
PLANNING COMMISSION

Regular Meeting Agenda

Council Chambers- Mercer Island City Hall
9611 SE 36TH STREET | MERCER ISLAND, WA 98040
PHONE: 206.275.7605 | www.mercergov.org



Wednesday, October 2, 2019

	CALL TO ORDER & ROLL CALL	6:00 PM
	APPROVAL OF MINUTES Minutes from September 18, 2019	
Planning Commissioners	APPEARANCES	6:05 PM
Carolyn Boatsman	This is the time set aside for members of the public to speak to the Commission about issues of concern. If you wish to speak, please consider the following points:	
Tiffin Goodman, Chair	<ul style="list-style-type: none">• Speak audibly into the podium microphone• State your name and address for the record• Limit your comments to three minutes	
Daniel Hubbell	<i>The Commission may limit the number of speakers and modify the time allotted. Total time for appearances: 15 minutes</i>	
Jennifer Mechem		
Lucia Pirzio-Biroli	PUBLIC HEARINGS	6:15 PM
Craig Reynolds, Vice-Chair	Agenda Item #1: ZTR18-006 Minor Code Amendments 2018 Public Hearing on proposed standards for rooftop railings	
Ted Weinberg	Agenda Item #2: Comprehensive Plan Amendments 2019 Public Hearing on proposed amendments to the comprehensive plan	
	REGULAR BUSINESS	7:00 PM
	Agenda Item #3: ZTR18-006 Minor Code Amendments 2018 Deliberations on the proposed amendments	
	Agenda Item #4: Comprehensive Plan Amendments 2019 Deliberations on the proposed amendments	
	Agenda Item #5: ZTR19-002 Public Institution Code Amendment Introduction to proposed amendments to Chapter 19.05 MICC	
	OTHER BUSINESS Directors Report Planned Absences for Future Meetings Next Scheduled Meeting: October 16, 2019	
	ADJOURN	9:00 PM

PLANNING COMMISSION

MEETING MINUTES



Wednesday, September 18, 2019

CALL TO ORDER

The Planning Commission was called to order by Vice Chair Reynolds at 6:02 pm in the City Hall Council Chambers at 9611 SE 36th Street, Mercer Island, Washington.

ROLL CALL

Vice Chair Craig Reynolds, Commissioners, Carolyn Boatsman, Daniel Hubbell, Lucia Pirzio-Biroli and Ted Weinberg were present. Chair Tiffin Goodman and Commissioner Jennifer Mechem were absent.

STAFF PRESENT

Evan Maxim, CPD Director, Andrea Larson, Senior Administrative Assistant, and Robin Proebsting, Senior Planner.

The Commission recognized the service of past Commissioner Bryan Cairns.

MINUTES

It was moved by Weinberg, seconded by Hubble to:

Approve the August 21, 2019 minutes.

Passed 6-0

APPEARANCES

There were no appearances.

PUBLIC HEARING

Agenda Item #1: ZTR19-001 Minor Code Amendments 2019

Robin Proebsting, Senior Planner, provided a presentation on ZTR19-001 Minor Code Amendments 2019.

The Commission reviewed the public hearing draft and asked clarifying questions.

Vice Chair Reynolds opened the public hearing at 7:06pm.

Vice Chair Reynolds closed the public hearing at 7:06pm

The Commission took a break until 7:14pm.

REGULAR BUSINESS

Agenda Item #1: ZTR19-001 Minor Code Amendments 2019

It was moved by Hubble, seconded by Boatsman to:

Move to recommend that the Planning Commission recommend approval of the proposed amendments to Mercer Island City Code Title 19 as provided in the Public Hearing Draft Items A - J of the 2019 Minor Code Amendments not including item Addendum.

It was moved by Pirzio-Biroli, seconded by Boatsman to:

Amend Item D, page 4 of 17, delete lines 3 through 5, renumber Item D, on line 10 replace 30' with 24'.

Passed 5-0

It was moved by Pirzio-Biroli, seconded by Boatsman to:

Amend Item A, page 1 of 17, line 13, change Depth to Width

Passed 5-0

It was moved by Hubble, seconded by Boatsman to:

Amend Item F, Page 7 of 17, change Type IV parking variances to parking modification.

Passed 5-0

It was moved by Boatsman, seconded by Weinberg to:

Item D to delete 3.B.

Motion was withdrawn by Boatsman; seconded by Weinberg.

Main motion passed as amended 5-0

It was moved by Hubble, seconded by Weinberg to:

Move to recommend that the Planning Commission recommend approval of the proposed amendments to Mercer Island City Code Title 19 as provided in the Public Hearing Draft item Addendum of the 2019 Minor Code Amendments

It was moved by Weinberg, seconded by Boatsman to:

On Page 14 of 17, line 5, add "on the website" after the word "review".

It was moved by Hubble; seconded by Boatsman to:

Amend to state "Shall compile and post "

Passed 5-0

Passed as amended 5-0

It was moved by Weinberg, seconded by Boatsman to:

Page 16, line 27, add the word "only" before the word "if"

Passed 5-0

It was moved by Weinberg, seconded by Boatsman to:

Page 14 of 17, line 15, add "and suggestions" after the word "application"

Passed 3-2

It was moved by Weinberg, seconded by Boatsman to:

Page 15, Lines 24-25 remove "or resources can be provided by an applicant for an amendment"; Page 16 of 17, Line 13, change the first word of C.2.a and delete lines 16-18; Page 16 of 17, line 19, eliminate "suggestion" merging into application; Page 16 of 17, delete lines 22-23.

Failed 1-4

The Commission took a break until 8:37pm

The Commission reviewed written comments submitted earlier in the day.

Main motion passed as amended 5-0

OTHER BUSINESS

Evan Maxim, CPD Director, gave an update on upcoming Public Hearings scheduled for October 2nd and agenda items for the October 16th meeting.

Commissioner Boatsman suggested that when a public hearing has been announced, the draft should also be posted on the Planning Commission website and that when comments are received on the day of the Public Hearing that comments received after a defined time are printed and brought to the meeting.

PLANNED ABSENCES FOR FUTURE MEETINGS

Commissioners Pirzio-Biroli and Craig Reynolds will be absent on October 30, 2019

ANNOUNCEMENTS AND COMMUNICATIONS

The next Planning Commission meeting is on October 2, 2019 at 6:00PM.

ADJOURNMENT

The meeting was adjourned at 9:08pm.

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PLANNING COMMISSION

To: Planning Commission

From: Robin Proebsting, Senior Planner

Date: September 25, 2019

RE: Minor Code Amendments 2018 – Rooftop Railings (ZTR18-006): Introduction to Public Hearing Draft

SUMMARY

This memo introduces the public hearing draft of revised code language regarding rooftop railings and their relationship to residential zone height limits, a topic originally raised during the Minor Code Amendments 2019. The Planning Commission will hold a public hearing on this on October 2, 2019.

BACKGROUND

The topic of rooftop railings was originally part of the Minor Code Amendments 2018, which included roughly a dozen items for Planning Commission review beginning in October of 2018. One of these raised the question of whether railings should be allowed by the zoning code to be above the height limit, as chimneys, antennae, and other appurtenances are. The Planning Commission's initial recommendation to the City Council, transmitted in April of 2019, was to include rooftop railings in the list of appurtenances listed in the zoning code as being allowed to extend above the building height.

The Council remanded this portion of the code to the Planning Commission and directed staff to discuss allowing rooftop railings to exceed the 30-foot height limit only in special circumstances where a normal yard could not be accommodated – for example, in situations when a lot is constrained by steep slopes, wetlands, and/or associated buffers. In response, staff brought draft language to the Planning Commission's July 31, 2019 meeting for review.

Staff have incorporated Planning Commission direction from this meeting into the public hearing draft, which was to specify that railing materials must include at least 80 percent open area.

In advance of the public hearing, the City issued a notice of public hearing, which prompted public comment. Following review of the public comment, staff also recommend two amendments to the public hearing draft:

1. Adding a criterion to (E)(3)(b) specifying that a residence may only add a rooftop railing above the allowed height limit if there is not an extensive deck area on lower levels. Suggested code language is: "There are no existing, legally established outdoor decks with a total area of more than 500 square feet."
2. Adding a criterion explicitly stating that glass and other transparent materials may not be used for railings, in order to maintain consistency with Land Use Policy 19.13 promoting bird-friendly design.

Code amendments must follow the process and criteria described in MICC 19.15.250. This code section contains three criteria, each of which must be met for the city to approve a proposal to amend the code. A discussion of how the criteria are met by the proposed code amendment follows:

Criterion #1: The amendment is consistent with the comprehensive plan;

The proposed amendment would maintain the same policy direction as the existing code, thereby maintaining consistency with the comprehensive plan. Criteria for obtaining a rooftop railing require avoiding construction in steep slopes, consistent with Land Use Policy 18.3 and avoiding building materials that are associated with bird strikes, consistent with Land Use Policy 19.13.

Criterion #2: The amendment bears a substantial relation to the public health, safety, or welfare;

The proposed code amendments would provide opportunities for outdoor living space in cases where constructing such areas would otherwise not be allowed or would increase the risk of impacts from steep slopes, which would increase the risk of harm to public health, safety, and welfare.

Criterion #3: The amendment is in the best interest of the community as a whole.

The proposed code amendments would clarify the existing code, thereby better serving the community by reducing uncertainty around the meaning of standards. Greater clarity around code standards increases predictability and promotes a more user-friendly code. The proposed amendment would also provide an option for lots heavily constrained by critical areas to have outdoor space while avoiding impacts to critical areas.

NEXT STEPS

Staff anticipates that following the public hearing, the Planning Commission will make a recommendation on this code amendment. Consequently, staff requests the following:

1. Please review the attached public hearing draft and public comment (as well as public comments that have arrived or will arrive between now and the public hearing) in preparation for the October 2, 2019 hearing and deliberations.
2. Please identify any further amendments to the draft language that you may wish to propose. If amendments are identified prior to the meeting, staff can create a slide for Planning Commission review following the hearing.
3. Please consider your recommendation to the City Council.

ATTACHMENTS

1. Public Hearing Draft of code language pertaining to rooftop railings from project ZTR18-006

- 1 E. Building Height Limit.
- 2 1. Maximum Building Height. No building shall exceed 30 feet in height above the average building
- 3 elevation to the highest point of the roof.
- 4 2. Maximum Building Height on Downhill Building Facade. The maximum building facade height on
- 5 the downhill side of a sloping lot shall not exceed 30 feet in height. The building facade height
- 6 shall be measured from the existing grade or finished grade, whichever is lower, at the furthest
- 7 downhill extent of the proposed building, to the top of the exterior wall facade supporting the
- 8 roof framing, rafters, trusses, etc.
- 9 3. Antennas, lightning rods, plumbing stacks, flagpoles, electrical service leads, chimneys and
- 10 fireplaces, solar panels, and other similar appurtenances may extend to a maximum of five feet
- 11 above the height allowed for the main structure in subsections (E)(1) and (2) of this section;
- 12 provided:
- 13 a. Solar panels shall be designed to minimize their extension above the maximum allowed
- 14 height, while still providing the optimum tilt angle for solar exposure.
- 15 b. Rooftop railings may not extend above the maximum allowed height for the main structure
- 16 if the following criteria are met:
- 17 (i) The subject lot is constrained by watercourses, wetlands, and associated buffers or
- 18 steep slopes and the unconstrained lot area is less than the total square footage of the
- 19 lot coverage allowed by this chapter plus 2,000 square feet.
- 20 For example, a lot with a net lot area of 10,000 square feet at a 20% slope would be
- 21 allowed 3,500 square feet of lot coverage. If 6,000 square feet of the lot were wetland,
- 22 watercourse and associated buffer or steep slope, the unconstrained lot area of this lot
- 23 would be 4,000 square feet. A rooftop railing above the height limit would be allowed in
- 24 this scenario, because the total of the 3,500 square feet of lot coverage plus 2,000
- 25 square feet is 5,500 square feet, which is greater than the unencumbered area of 4,000
- 26 square feet.
- 27 (ii) The proposed railing is no taller than the height required by the Washington State
- 28 Amendments to the International Residential Code as adopted by the City.
- 29 (+)(iii) Rooftop railings shall be designed so that at least 80 percent of the railing is
- 30 open area.

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PLANNING COMMISSION

To: Planning Commission
From: Robin Proebsting, Senior Planner
Date: September 25, 2019
RE: Comprehensive Plan Amendments 2019

SUMMARY

The Planning Commission is scheduled to hold a public hearing on the Comprehensive Plan Amendments for 2019 at its October 2, 2019 meeting, at which the Commission will hear oral public comment and develop its recommendation to the City Council.

BACKGROUND

Summary of Review

The Planning Commission will hold a public hearing at its October 2, 2019 meeting on the 2019 Comprehensive Plan Amendments, which the Commission has spent the past year reviewing. The Planning Commission has reviewed and provided guidance regarding the proposed amendments at five Planning Commission meetings, most recently on August 21, 2019. Amendments reviewed as part of the 2019 update cycle, if adopted by City Council, would apply city-wide (i.e. none are site-specific) and were on four main topic areas:

1. Removal of specific Town Center subarea designations from the Land Use Element;
2. Addition of goals and policies to prevent and mitigate climate change;
3. Addition of goals and policies supporting economic development on Mercer Island; and
4. Addition of goals and policies supporting the establishment of multimodal transportation levels of service.

Several of the proposed policies provide a policy basis for actions the City is already undertaking.

Item 1 eliminates a Town Center figure that specifies regulatory requirements also located in the Mercer Island City Code as further described below. This amendment does not reflect a significant policy change to regulating land use in Town Center.

Item 2 provides a policy basis for the City's current involvement in the King County-Cities Climate Collaboration (K4C) and tracking of greenhouse gas emissions. Further implementing actions may include development of a climate action plan (implementing policies 28.6 and 28.7), installation of pedestrian, bicycle,

and electric vehicle infrastructure (implementing policy 28.8), and a tree-planting campaign (implementing policy 28.12).

Item 3 refines the policy direction that is currently largely implemented through the Town Center regulations and various City programs. Further implementing actions may include additional outreach to business owners and engagement around economic development in the Town Center.

Item 4 establishes the policy basis for developing a transportation concurrency program for transportation modes other than automobiles, and to set levels of service in the comprehensive plan for these modes. Item 4 also provides a policy basis for continued efforts to improve non-motorized access and mobility on Mercer Island. This work may be incorporated into the development of a non-motorized plan (e.g. a pedestrian and bike facilities plan). Existing and proposed policies in the Transportation Element would provide guidance for level of service set for each mode.

Compliance with Code

Mercer Island City Code requires amendments to the comprehensive plan that are not-site specific to be based on the criteria in MICC 19.15.230(F)(1). A discussion of how the proposed amendments would meet the criteria follows:

Criteria #1

The amendment is consistent with the Growth Management Act, the countywide planning policies, and the other provisions of the comprehensive plan and city policies

Item 1: Removal of the Town Center subarea map would maintain land use policies consistent with the Growth Management Act and King County Countywide Planning Policies.

Item 2: The addition of policies aimed at preventing and mitigating climate change supports Planning Goal 10 of the Growth Management Act: “Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.” The climate change-related policies also are consistent with King County Countywide Planning Policies that aim to minimize greenhouse gas emissions.

Item 3: The addition of policies to foster economic development supports Planning Goal 5 of the Growth Management Act:

“Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.”

The amendment is consistent with King County Countywide Planning Policies speaking to business development within the Economy Element.

Item 4: The addition of policies supporting the creation of multimodal transportation levels of service supports Planning Goals 3 (“Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans”) and 10 (Environment) by providing a mechanism to track the need for and support infrastructure development for transportation modes other

than automobiles. Providing multimodal transportation infrastructure will support transportation goals by easing mobility and providing users with transportation options. Supporting transportation options for additional modes, in addition to automobiles, will support environmental goals by providing users with opportunities to travel without using a car, supporting more carbon-efficient modes of travel.

Draft policies for all items have been reviewed for internal consistency with the rest of the comprehensive plan and will maintain internal consistency if adopted.

Criteria #2

- a. There exists obvious technical error in the information contained in the comprehensive plan; or*
- b. The amendment addresses changing circumstances of the city as a whole.*

Item 1: The Town Center subareas are a type of development regulation, as they establish permitted building dimensions and uses. Comprehensive land use plans are defined in the Growth Management Act (RCW 36.70A) as being a “generalized coordinated land use policy statement”. Therefore, the inclusion of development regulations in a comprehensive plan is in error, and instead development regulations should be contained with the City’s code. The Town Center subarea map, and accompanying regulations, is already located in Chapter 19.11 MICC.

Item 2: Adding goals and policies pertaining to preventing and mitigating climate change are aimed at addressing the “changing circumstance of the city as a whole” by addressing the urgency of climate change. Recent news reporting and scientific publications have documented the increase in extreme weather events, forest fires, decline of native plant and animal species, and other effects of climate change in Washington State. Action to reduce greenhouse gas emissions is needed to prevent further impacts due to climate change. Such actions are supported by the policy language proposed in this amendment.

Item 3: The proposed goal and policy amendments regarding economic development addresses the changing circumstances surrounding economic activity on Mercer Island. Developing a different economic strategy has been identified as an important priority, and the proposed amendments address changes foster economic development.

Item 4: Proposed changes to the comprehensive plan to support multimodal transportation levels of service would add policies congruent with existing policies in the Transportation Element, and address the changing circumstances of the City. Establishing multimodal transportation levels of service will foster the creation of transportation infrastructure for modes other than the automobile, helping to improve mobility as the City and region experience the changing circumstance of steady population and job growth.

NEXT STEPS

Staff anticipates that following the public hearing, the Planning Commission will deliberate, and make a recommendation on the draft Comprehensive Plan amendments. Consequently, staff requests the following:

1. Please review the draft amendments, including the most recent set of changes requested by the Planning Commission at its August 21st meeting.
2. Please identify any further amendments to the draft language that you may wish to propose.
3. Please consider your recommendation to the City Council.

ATTACHMENTS

1. Public Hearing Draft of the Comprehensive Plan Amendments 2019

Draft comprehensive plan goals and policies

August 21, 2019

Item No. 1: Remove Specific Town Center subarea designations from the Land Use Element

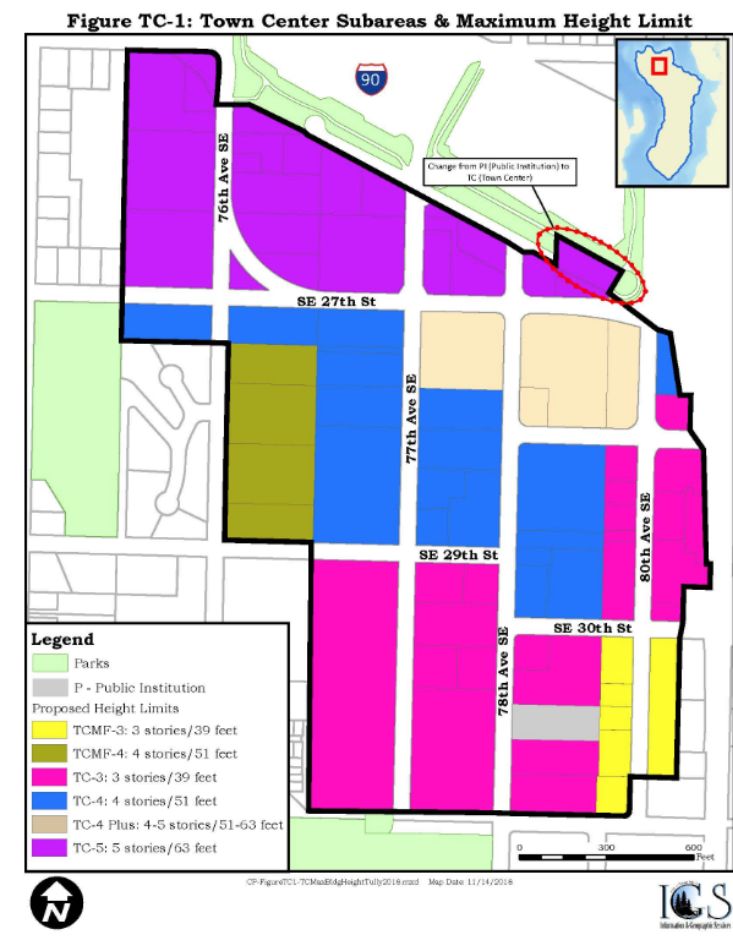
Suggested Amendments:

Land Use Goal 3:

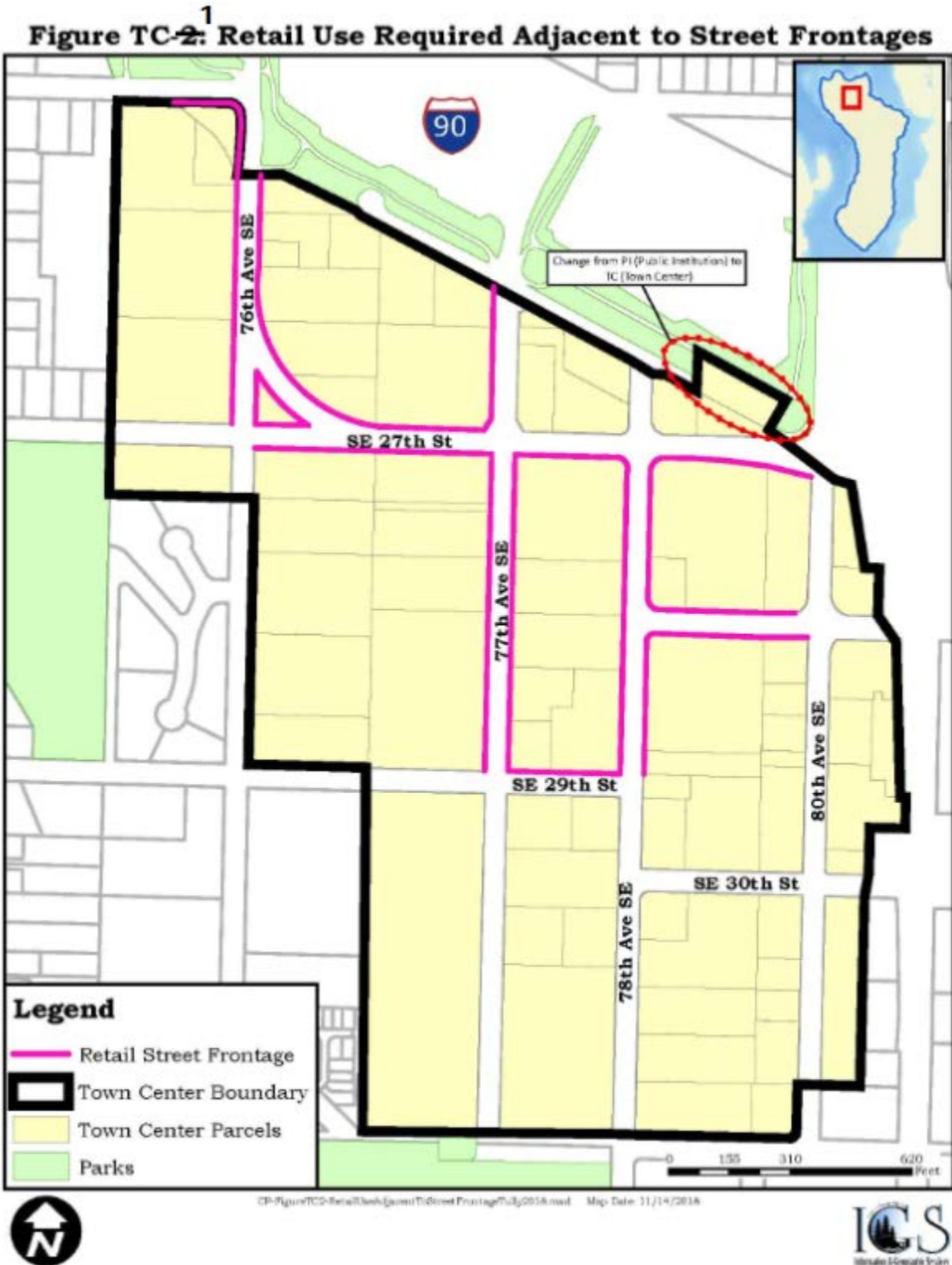
Have a mixture of building types, styles and ages that reflects the evolution of the Town Center over time, with human-scaled buildings, varied height, set-backs and step-backs and attractive facades.

3.1 Buildings taller than two stories may be permitted if appropriate public amenities and enhanced design features are provided.

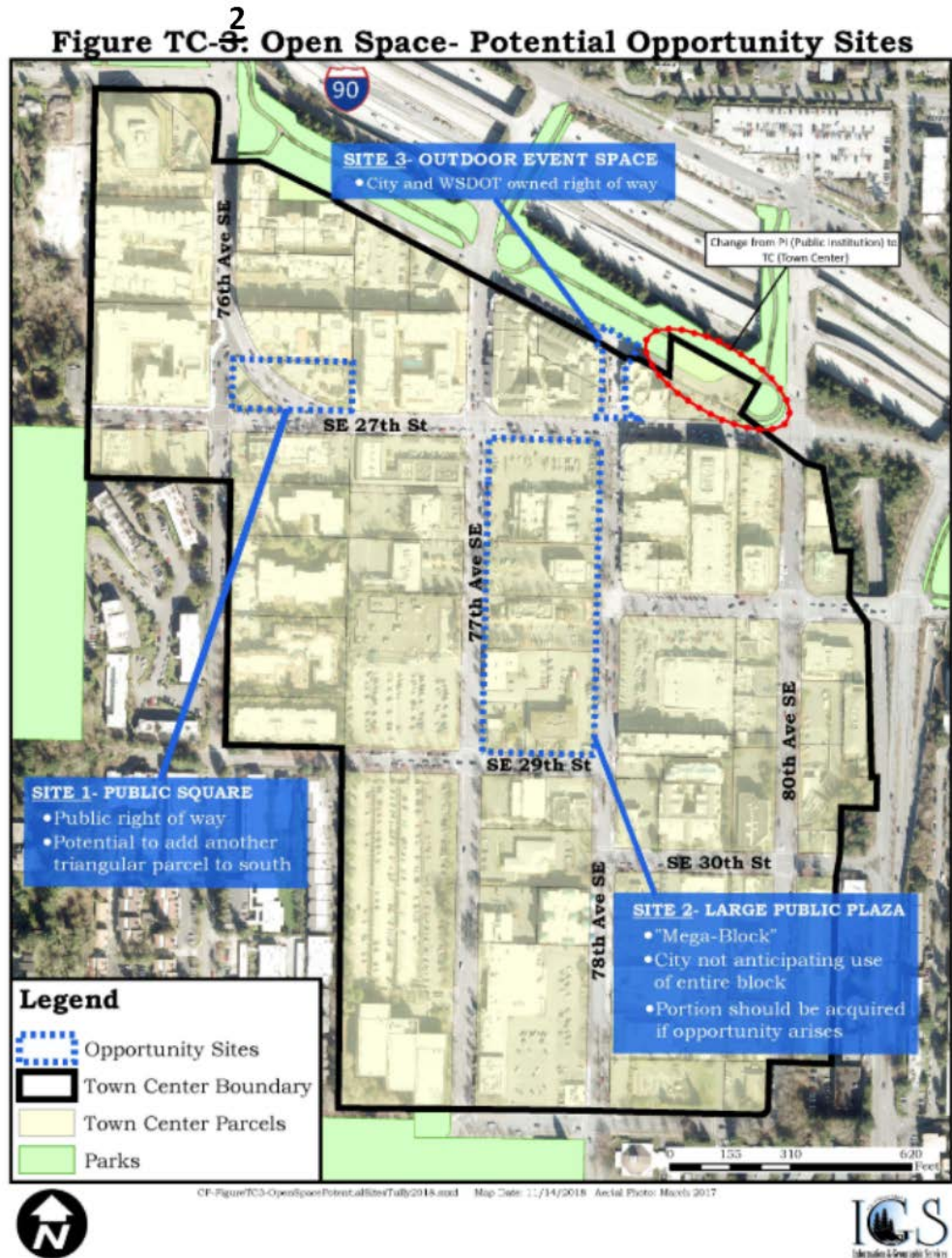
3.2 Locate taller buildings on the north end of the Town Center and step down building height through the center to lower heights on the south end, bordering Merceddale Park. See Figure TC-1.



4.2 Retail street frontages (Figure TC-2¹) should be the area where the majority of retail activity is focused. Retail shops and restaurants should be the dominant use, with personal services also encouraged to a more limited extent. [...]



12.3 Investigate potential locations and funding sources for the development (and acquisition if needed) of one or more significant public open space(s) that can function as an anchor for the Town Center’s character and redevelopment. Identified “opportunity sites” are shown in Figure TC-3₂ and described below. These opportunity sites should not preclude the identification of other sites, should new opportunities or circumstances arise.



Item No. 2: Establish goals and policies to prevent and/or mitigate the impacts of climate change

Land Use Element

I. Introduction [...]

In 2006, a grassroots effort of Island citizens led the City to modify the vision statement in its comprehensive plan to include language embracing general sustainability, and in May 2007 the Council committed to a sustainability work program as well as a specific climate goal of reducing greenhouse gas emissions by 80% from 2007 levels by 2050, which was consistent with King County and Washington State targets. Later in 2007, the Council set an interim emissions reduction goal (often called a “milepost”) for City operations of 5% by 2012.

From 2010 to 2014, with the entire community’s sustainability in mind, the City has implemented a wide range of outreach programs, efficiency campaigns, alternative energy initiatives, land-use guidelines, and other natural resource management measures designed to minimize the overall impacts generated by Island residents, for the benefit of future generations. Due to the 20-year horizon envisioned by this comprehensive plan, it is especially appropriate to include measures that address the long-term actions needed to reduce greenhouse gas emissions, ideally in collaboration with other local governments. Specific aActions that the City will take in the management of its own facilities and operations are addressed in the Capital Facilities Element of this plan. In 2018, the City continued to promote and support sustainable development, through the development of green building goals and policies for all residential development.

Beginning in 2018, the City assessed the City’s strengths and weaknesses in supporting sustainability using the STAR Communities framework. Information from this assessment, along with the measures discussed above, and others under consideration, will be identified in more detail in a rolling 6-year Sustainability Plan, to be adopted in 2019, which will guide the City’s internal and external actions while taking into account the interrelated issues of climate change, population change, land use, public infrastructure, transportation choices, natural resources management, equitable services and accessibility, arts and community, public health and safety, human services, and economic development.

Climate change has far-reaching and fundamental consequences for our economy, environment, public health, and safety. Cities have a vital role in mitigating and adapting to climate change both individually and by working collaboratively with other local governments. Current science indicates that to avoid the worst impacts of global warming we need to reduce global greenhouse gas (GHG) emissions sharply.

King County and cities formed the innovative King County-Cities Climate Collaboration (K4C) in 2014 to coordinate and enhance local government climate efforts. They have charted opportunities for joint action to reduce GHG emissions and accelerate progress toward a clean and sustainable future. Mercer Island is a member of K4C and seeks opportunities to partner on outreach to decision-makers and the public, adopt consistent standards and strategies, share solutions, and cooperate on seeking funding resources. In 2016, Mercer Island, along with King County and other partners in K4C was recognized with a national Climate Leadership Award from EPA.

The City has been very active in addressing climate change and has received national recognition for its efforts. In 2013, the City was recognized by the EPA as a Green Power Community of the Year for its very successful Green Power sign up campaign for residents and for its commitment to local solar power generation. It was awarded Sol Smart Gold Designation from the Department of Energy in January 2018 for meeting stringent and objective criteria targeting removal of obstacles to solar development including streamlined permitting. As of January 2018 there were 184 known solar installations, higher per capita than any other Eastside City. The City offers same day permitting for most solar installations and most require only an electrical permit.

The City has been active in reducing its own carbon footprint by reducing fleet emissions and energy use in facilities and lighting, and by minimizing and managing waste more sustainably. The City has installed electric vehicle charging stations, banned plastic bags, and successfully piloted bike share and ride hailing services among many other actions. In 2017, the City confirmed a major commitment to clean power by announcing its contract with Puget Sound Energy for 2019 through 2039, in which it will buy 20 years of clean wind power to replace its current mix of electricity, covering its annual municipal usage of three million kilowatt-hours.

Community GHG emissions have been inventoried and reported to K4C and the public though, from 2016 through 2018, staff was not able to compile and report data due to heavy workload. The major sources of GHG on Mercer Island have been found to be passenger car travel (estimated at 40% of total) and building energy consumption (48% residential plus commercial).

Community partners, IslandVision, a non-profit 501(c)3 organization that encourages and supports sustainable practices on Mercer Island, contracted with a GHG consultant, Lightstone Consulting, LLC, to prepare and share with the City a technical analysis to promote government efforts in climate action planning. This effort aligns with IslandVision's mission and suggests fundamental approaches for progress in reducing GHG emissions from the community. Other community groups, such a Sustainable Mercer Island, have provided input and have asked what they can do right now.

With many good efforts completed and underway, it is necessary to take further action in order to meet GHG reduction targets, both in our households and in our community.

Sustainability

Sustainability is a Mercer Island value. It is a process of ensuring the wise use and management of all resources within a framework in which environmental, social, cultural and economic well-being are integrated and balanced. It means meeting the needs of today without adversely impacting the needs of future generations.

In 2006, a grassroots effort of Island citizens led the City to modify the vision statement in its comprehensive plan to include language embracing general sustainability, and in May 2007 the Council committed to a sustainability work program as well as a specific climate goal of reducing greenhouse gas emissions by 80% from 2007 levels by 2050, which was consistent with King County and Washington State targets. Later in 2007, the Council set an interim emissions reduction goal (often called a "milepost") for City operations of 5% by 2012.

In 2012, activities were expanded further with the hiring of the City's first dedicated Sustainability Manager, who designs, implements, and then oversees much of the internal sustainability project work. In addition, the Mayor and Council have increasingly addressed or supported specific regional and state-level climate commitments or legislation.

In recent years, the City has pursued a wide range of actions focusing on the sustainability of its internal operations. These measures began with relatively humble recycling and waste reduction campaigns, and then expanded into much larger initiatives such as energy-efficiency retrofits and cleaner-burning fleet vehicles. More recently, the City has installed its own on-site solar PV project at the Community and Event Center, and has now purchased several commercial-grade electric utility vehicles for Water Department and Parks Maintenance purposes. Approximately 35% of the City's internal electricity use is offset through the purchase of green power REC's from Puget Sound Energy.

In April 2017 the City confirmed that, in its contract with Puget Sound Energy for 2019 through 2039, it will buy 20 years of clean wind power to replace its current mix of electricity, covering its annual municipal usage of three million kilowatt-hours. The City tracks several metrics in its annual "Dashboard Report" that evaluate progress made in energy consumption, fuel use, green power purchasing, solid waste diversion, and overall carbon footprint of City operations.

Due to the 20-year horizon envisioned by this comprehensive plan, it is especially appropriate to include internal measures that address the long-term actions needed to reduce greenhouse gas emissions, ideally in collaboration with other local governments. Actions that the City will implement with the entire community's sustainability in mind are addressed in the Land Use Element of this plan. Various City Departments, such as Parks and Recreation and Maintenance, prepare functional plans that directly implement some sustainability programs.

Goal 28: Reduce community-wide greenhouse gas emissions

28.1 Collaborate with King County and cities as a member of the King County-Cities Climate Collaboration (K4C) to increase the efficiency of efforts to reduce GHG emissions.

28.2 Dedicate staff to represent the City in K4C and to coordinate City programs and actions to mitigate climate change.

28.3 Update and adopt Mercer Island GHG reduction targets consistent with K4C, as amended.

28.4 Prioritize for implementation those K4C-recommended strategies that are relevant and feasible for Mercer Island.

28.5 Support annual reporting of Mercer Island GHG emissions to K4C and the public.

28.6 Engage individuals, community organizations, and businesses in a collaborative effort to mitigate climate change.

28.7 Select greenhouse gas reduction initiatives that balance the impact and probability of success of each initiative. Utilize methods by K4C to form an analysis of the cumulative effects of the initiatives where appropriate.

28.8 Consider for early action the reduction of emissions from passenger vehicles.

- a) Work with the community to develop low-greenhouse gas emitting transportation option for traveling intra-Island to or from community connection points. These options should be popular enough in use to substantially reduce aggregate GHG emissions from passenger vehicles. The program should be in place by 2023 when light rail arrives.
- b) Promote electric vehicles.

28.9 Consider for early action the reduction of energy use in in buildings.

- a) Determine the best methods to promote a transition from natural gas to electricity for the energy needs of new buildings and retrofit of existing buildings as the regional source of power moves entirely away from fossil fuels.
- b) Encourage and provide incentives for energy-saving retrofits of existing homes and buildings, in partnership with Puget Sound Energy and other organizations.
- c) Determine the best methods to promote the use of construction materials that embody the least carbon feasible in manufacture and use. Consider building code changes, as necessary, to accommodate this transition.
- d) Consider adopting a local building energy-benchmarking and disclosure ordinance.
- e) Support green power community challenges and other programs to reduce building energy use.

28.10 Promote renewable power generation in the community.

- a) Support campaigns to install solar energy and other power generation methods.
- b) Continue to offer streamlined renewable energy installation permitting, when possible, incentives, and other means to encourage power generation.
- c) Consider building code changes, as necessary, to accommodate community renewable power generation.

28.11 Focus future land development where utility and transportation investments have been made and encourage land use patterns to be carbon efficient.

28.12 Strive to increase carbon sequestration and resilience to urban heat island effects by expanding tree canopy and vegetation cover.

28.13 Consider development of an Urban Forest Management Plan to assess canopy cover, set goals, and establish implementation strategies.

Goal 29: Develop a Climate Action Plan.

Consider development of a Climate Action Plan including the following components:

- A summary of City actions to date;
- A broad examination of actions to reduce greenhouse gas emissions;
- Incorporation of recommendations from the 2012 Sustainability Policy Recommendations Report;
- Provisions to monitor progress of implementation; and

- Provisions to update the plan in response to changing conditions and new opportunities.

Goal 30: Adapt to climate change.

Place the highest priority on mitigating climate change but respond to indications of impacts in the community that may require an adaptive response.

[...]

Utility Element

Solid Waste Policies

- 5.1 All new construction, with the exception of single-family homes, shall be required to provide adequate space for on-site storage and collection of recyclables pursuant to Ordinance A-99.
- 5.2 The City shall actively promote and support recycling, composting and waste reduction techniques among the single-family, multi-family and commercial sectors with the aim of meeting or exceeding King County diversion goals.
- 5.3 The City shall, whenever practical, provide convenient opportunities for residents to recycle appliances, tires, bulky yard debris and other hard-to-recycle materials.
- 5.4 The City shall actively promote and support the proper handling and disposal of hazardous waste produced by households and businesses. The use of alternate products that are less hazardous or produce less waste shall be encouraged.
- 5.5 City departments and facilities shall actively participate in waste reduction and recycling programs.
- 5.6 All hazardous waste generated by City departments and facilities shall be handled and disposed of in accordance with applicable county, state, regional and federal regulations.
- 5.7 The City shall actively enforce the Solid Waste Code and other ordinances and regulations that prohibit the illegal dumping of yard debris and other types of waste.
- 5.8 The City shall play an active role in regional solid waste planning, with the goal of promoting uniform regional approaches to solid waste management.
- 5.9 The City shall actively promote and support the recycling, re-use or composting of construction, demolition and land-clearing debris wherever feasible.

[...]

Capital Facilities Element

I. Introduction [...]

Sustainability

Sustainability is a Mercer Island value. It is a process of ensuring the wise use and management of all resources within a framework in which environmental, social, cultural and economic well-being are integrated and balanced. It means meeting the needs of today without adversely impacting the needs of future generations.

In 2006, a grassroots effort of Island citizens led the City to modify the vision statement in its comprehensive plan to include language embracing general sustainability, and in May 2007 the Council committed to a sustainability work program as well as a specific climate goal of reducing greenhouse gas emissions by 80% from 2007 levels by 2050, which was consistent with King County and Washington State targets. Later in 2007, the Council set an interim emissions reduction goal (often called a “milepost”) for City operations of 5% by 2012.

In recent years, the City has pursued a wide range of actions focusing on the sustainability of its internal operations. These measures began with relatively humble recycling and waste reduction campaigns, and then expanded into much larger initiatives such as energy efficiency retrofits and cleaner-burning fleet vehicles. More recently, the City has installed its own on-site solar PV project at the Community and Event Center, and has now purchased several commercial grade electric utility vehicles for Water Department and Parks Maintenance purposes. Approximately 35% of the City’s internal electricity use is offset through the purchase of green power REC’s from Puget Sound Energy. The City tracks several metrics in its annual “Dashboard Report” that evaluate progress made in energy consumption, fuel use, green power purchasing, solid waste diversion, and overall carbon footprint of City operations.

In 2012, activities were expanded further with the hiring of the City’s first dedicated Sustainability Manager, who designs, implements, and then oversees much of the internal sustainability project work. In addition, the Mayor and Council have increasingly addressed or supported specific regional and state-level climate commitments or legislation.

Due to the 20-year horizon envisioned by this comprehensive plan, it is especially appropriate to include internal measures that address the long-term actions needed to reduce greenhouse gas emissions, ideally in collaboration with other local governments. Actions that the City will implement with the entire community’s sustainability in mind are addressed in the Land Use Element of this plan. Various City Departments, such as Parks and Recreation and Maintenance, prepare functional plans that directly implement some sustainability programs.

These Capital Facilities measures, and others under consideration, are identified in more detail in a rolling 6-year Sustainability Plan, to be adopted in 2016, which will guide the City’s internal and external actions while taking into account the interrelated issues of climate change, population change, land use, public infrastructure, natural resources management, quality of life, public health, and economic development.

V. Capital Facilities Goals and Policies [...]

1.20 City operations should be optimized to minimize carbon footprint impacts, especially with respect to energy consumption and waste reduction. New Capital Facilities should incorporate and encourage the sustainable stewardship of the natural environment, and consider the benefit of creating cutting-edge, demonstration projects, and favor options that have the lowest feasible carbon footprint and greatest carbon sequestration potential. The adoption of greenhouse gas

emission reduction targets recommended by King County-Cities Climate Collaboration should be considered.

1.21 City procurement should include consideration of total lifecycle costs, recycled content, and other common measures of product sustainability.

1.22 Current City facilities are operated in an energy-efficient manner, and opportunities for improvement are implemented when feasible. New City facilities should explore meeting public and private-sector sustainable building certification standards, such as the 'BuiltGreen' system and the Leadership in Energy and Environmental Design (LEED) system.

1.23 Parks & Open Space Capital Facilities – Identify measures to reduce carbon footprint and GHG emissions when planning projects, choosing options with the lowest feasible carbon footprint and greatest carbon sequestration potential. Implement sustainability measures identified within the City's Parks and Recreation Management Plan, including special attention to direct sustainability measures, such as tree retention, preference for native vegetation and habitat creation, minimized use of chemicals, and reductions in energy and fuel use.

Item No.3: Placeholder for the development of goals and policies supporting economic development on Mercer Island

Land Use Element

GOAL 14:

Support the continued ~~Continue to encourage vitality through the support of economic development of Mercer Island, particularly activities~~ in the Town Center.

- 14.1 Establish the Town Center as an active and attractive commercial node, including the use of gateways, wayfinding and signage, and links to transit.
- 14.2 Maintain a diversity of downtown land uses.
- 14.3 Support economic growth that accommodates Mercer Island's share of the regional employment growth target of 1,228 new jobs from 2006-2035, by maintaining adequate zoning capacity, infrastructure, and supportive economic development policies.
- 14.4 Investigate formation of a business improvement area (BIA), or other mechanism authorized by state law, to help promote Island businesses, to support Town Center activities, and to finance improvements and amenities. Identify a staff person who will help coordinate economic development activities.
- 14.5 Support public and private investment in existing properties, infrastructure, and marketing to help maintain longstanding businesses and attract new ones.
- 14.6 Create a healthy economic environment where Town Center businesses can serve the needs of Mercer Island residents as well as draw upon broader retail and commercial market areas.
- 14.7 Engage residents, community organizations, and businesses in a collaborative effort to establish a strategy for Island economic development.

Item No. 4: Goals and policies supporting the review and possible establishment of multi-modal transportation level of service

Transportation Element

II. Transportation Goals and Policies

Goal 7: Provide a safe, convenient and reliable transportation system for Mercer Island.

- 7.1 Include in the City's roadway design standards, requirements for facilities to safely accommodate travel by all travel modes.
- 7.2 Provide a safe transportation system through maintenance and upkeep of transportation facilities.
- 7.3 Monitor the condition and performance of the transportation system to compare growth projections with actual conditions, assess the adequacy of transportation facilities and services, and to identify locations where improvements may become necessary.
- 7.4 Monitor traffic collisions, citizen input/complaints, traffic violations, and traffic volumes to identify and prioritize locations for safety improvements.
- 7.5 Where a need is demonstrated, consider signage, traffic controls, or other strategies to improve the safety of pedestrian crossings.
- 7.6 Verify the policies, criteria and a process to determine when, and under what conditions, private roads and privately maintained roads in the public right of way should be accepted for public maintenance and improvement.
- 7.7 Coordinate with local and regional emergency services to develop priority transportation corridors and develop coordinated strategies to protect and recover from disaster.
- 7.8 Strive to create a complete, connected active transportation system allowing direct and safe access for active transportation modes.

[...]

Goal 10: Maintain acceptable levels of service for transportation facilities and services on Mercer Island.

- 10.1 The City of Mercer Island Level of Service (LOS) at arterial street intersections shall be a minimum of "C" within and adjacent to the Town Center and "D" for all other intersections.
- 10.2 Use the level of service standard to evaluate the performance of the transportation system and guide future system improvements and funding. Emphasize projects and programs that focus on the movement of people and provide alternatives to driving alone.
- 10.3 Implement the following strategy when vehicle capacity or funding is insufficient to maintain the LOS standard: (1) seek additional funding for capacity improvements, (2) explore alternative, lower-cost methods to meet level-of-service standards (e.g., transportation demand management program, bicycle corridor development or other strategies), (3) reduce the types or size of

development, (4) restrict development approval, and (5) reevaluate the level of service standard to determine how it might be adjusted to meet land use objectives.

10.4 Ensure that the City's level of service policies are linked to the land use vision and comply with concurrency requirements.

10.5 Revise the Transportation Element if the Land Use and/or Capital Facilities Element of the Comprehensive Plan are changed to maintain a balanced and consistent plan.

10.6 Levels of service for pedestrian, bicycle, and transit transportation modes should be established. Goals and policies contained in this element should provide the guidance for setting levels of service.

[...]

Goal 12: Promote bicycle and pedestrian networks that safely access and link commercial areas, residential areas, schools, and parks within the City.

12.1 Maximize the safety and functionality of the bicycle system by enhancing road shoulders, which are to be distinguished from designated bicycle lanes.

12.2 Implement the Pedestrian and Bicycle Facilities Plan to meet existing and anticipated needs for non-motorized transportation. This Plan should be coordinated with other transportation planning efforts and periodically updated.

12.3 Study opportunities for use of innovative methods for pedestrians crossing streets, including use of colored and textured pavements within the City.

12.4 Strive to build community through the in-person interactions facilitated by action transportation at community connection points (schools, library, community centers, bikeshare hubs, etc.)

12.5 Areas near schools and commercial areas should have higher levels of service for pedestrians, bicycles, transit, and automobiles.

CITY OF MERCER ISLAND

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PLANNING COMMISSION

To: Planning Commission
From: Evan Maxim, Director
Date: September 26, 2019
RE: Public Institution Code Amendment (ZTR19-002)

SUMMARY

On August 5, 2019, the Growth Management Hearings Board (GMHB) issued a decision on an appeal of Ordinance No. 18-13 and 18C-14 (Case No. 19-3-0003c). One of the appeal “issues” is related to the Comprehensive plan amendment and rezone of property adjacent to the Tully’s Property and known as “Parcel 12 / WSDOT”. In particular, the GMHB decision notes that the language in MICC 19.05.010(B) is not consistent with the amendments to the land use map in the Comprehensive Plan and is not consistent with the amended zoning map. The proposed amendment is intended to correct this inconsistency.

BACKGROUND

Ordinance No. 18-13 and 18C-14 collectively amended the future land use map designation and the zoning map designation for a property located adjacent to the former Tully’s property. The property affected was generally referred to as the “Parcel 12 / WSDOT” property and is owned by the City of Mercer Island and the Washington Department of Transportation.

Ordinance No. 18-13 amended the land use map designation of the Parcel 12 / WSDOT property from “Linear Park (I-90)” to “Town Center”. Ordinance No. 18C-14 amended the zoning map designation of the property from “Public Institution (PI)” to “Town Center (TC)”. The change in map designations is intended to allow the City to develop commuter parking on the Parcel 12 / WSDOT property and neighboring Tully’s property. The TC zoning designation allows the City to engage in an agreement for a public-private development, which in turn furthers Town Center goals and is intended to result in more commuter parking stalls than could be otherwise be built on the combined properties.

The GMHB decision notes that the code language contained in MICC 19.05.010(B) indicates that all of the property within the I-90 Right-of-Way, including areas used as open space and linear greenbelts, is zoned “Public Institution (PI)”. This code language is inconsistent with the now revised zoning map and Comprehensive Plan land use map. It is very uncommon for the text of the development regulations to indicate extent of a zoning designation. Commonly zoning designations are established through the adoption of a zoning map, together with code language ([MICC 19.01.040](#)) related to the interpretation of the zoning map. Mercer Island has used this approach for all other zoning designations. To eliminate the inconsistency between the code, zoning designation, and the Comprehensive Plan’s land use map, the code amendment will remove the language contained in 19.05.010(B).

The GMHB has established a deadline of January 7, 2020 to address the inconsistency identified in their decision. The proposed code amendment is subject to the standard process for amending the City's code, which includes a public hearing and recommendation by the Planning Commission, and a review and action by the City Council. Given the short timeline established by the GMHB, staff have proactively scheduled the public hearing for this proposed code amendment for October 30, 2019. A notice of the public hearing will be issued on September 30, 2019.

NEXT STEPS

Staff anticipates that following review on October 2, 2019 and the public hearing on October 30, 2019, the Planning Commission will make a recommendation on this code amendment. Consequently, staff requests the following:

1. Please review the draft code amendment language and identify any clarifying questions that staff should address.
2. Please be prepared to consider any public comment.
3. Please consider your recommendation to the City Council.

ATTACHMENTS

1. Draft code amendment (ZTR19-002)

ZTR19-002: Public Institution Code Amendment

October 2, 2019

“Normal Text” is existing code language
“~~Strikethrough Text~~” is existing code language that will be deleted
“Underline Text” is new code language that will be added
“...” indicates that existing code language is omitted and will not be amended

19.05.010 Public institution – PI.

A. *Uses Permitted.*

1. Government services.
2. Public schools under the administration of Mercer Island School District No. 400 subject to the requirements in subsection F of this section. Subsections B, C and E of this section do not apply to public schools. Uses other than public schools located on land owned by the Mercer Island School District shall comply with applicable provisions of Chapter 19.02 MICC.
3. Public park.
4. Transit facilities including transit stops and associated parking lots.
5. On-site hazardous waste treatment and storage facilities are allowed as accessory uses to a use permitted in this zone. These facilities shall comply with the state siting criteria as set forth in Chapter 173-303 WAC.
6. Wireless communications facilities subject to the conditions set out in MICC 19.06.040.

~~B. Mercer Island I-90 Right-of-Way Added to Public Institution Zone. The entire area within the Mercer Island I-90 right-of-way, including, but not limited to, the roadway, street overcrossings, lids, open space, recreation areas, linear greenbelts and the park-and-ride lot area as approved by the city on November 14, 1983, and incorporated in the right-of-way plan approved by WSDOT on May 1, 1987, shall be part of the public institution zone. All uses within the I-90 right-of-way shall be maintained as set forth in city-approved I-90 related documents.~~

~~C.B.~~ Design Requirements. Any development within the public institution zone shall comply with the applicable sections of Chapter 19.11 MICC, Town Center Development and Design Standards.

~~C.D.~~ Parking Requirements. All uses permitted in this zone shall comply with the parking requirements set out in MICC 19.05.020.

...