

**CITY OF MERCER ISLAND
ORDINANCE NO. 25-17**

**AN ORDINANCE OF THE CITY OF MERCER ISLAND, WASHINGTON,
AMENDING THE COMPREHENSIVE PLAN LAND USE ELEMENT TO UPDATE
SECTION VII. LAND USE DESIGNATIONS AND FIGURE 1. LAND USE MAP;
PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE
DATE.**

WHEREAS, in compliance with the Washington State Growth Management Act (GMA), Chapter 36.70A RCW, the City of Mercer Island adopted a Comprehensive Plan in 1994 and has amended the plan on several occasions since that time; and

WHEREAS, in accordance with RCW 36.70A.130, an adopted Comprehensive Plan is subject to continuing evaluation and review; and

WHEREAS, the Comprehensive Plan was most recently amended by Ordinance 24C-16; and

WHEREAS, through the annual Development Code and Comprehensive Plan docket and the adoption of Resolution No. 1621 in 2022, the City added the task of developing legislation to establish a new Parks Zone; and

WHEREAS, in March 2024, the Parks and Recreation Commission made the recommendation to split the Parks Zone project into two phases: first, development of the Open Space Zone, and subsequently, development of the Parks Zone; and

WHEREAS, the Open Space Zone was adopted by the City Council with Ordinance 24C-15 effective December 31, 2024; and

WHEREAS, the Parks and Recreation Commission provided a recommendation on proposed legislation establishing a new Parks Zone to the City Council on April 15, 2025, and to the Planning Commission on April 23, 2025; and

WHEREAS, notice of a Planning Commission public hearing on May 28, 2025, was published in the Weekly Permit Bulletin on April 21, 2025, and in the Mercer Island Reporter on April 23, 2025; and

WHEREAS, on May 28, 2025, the Planning Commission held a duly advertised public hearing on the Comprehensive Plan amendment including updates to the Land Use Element Section VII. Land Use Designations and Figure 1. Land Use Map, and approved a recommendation to the City Council; and

WHEREAS, the Comprehensive Plan amendment must be adopted to be effective concurrently with the Parks Zone code amendment; and

WHEREAS, on May 6, 2025, the City notified the Washington State Department of Commerce of the City's intent to amend the Comprehensive Plan and the Development Code; and

WHEREAS, on May 6, 2025, the City issued a State Environmental Policy Act (SEPA) threshold determination of non-significance (DNS) consistent with the procedures established in Chapter 19.21 MICC; and

WHEREAS, the City of Mercer Island has met all applicable public notice requirements for said Comprehensive Plan amendment consistent with chapter 19.15 MICC in effect at the time notice was given; and

WHEREAS, on July 1, 2025, the City Council was briefed on the Planning Commission recommendation on the Comprehensive Plan amendment and had its first reading of this ordinance, and on July 15, 2025, the City Council had its second reading of this ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Whereas Clauses Adopted. The “Whereas Clauses” set forth in the recital of this ordinance are hereby adopted as the findings and conclusions of the City Council for passing this ordinance.

Section 2. Comprehensive Plan Land Use Element Section VII, Land Use Designations. Effective December 31, 2025, Section VII of the Land Use Element of the Comprehensive Plan shall be amended as set forth in Exhibit A to this ordinance.

Section 3. Severability. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, or its application held inapplicable to any person, property, or circumstance, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause, or phrase of this ordinance or its application to any other person, property, or circumstance.

Section 4. Publication and Effective Date. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force on December 31, 2025, provided said date is at least five days after the date of publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON, AT ITS MEETING ON JULY _____, 2025.

ATTEST:

CITY OF MERCER ISLAND

Andrea Larson, City Clerk

Salim Nice, Mayor

APPROVED AS TO FORM

Bio Park, City Attorney

Date of publication:

Exhibit A

VII. LAND USE DESIGNATIONS

Land Use Designation	Implementing Zoning Designations	Description
Park	<u>P</u> PI R-8.4 R-9.6 R-12 R-15 OS	The park land use designation represents <u>public</u> land within the City that is intended for public use consistent with the adopted Parks, and Recreation, <u>and Open Space</u> Plan.
Linear Park (I-90)	<u>P</u> PI OS	The linear park (I-90) land use designation primarily contains the Interstate 90 right-of-way. The land use designation is also improved with parks and recreational facilities (e.g., Aubrey Davis park, I-90 Outdoor Sculpture Gallery, etc.) adjacent to and on the lid above the Interstate 90 freeway.
Open Space	<u>P</u> PI R-8.4 R-9.6 R-12 R-15 OS	The open space <u>land</u> use designation represents <u>public</u> land within the City that should remain as predominantly unimproved open space consistent with the adopted Parks, and Recreation, <u>and Open Space</u> Plan.
Commercial Office	C-O B	The commercial office land use designation represents commercial areas within Mercer Island, located outside of the Town Center, where the land use will be predominantly commercial office. Complementary land uses (e.g., healthcare uses, schools, places of worship, etc.) are also generally supported within this land use designation.
Neighborhood Business	PBZ	The neighborhood business land use designation represents commercial areas within Mercer Island, located outside of the Town Center, where the land uses will be predominantly a mix of small scale, neighborhood oriented business, office, service, public and residential uses.

Single Family Residential (R)	R-8.4 R-9.6 R-12 R-15	The single family residential land use designation (R) represents areas within Mercer Island where development will be predominantly single family residential neighborhoods. Complementary land uses (e.g., private recreation areas, schools, home businesses, public parks, etc.) are generally supported within this land use designation.
Multifamily Residential (MF)	MF-2 MF-2L MF-3	The multifamily residential land use (MF) represents areas within Mercer Island where the land use will be predominantly multifamily residential development. Complementary land uses (e.g., private recreation areas, schools, home businesses, public parks, etc.) are generally supported within this land use designation.
Town Center (TC)	TC	The Town Center land use designation represents the area where land uses consistent with the small town character and the heart of Mercer Island will be located. This land use designation supports a mix of uses including outdoor pedestrian spaces, residential, retail, commercial, mixed-use and office-oriented businesses.
Public Facility	C-O <u>P</u> PI R-8.4 R-9.6 R-15 TC OS	The public facility land use designation represents land within the City that is intended for public uses, including but not limited to schools, community centers, City Hall, and municipal services.

FIGURE 1. LAND USE MAP

