



PLANNING COMMISSION CITY OF MERCER ISLAND

PCB 25-16
September 10, 2025
Special Business

AGENDA BILL INFORMATION

TITLE:	PCB 25-16: Study Session – Omnibus Legislation Related to Permanent Regulations for Housing Production and Permit Streamlining	☒ Discussion Only ☐ Action Needed: ☐ Motion ☐ Recommendation
RECOMMENDED ACTION:	Receive report. No action necessary.	

STAFF:	Adam Zack, Principal Planner
EXHIBITS:	1. Omnibus Legislation Code Amendment Package

EXECUTIVE SUMMARY

The purpose of this agenda bill is to brief the Planning Commission on the expected development code amendments that will be included in omnibus legislation to streamline regulations for residential development. The initial draft code amendment package is provided in Exhibit 1. This is the first Planning Commission study session on this draft and public hearing is scheduled for September 24. The Council adopted scope of work for this project directs the Planning Commission complete review of the omnibus legislation by the end of October and targets adoption before the end of 2025.

- In the last few years, the WA Legislature has adopted many bills that require amendments to the Mercer Island City Code (MICC).
- Compliance with the updated state laws, combined with the state-required update to the Comprehensive Plan, required code amendments at a rapid pace.
- To keep pace with the changes in the State law, the City has adopted a series of interim ordinances between 2021 and 2025.
- Interim ordinances establish temporary regulations that eventually expire unless they are renewed or replaced by permanent regulations.
- Given the breadth of amendments required to replace the interim ordinances, on July 15, 2025, the City Council approved a scope of work for a project to adopt omnibus legislation related to permanent regulations for housing production and permit streamlining.
- The Council-approved scope of work directs the Planning Commission to complete review of this omnibus legislation by the end of October to allow the Council to adopt the ordinance before the end of the year.
- The Planning Commission was briefed on the approved scope of work on July 23, 2025.

BACKGROUND

Beginning in 2021, the WA State Legislature enacted a series of bills that required local jurisdictions to amend their development codes to comply. During this period the City was also required to update its Comprehensive Plan. To comply with new legislation, meet its comprehensive plan update deadline, and maintain consistency with State law, the City enacted a series of interim ordinances that temporarily amended the MICC. The interim ordinances must be either renewed every 6-12 months or replaced by permanent regulations to maintain compliance with State law.

OMNIBUS LEGISLATION

Rather than prepare several code amendments to adopt permanent regulations to replace each interim ordinance individually, the City will adopt one set of omnibus legislation to replace them all at once. Omnibus legislation is the most efficient way to adopt permanent regulations because many of the interim ordinances overlap, with more than one ordinance amending the same development code section.

The omnibus legislation will address seven compliance topics that relate to housing production and streamlining permit review. On July 23, the Planning Commission was briefed on the topics to be addressed with the omnibus legislation. The omnibus legislation draft in Exhibit 1 includes notation following each amended section or subsection to indicate which topic the amendment is proposed to address. The notation is for reference only and will be removed from the text prior to adoption.

Please note, this project will not include regulations for middle housing, ADUs, and unit lot subdivision. Given the expected public interest in these amendments and that they largely affect single-family zones, staff will prepare a separate scope of work, schedule, and public participation plan for these amendments. This will allow for additional public outreach without delaying the adoption of an omnibus ordinance addressing all other interim ordinances. Each section that would be amended by the omnibus legislation is listed in Table 1.

TABLE 1. CHAPTER 19.01 MICC – GENERAL PROVISIONS AMENDMENT SUMMARY

Section Amended	Topic(s) Addressed	Summary of Amendments
19.01.050 – Nonconforming structures, sites, lots, and uses.	Design Commission	Reference to Design Commission removed
19.02.010 – Single-family	Design Commission	Reference to Design Commission removed
19.02.020 – Development standards	SB 6015	Amend residential parking standards to comply with state law
19.03.010 – Multiple-family	Design Commission	Reference to Design Commission removed
19.03.020 – Parking requirements	Design Commission	Reference to Design Commission removed
	SB 6015	Amend residential parking standards to comply with state law
19.04.010 – Planned Business Zone – PBZ	Design Commission	Reference to Design Commission removed
19.04.020 – Commercial Offices	Design Commission	Reference to Design Commission removed
19.04.040 – Parking Requirements	Design Commission	Reference to Design Commission removed
	HB 1293	Amend design standards to be clear and objective
19.05.010 – Public Institution – PI	Design Commission	Reference to Design Commission removed
19.06.030 – Antennas	Design Commission	Reference to Design Commission removed
19.06.050 – Commerce on Public Property	Design Commission	Reference to Design Commission removed
19.06.080 – Siting of Group Housing	HB 1220	Amendments to affordable and emergency housing to comply with state law
	HB 1998	Amendments to Rooming House regulations comply with state law concerning co-living housing
19.06.120 – Criteria for Approval – Design Review	HB 1293	Amend design standards to be clear and objective

Section Amended	Topic(s) Addressed	Summary of Amendments
19.10.060 – Tree Removal – Associated With a Development Proposal	Design Commission	Reference to Design Commission removed
19.11.010 – General	HB 1293	Amend design standards to be clear and objective
19.11.015 – Town Center Subareas	Comp Plan	Amendments to implement the Comprehensive Plan periodic review
19.11.020 – Land Uses	HB 1293	Amend design standards to be clear and objective
	HB 1998	Amendments to Rooming House regulations comply with state law concerning co-living housing
	Design Commission	Reference to Design Commission removed
	Comp Plan	Amendments to implement the Comprehensive Plan periodic review
19.11.030 – Bulk Regulations	Comp Plan	Amendments to implement the Comprehensive Plan periodic review
	HB 1293	Amend design standards to be clear and objective
19.11.040 – Affordable Housing	Comp Plan	Amendments to implement the Comprehensive Plan periodic review
	HB 1293	Amend design standards to be clear and objective
19.11.060 – Site Design	Comp Plan	Amendments to implement the Comprehensive Plan periodic review
	HB 1293	Amend design standards to be clear and objective
	Design Commission	Reference to Design Commission removed
19.11.070 – Greenery and Outdoor Spaces	HB 1293	Amend design standards to be clear and objective
19.11.080 – Screening	HB 1293	Amend design standards to be clear and objective
19.11.090 – Lighting	HB 1293	Amend design standards to be clear and objective
19.11.100 – Building Design	HB 1293	Amend design standards to be clear and objective
	Comp Plan	Amendments to implement the Comprehensive Plan periodic review
19.11.110 – Materials and Color	HB 1293	Amend design standards to be clear and objective
19.11.120 – Street Standards	HB 1293	Amend design standards to be clear and objective
	Design Commission	Reference to Design Commission removed
19.11.130 – Parking, Vehicular, and Pedestrian Circulation	HB 1293	Amend design standards to be clear and objective
	SB 6015	Amend residential parking standards to comply with state law
19.11.140 – Signs	HB 1293	Amend design standards to be clear and objective
19.11.150 - Administration	Design Commission	Reference to Design Commission removed
19.12.010 - General	HB 1293	Amend design standards to be clear and objective
	Design Commission	Reference to Design Commission removed
19.12.020 – Site Features and Context	HB 1293	Amend design standards to be clear and objective
19.12.030 – Building design and visual interest	HB 1293	Amend design standards to be clear and objective

Section Amended	Topic(s) Addressed	Summary of Amendments
19.12.040 – Landscape Design and Outdoor Spaces	HB 1293	Amend design standards to be clear and objective
	Design Commission	Reference to Design Commission removed
19.12.050 – Vehicular and Pedestrian Circulation	HB 1293	Amend design standards to be clear and objective
	SB 6015	Amend residential parking standards to comply with state law
19.12.060 – Screening of Service and Mechanical Areas	HB 1293	Amend design standards to be clear and objective
19.12.070 – Lighting	HB 1293	Amend design standards to be clear and objective
19.12.080 – Signs	HB 1293	Amend design standards to be clear and objective
19.15.010 – Purpose, Intent and Roles	Design Commission	Reference to Design Commission removed
19.15.030 – Land Use Review Types	SB 5290	Amend permit review procedures to comply with state requirements
	Design Commission	Reference to Design Commission removed
19.15.040 – Review Procedures	SB 5290	Amend permit review procedures to comply with state requirements
19.15.060 – Application	SB 5290	Amend permit review procedures to comply with state requirements
	HB 1293	Amend design standards to be clear and objective
19.15.070 – Determination of Completeness and Letter of Completion	SB 5290	Amend permit review procedures to comply with state requirements
19.15.220 – Design Review and the Design Commission	Design Commission	Reference to Design Commission removed
	HB 1293	Amend design standards to be clear and objective
	SB 5290	Amend permit review procedures to comply with state requirements
19.16.010 – Definitions	Design Commission	Reference to Design Commission removed
	HB 1293	Amend design standards to be clear and objective
	SB 5290	Amend permit review procedures to comply with state requirements
	HB 1220	Amendments to affordable and emergency housing to comply with state law
	HB 1998	Amendments to Rooming House regulations comply with state law concerning co-living housing
Appendix A	SB 6015	Amend residential parking standards to comply with state law
Appendix C	Design Commission	Reference to Design Commission removed

ISSUE/DISCUSSION

The Planning Commission (PC) comment period on the draft omnibus legislation began on August 11 and will conclude on September 17, 2025. All PC comments should be submitted to staff by 5:00 pm on September 17. The PC will hold a public hearing on the proposed amendments on September 24.

SUBSTANTIVE AND NONSUBSTANTIVE PC COMMENTS

In general, staff will divide PC comments into two buckets: non-substantive and substantive.

Non-Substantive Comments

Non-substantive comments would not alter the substance of the code provision or establish a new requirement. These are often referred to as ‘word smithing’ amendments and can also include grammatical corrections. The staff recommendation for non-substantive comments will be to make these amendments in a block with a single motion. In places where non-substantive comments overlap, the PC can ask staff to resolve the overlap in the non-substantive comments motion.

Substantive Comments

Comments sorted into this bucket will be those that suggest changes to the code that would alter the substance of an existing code provision or add a new code requirement that does not currently exist. Because of the breadth of amendments in the omnibus ordinance and the timeline established by the City Council approved scope of work, staff recommends against the addition of substantive comments to the omnibus ordinance unless they are proposed in response to public comments or necessary to comply with the pertinent State law.

Given the breadth of changes necessary and the scope of work approved by the City Council, the legislative review will need to stay focused on those amendments necessary to address the seven topics discussed above rather than considering new regulatory requirements.

To stay on schedule for the omnibus ordinance, staff recommend the PC create a parking lot to place any substantive comments that are proposed during the review of the omnibus ordinance. Rather than discard substantive comments that propose new ideas or delay the omnibus ordinance to debate amendments that go above and beyond what is required to resolve the seven issues discussed above, the parking lot can gather those ideas for the PC to consider during the next annual docket process. Through a separate process next year, the PC can consider the proposed substantive code amendments and decide which it would like to formally propose through the docket.

NEXT STEPS

On July 15, the City Council approved a scope of work to adopt an omnibus ordinance related to permanent regulations for housing production and permit streamlining ([PCB25-14](#)). The scope of work gives the Planning Commission (PC) clear directions from the City Council – begin working on the omnibus ordinance in July and complete a recommendation for the City Council no later than the end of October. The scope provides the public with a timeline for submitting comments on the proposed amendments. The Council-directed PC schedule is outlined in Table 3.

TABLE 3. PLANNING COMMISSION LEGISLATIVE REVIEW SCHEDULE.

Planning Commission Meeting	Scope of Work
September 10	Briefing on code amendments by chapter
September 17	Planning Commission comments due
September 24	Public Hearing
October 8	Public Hearing (continued) and recommendation
October 22 (If necessary)	Work Session on PC recommendation. The PC must arrive at a recommendation no later than October 22.

RECOMMENDED ACTION

Receive report. No action necessary.