



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

**AB 6167
October 18, 2022
Regular Business**

AGENDA BILL INFORMATION

TITLE:	AB 6167: Comprehensive Plan Amendment (Remove Figure TC-1) – First Reading of Ord. No. 22-17	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
RECOMMENDED ACTION:	Conduct first reading of Ordinance No. 22-17 and schedule a second reading and adoption to be placed on the Consent Agenda on November 1.	

DEPARTMENT:	Community Planning and Development
STAFF:	Jeff Thomas, Interim Director
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Ordinance No. 22-17 2. Planning Commission Recommendation, dated October 10, 2022
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 conduct the first reading of Ordinance No. 22-17 (Exhibit 1) related to Comprehensive Plan Amendment CPA22-001. This amendment proposes removing *Figure TC-1 - Retail Use Adjacent Street Frontages* and the associated reference from the Land Use Element of the Mercer Island Comprehensive Plan.

- *Comprehensive Plan, Land Use Element Figure TC-1 - Retail Use Adjacent to Street Frontages* identifies street frontages in the Town Center zone that require certain commercial uses and is identical to *MICC 19.11.020(B) Figure 2*. (Also commonly referred to as the “pink lines” map.)
- The City Council voted to amend *MICC 19.11.020(B)* on June 21, 2022, including adopting updates to *Figure 2*.
- The Council also directed City staff to prepare an amendment to the Comprehensive Plan to remove *Figure TC-1* from the Land Use Element to ensure consistency with the amendments to *MICC 19.11.020(B)*.
- On September 28, 2022, the Planning Commission held a public hearing to receive comment on this proposed amendment to the Comprehensive Plan and voted 7-0 to recommend that *Figure TC-1* and an associated reference be removed from the Land Use Element.

- On Tuesday, the City Council will receive the Planning Commission’s recommendation (Exhibit 2), conduct the first reading of Ordinance No. 22-17, and, if desired, schedule a second reading and adoption of the ordinance.

BACKGROUND

Figure TC-1 - Retail Use Adjacent to Street Frontages was inserted into the Land Use Element of the Comprehensive Plan in 2016 as part of the periodic update. The map identifies street frontages in the Town Center zone requiring certain commercial uses and resulted from the 2014-2016 update to the Town Center vision and development standards. When the new Town Center development standards were adopted, an identical map was included in MICC 19.11.020(B) as *Figure 2 - Retail Use Adjacent to Street Frontages* (also known as the “pink lines” map).

On June 21, 2022, the City Council adopted Ordinance No. 22C-09 and amended MICC 19.11.020(B) ([AB 6102](#)). The amendment included updates to *Figure 2*, the map that was identical to *Figure TC-1* in the Comprehensive Plan. At the time of ordinance adoption, staff acknowledged that the amendment would create inconsistency between the code and the Comprehensive Plan. The City Council directed staff to prepare a comprehensive plan amendment to remove *Figure TC-1* from the Land Use Element before the development code updates take effect on December 1, 2022.

ISSUE/DISCUSSION

PLANNING COMMISSION RECOMMENDATION

On September 28, 2022, the Planning Commission held a public hearing on the proposed Comprehensive Plan Amendment CPA22-001. The proposal included the following amendments to the Land Use Element, Section V., Land Use Policies, Goal 4:

- Remove *Figure TC-1 - Retail Use Adjacent to Street Frontages*; and
- Strike the associated reference to *Figure TC-1* from Goal 4.2.

The Planning Commission received no public comment on the proposed amendment. After brief deliberation, the Commission voted 7-0 to recommend the proposed amendment as presented. On Tuesday, the City Council will receive the Planning Commission’s recommendation and conduct the first reading of Ordinance No. 22-17, which, if adopted, would remove *Figure TC-1* and the associated reference from the Comprehensive Plan Land Use Element.

PUBLIC & STATE AGENCY NOTICING

Public notice of the public hearing was provided via the City website, Planning Commission calendar, Planning Commission e-mail distribution list, Weekly Permit Bulletin, and *Mercer Island Reporter*. It was also announced via the City’s weekly e-mail to the Mercer Island business list (900+ contacts). Additionally, the City is required to notify the Washington State Department of Commerce of its intention to adopt an amendment to the Comprehensive Plan and issue a SEPA determination before the amendment can be adopted. Staff notified the Department of Commerce on August 30, 2022 and issued a SEPA determination of non-significance on October 17, 2022.

NEXT STEPS

After conducting the first reading of Ordinance No. 22-17, the Council may move to schedule a second reading and adoption of the ordinance for November 1, 2022. As this will be the only proposed amendment

to the Comprehensive Plan to come before the Council in 2022, staff recommend placing the second reading and adoption on the Consent Agenda.

RECOMMENDED ACTION

Conduct first reading of Ordinance No. 22-17 and schedule a second reading and adoption on the Consent Agenda on November 1.