees are then established to recover these costs to the set targets. Impact fees are set to cover the cost of infrastructure needed to support new development and must be applied equally to all types of new development.
13	6559	Councilmember Weinberg	Utility Element. Goal 1.1. One of the public comments suggested that we consider structuring water and sewer utility rates in usage brackets to encourage conservation. That is, water usage that's close to the residential mean would have the lowest cost per cubic foot, while water usage above a certain threshold would cost more per cubic foot (i.e. a higher cost bracket). While I must admit that I'm unfamiliar with the algorithm we use to calculate utility rates, I do understand that we do it with the help of a consultant and it culminates in the biennial budget approval process – which is in the final stages now for the 2025-2026 biennium. So, some questions: 1. Do we have a bracketed approach already?	The City employs a tiered pricing structure for the water utility. This structure encourages conservation and is a long-standing practice in Mercer Island. See 2024 utility rates and the pricing tiers here . Each year staff evaluates the utility rates' ability to meet current and future operating and capital financing needs obligations. This is outlined in both the City's Comprehensive Plan and Municipal Code, with modifications to the utility rate structures falling under the purview of the City Council via the biennial budget process and Utility Board (Chapter 3.52). In the recent past, staff employ outside consulting services in the second year of each biennium to support the rate modeling work, largely due to the complexity with evaluating the sufficiency of current rates to meet all utility financial obligations on a stand-alone basis, developing a rate plan to balance financial needs, and minimizing customer impacts with focus on the upcoming two years.

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			2. If so, could you provide a link to a document describing the different cost brackets? 3. If we're not using a bracketed approach (i.e. all water usage has the same cost per cubic foot), did we consider such an approach at one point? If so, did we document why we didn't go that route? 4. If we're not using a bracketed approach and if such a change would constitute a significant amount of work to analyze, decide upon, and implement, what is the ideal time in the biennial budgeting cycle to discuss whether or not to go down that path?	The Utility Board receives draft rate adjustment recommendations in the early fall. Once staff receive the Board's feedback and direction, staff return with a final recommendation. Each December, the Utility Board's recommendation is presented to the City Council for final consideration and adoption.