



BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 6713
June 17, 2025
Regular Business

AGENDA BILL INFORMATION

TITLE:	AB 6713: Transferring Design Review Decision Authority to the Hearing Examiner and Dissolving the Design Commission (Ordinance No. 25C-14 First Reading and Adoption)	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
RECOMMENDED ACTION:	Adopt Ordinance No. 25C-14 at first reading pursuant to City Council Rules of Procedure 6.3(C)(3).	

DEPARTMENT:	Community Planning and Development
STAFF:	Jessi Bon, City Manager Jeff Thomas, Community Planning and Development Director Adam Zack, Principal Planner
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Ordinance No. 25C-14
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 item is to complete a first reading and adopt Ordinance No. 25C-14, which would transfer design review decision making authority to the Hearing Examiner and Dissolve the Design Commission.

- In 2023, the WA State Legislature enacted House Bill (HB) 1293 which limits how cities and counties planning under the WA Growth Management Act (GMA) regulate building design.
- Multiple sections in Chapters 19.11, 19.12, and 19.15 of the Mercer Island City Code (MICC) will need to be amended to comply with these requirements.
- The deadline for compliance with HB 1293 is June 30, 2025.
- On June 3, 2025, the City Council held a public hearing on interim Ordinance No. 25C-11, which would amend the development regulations to comply with HB 1293 and RCW 36.70A.630. This ordinance is expected to considerably reduce the Design Commission role in the design review process.
- On June 3, 2025, the City Council directed staff to prepare an ordinance to transfer design review authority to the Hearing Examiner and dissolve the Design Commission.
- Ordinance No. 25C-14 would establish a new section 3.34.005 and repeal the rest of [Chapter 3.34 MICC – Design Commission](#). The combination of these amendments will transfer all quasi-judicial

functions to the Hearing Examiner from the Design Commission and dissolve the Design Commission (Exhibit 1). Any non-quasi-judicial functions of the Design Commission would be delegated to the code official.

BACKGROUND

On June 3, 2025, the City Council directed staff to prepare an ordinance that would transfer design review authority to the Hearing Examiner and dissolve the Design Commission. Ordinance No. 25C-14 would accomplish the City Council direction (Exhibit 1).

Hearing Examiner

The Hearing Examiner is an independent decision maker cities and counties hire to handle quasi-judicial hearings. Mercer Island has a Hearing Examiner under contract to conduct hearings and issue decisions on many Type IV land use reviews (MICC 19.15.030). Matters that go before the Hearing Examiner all require a pre-decision public hearing. The public hearing is an opportunity for interested parties to comment on a proposal prior to a decision being made. The Hearing Examiner can address public comments made during the comment period or public hearing by adjusting the conditions of approval. The Hearing Examiner purpose, function, and jurisdiction are established in [MICC 3.40.020 – Purpose-Function and jurisdiction](#).

Design Commission

The Design Commission is established by [MICC 3.34.010 – Established](#). The number of commissioners and qualifications for membership are established in [MICC 3.34.030 – Membership](#). The Design Commission is comprised of seven members, five members working in the following fields: architecture, landscape architecture, urban planning, and civil engineering (MICC 3.34.030(A)(1)). The other two members can be lay people, but one such lay member must own property or a business within the City's business areas (MICC 3.34.030(A)(2)).

ISSUE/DISCUSSION

Ordinance No. 25C-14 would repeal [Chapter 3.34 MICC](#) to dissolve the Design Commission and transfer design review authority to the Hearing Examiner. Staff recommend adopting Ordinance No. 25C-14 at first reading so it can become effective on June 30, 2025.

Adoption at first reading will result in both Ordinance No. 25C-14 and Ordinance No. 25C-11 becoming effective at the same time. Ordinance No. 25C-11 is the ordinance adopting interim "objective and clear" design standards to comply with HB 1293 and RCW 36.70A.630 (see AB 6708 also on the June 17 City Council Agenda).

NEXT STEPS

Following adoption of Ordinance No. 25C-14, staff will follow up with the Hearing Examiner and Design Commission to keep them up to date with the changes that will become effective on June 30, 2025.

RECOMMENDED ACTION

Adopt Ordinance No. 25C-14 at first reading pursuant to City Council Rules of Procedure 6.3(C)(3) to delegate design review authority to the Hearing Examiner.