



BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 5839
April 6, 2021
Public Hearing

AGENDA BILL INFORMATION

TITLE:	AB 5839: Public Hearing on Emergency Ordinance No. 21C-03 establishing interim development regulations to allow more outdoor seating for eating and drinking establishments.	<input checked="" type="checkbox"/> Discussion Only <input type="checkbox"/> Action Needed: <input type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
RECOMMENDED ACTION:	Conduct public hearing.	
DEPARTMENT:	Community Planning and Development	
STAFF:	Jeff Thomas, Interim Director Sarah Bluvas, Economic Development Coordinator	
COUNCIL LIAISON:	Jake Jacobson Craig Reynolds	
EXHIBITS:	1. Emergency Ordinance No. 21C-03	
CITY COUNCIL PRIORITY:	4. Provide emergency response services related to the COVID-19 Pandemic.	

SUMMARY

Emergency Ordinance No. 21C-03 reinstated interim development regulations that allow local eating and drinking establishments to use Right-of-Way and private parking to expand outdoor seating. The ordinance assists businesses impacted by the COVID-19 Pandemic emergency in operating under the Healthy Washington Roadmap to Recovery phased guidelines for reopening. On Tuesday night, the City Council will hold a public hearing to receive comments on Ordinance No. 21C-03. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, a public hearing must be scheduled within 60 days of passing the emergency ordinance.

BACKGROUND

On February 16, 2021, City Council adopted Emergency Ordinance No. 21C-03 (see [Exhibit 1](#)), which reinstated the interim development regulations that allow existing Mercer Island eating and drinking establishments the use of public Right-of-Way and private parking space to expand their outdoor footprint during the Healthy Washington plan ([see AB 5816 for background](#)). On March 22, 2021, King County entered Phase 3 of the Healthy Washington plan. In this phase, indoor dining service is limited to 50% capacity, and we anticipate that local restaurants and taverns will continue to need additional outdoor seating space through the summer.

To date, one new Right-of-Way permit has been issued to a business located in Town Center, and a group of businesses in the South End shopping district are partnering to create outdoor dining in private parking space. Staff are also pursuing Port of Seattle grant funds to support outdoor dining set-up this spring and summer and will return to City Council at a future meeting to authorize acceptance of those funds.

RECOMMENDATION

Conduct Public Hearing for Emergency Ordinance No. 21C-03 establishing interim development regulations to allow more outdoor seating for eating and drinking establishments.