
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, September 18, 2019

Planning Commissioners

Carolyn Boatsman

Tiffin Goodman, Chair

Daniel Hubbell

Jennifer Mechem

Lucia Pirzio-Biroli

Craig Reynolds, Vice-Chair

Ted Weinberg

CALL TO ORDER & ROLL CALL

6:00 PM

APPROVAL OF MINUTES

Minutes from August 21, 2019

APPEARANCES

6:05 PM

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:

- Speak audibly into the podium microphone
- State your name and address for the record
- Limit your comments to three minutes

The Commission may limit the number of speakers and modify the time allotted. Total time for appearances: 15 minutes

PUBLIC HEARING

6:15 PM

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

Public hearing on Minor Code Amendments 2019

REGULAR BUSINESS

6:45 PM

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

Deliberation on Minor Code Amendments 2019.

OTHER BUSINESS

Directors Report

Planned Absences for Future Meetings

Next Scheduled Meeting: October 2, 2019

ADJOURN

8:00 PM

PLANNING COMMISSION

MEETING MINUTES



Wednesday, August 21, 2019

CALL TO ORDER

The Planning Commission was called to order by Chair Goodman at 6:03 pm in the City Hall Council Chambers at 9611 SE 36th Street, Mercer Island, Washington.

ROLL CALL

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

STAFF PRESENT

Evan Maxim, CPD Director, Andrea Larson, Senior Administrative Assistant, Mona Davis, Planning Manager, and Robin Proebsting, Senior Planner.

MINUTES

It was moved by Hubble, seconded by Boatsman to:

Approve the August 5, 2019 minutes.

Passed as amended 5-0

APPEARANCES

Jonathan Harrington, 9514 SE 68th St. He thanked the Commission for their work on climate change.

REGULAR BUSINESS

Agenda Item #1: 2019 Comprehensive Plan Amendments

Robin Proebsting, Senior Planner, provided a presentation on the 2019 Comprehensive Plan Amendments.

The Planning Commission reviewed the Comprehensive Plan amendments and provided feedback to staff.

The Commission gave a thumbs up for Item 1 to proceed to the public hearing draft.

The Commission stated that the word "ensure" on 28.9.a should be changed to "promote", and to remove the last sentence of 28.9.a.

Item 2, 28.9.c the Commission stated that the word "promote" should be inserted and the word "seek" should be replaced with "consider".

The Commission stated that the part of the sentence in the introduction to Item 2, "is a paramount challenge of this generation and has" should be deleted, changing the statement to "Climate change has far reaching..."

The Commission indicated Item 2, 28.5 should change to "Support annual reporting..."

The Commission took a break until 8:37pm.

The Commission provided a reworded sentence for Item 2, 28.7 "Establish a policy for selecting the GHG 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, as appropriate.

The Commission indicated that Item 2, 28.8.a should be changed to "acceptable low GHG options for traveling to and from inter-island Community connection points"

The Commission stated that both 28.8 and 28.9 of Item 2, should be changed to "Consider" instead of "Prioritize".

On Item 2, 28.10.c the Commission asked to change "seek" to "Consider changes as necessary..."

The Commission indicated that Item 2, Goal 29 should be reworded.

The Commission stated that on Item 2, 5.10 should be deleted and to add to 5.2 to strive to reduce waste via landfill or incinerator.

Vice-Chair Reynolds submitted a reworded proposal for Item 3, Exhibit CR- 8/21/219.

The Commission reworded Vice-Chair Reynolds proposed wording in Exhibit CR- 8/21/19 for Item 3 to read "Support the Continued economic development in town center. Engage residents, community organizations, and businesses in a collaborative effort to establish a strategy for island economic development."

The Commission recommends looking at Item 4, 7.8 to make sure it adequately captures what is trying to be conveyed.

OTHER BUSINESS

Evan Maxim, CPD Director, gave an update on the Planning Commission schedule.

PLANNED ABSENCES FOR FUTURE MEETINGS

Commissioner Hubble will be absent on September 4, 2019.

ANNOUNCEMENTS AND COMMUNICATIONS

The next Planning Commission meeting is on September 4, 2019 at 6:00PM.

ADJOURNMENT

The meeting was adjourned at 10:02PM.

CITY OF MERCER ISLAND

COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

PHONE: 206.275.7605 | www.mercergov.org



PLANNING COMMISSION

To: Planning Commission

From: Robin Proebsting, Senior Planner

Date: September 12, 2019

RE: Minor Code Amendments 2019 (ZTR19-001): Introduction to Public Hearing Draft

SUMMARY

This memo introduces the public hearing draft of the Minor Code Amendments 2019. The Planning Commission will hold a public hearing on this topic on September 18, 2019.

BACKGROUND

The Minor Code Amendments 2019 contains a set of proposed code amendments that is part of a routine practice of updating the City's code in order to keep code standards clear and internally consistent. Topics covered in this set of minor code amendments include:

1. Clarifying side yard width standards in the residential zone;
2. Updating the allowed height of hardscape and driveway improvements;
3. Establishing a measurement method for height calculations in the MF, PBZ, C, and B zones;
4. Changing the term "parking variance" to "parking modification";
5. Clarifying the definition of the term "lot coverage";
6. Correcting out-of-date cross-references; and
7. Amending the process for interested parties to suggest or apply for development code amendments.

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. The criteria, together with a discussion of how the proposed minor code amendments meet them, are discussed below:

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. Items A through J of the proposed minor code amendments aim to clarify existing standards, promoting consistent interpretation and application of the code.

The Minor Code Amendment Addendum proposes to revise the City's docketing procedures to reflect current practice and to be consistent with state law. It also adds a requirement to provide public notice in the newspaper for comprehensive plan amendments, reclassification of property, and code amendments, further promoting opportunities for public participation. This proposed amendment is consistent with the

Comprehensive Plan Vision Statement, which notes as a Community Leadership value: “Active participation by the Island’s citizens in civic events and issues is essential to representative self-government. As one of its “trademarks”, the community continues to place a high value on the opportunity to participate at all levels of decision-making.”

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

The proposed code amendments would clarify the existing code, which is in place to protect 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 Minor Code Amendment Addendum proposes to provide additional opportunities for the community to suggest amendments and would require additional notice for docket items, serving the interest of the community as a whole by expanding opportunities for public involvement in the legislative process.

NEXT STEPS

Please review the attached public hearing draft and public comment (as well as any comments that arrive between now and the public hearing) in preparation for the September 18, 2019 hearing and deliberations.

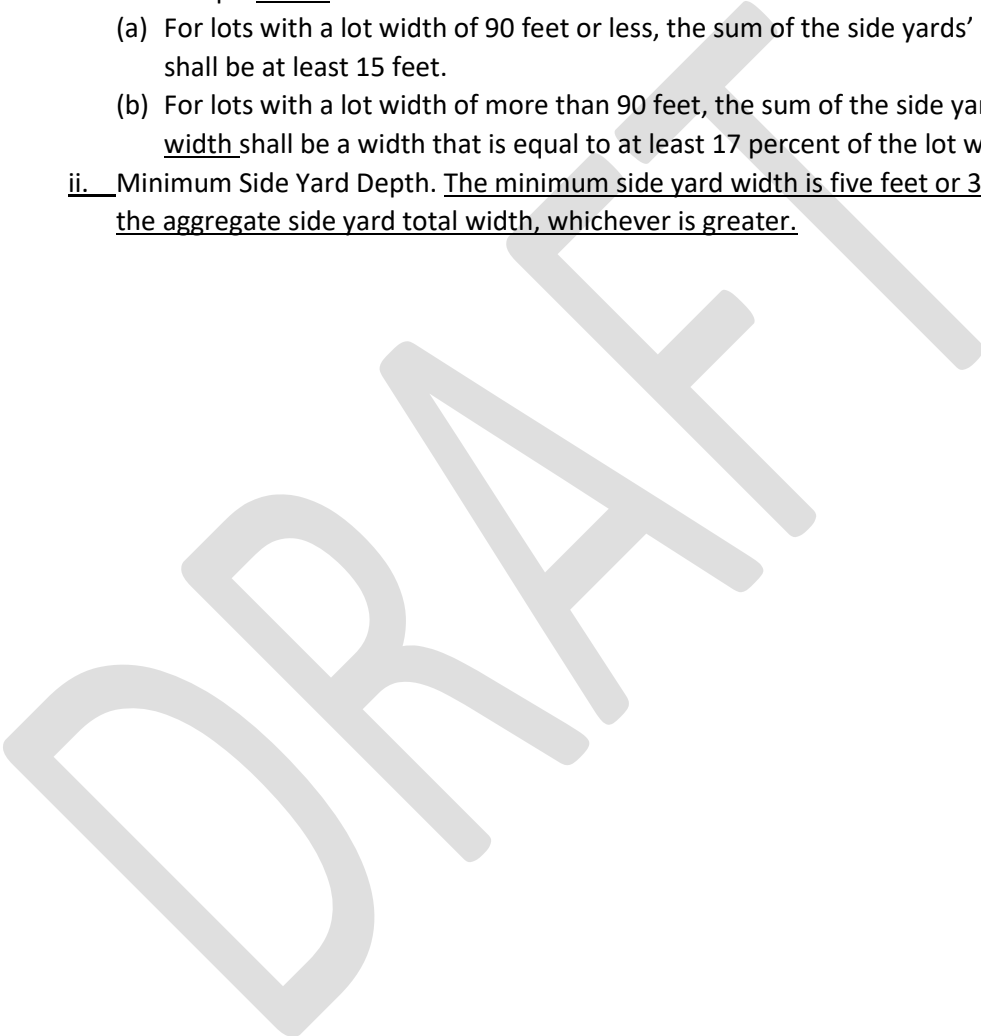
ATTACHMENTS

1. Public Hearing Draft of ZTR19-001

ZTR19-001 Minor Code Amendments

Item A

- 1 MICC 19.02.020
- 2 C. Yard Requirements.
- 3 1. Minimum. Except as otherwise provided in this section, each lot shall have front, rear, and side
- 4 yards not less than the depths or widths following:
- 5 a. Front yard depth: 20 feet or more.
- 6 b. Rear yard depth: 25 feet or more.
- 7 c. Side yards shall be provided as follows:
- 8 i. ~~Total Depth~~Width.
- 9 (a) For lots with a lot width of 90 feet or less, the sum of the side yards' ~~depth~~width
- 10 shall be at least 15 feet.
- 11 (b) For lots with a lot width of more than 90 feet, the sum of the side yards' ~~depth~~width
- 12 shall be a width that is equal to at least 17 percent of the lot width.
- 13 ii. Minimum Side Yard Depth. The minimum side yard width is five feet or 33 percent of
- 14 the aggregate side yard total width, whichever is greater.



ZTR19-001 Minor Code Amendments

Item B

1 MICC 19.02.020

2 C. Yard Requirements

3 [...]

4 3. Intrusions into Required Yards.

5 a. Minor Building Elements.

- 6 i. Except as provided in subsection (C)(3)(a)(ii) of this section, porches, chimney(s) and
7 fireplace extensions, window wells, and unroofed, unenclosed outside stairways and
8 decks shall not project more than three feet into any required yard. Eaves shall not
9 protrude more than 18 inches into any required yard.
- 10 ii. No penetration shall be allowed into the minimum side yard setback abutting an interior
11 lot line except where an existing flat-roofed house has been built to within 18 inches of
12 the interior side yard setback line and the roof is changed to a pitched roof with a
13 ~~minimum pitch of 2:12 or steeper~~ 4:12, the eaves up to 18 inches may penetrate ~~up to~~
14 ~~18 inches~~ into the side yard setback.

15

ZTR19-001 Minor Code Amendments

Item C

1 MICC 19.02.020

2 C. Yard Requirements

3 3. Intrusions into Required Yards.

4 a. Minor Building Elements.

5 i. Except as provided in subsection (C)(3)(a)(ii) of this section, porches, chimney(s) and
6 fireplace extensions, window wells, and unroofed, unenclosed outside stairways and
7 decks shall not project more than three feet into any required yard. Eaves shall not
8 protrude more than 18 inches into any required yard.

9 ii. No penetration shall be allowed into the minimum side yard setback abutting an interior
10 lot line except where an existing flat-roofed house has been built to the interior side
11 yard setback line and the roof is changed to a pitched roof with a minimum pitch of
12 4:12, the eaves may penetrate up to 18 inches into the side yard setback.

13 b. Hardscape and Driveways.

14 ~~iii.i.~~ Hardscape and driveways not more than 30 inches above existing grade or finished
15 grade, whichever is lower, may be located in any required yard, provided that driveways
16 may exceed the 30-inch limit when a permit applicant demonstrates the proposed
17 height is the minimum feasible to meet the standards in MICC 19.09.040.

18
19

ZTR19-001 Minor Code Amendments

Item D

1 MICC 19.03.010

2 E. Building Height Limit.

3 1. MF-2L: No building shall exceed 24 feet or two stories in height (excluding daylight basements),
4 whichever is less, except appurtenances may extend to a maximum of five feet above the height
5 allowed for the main structure.

6 2. MF-2, MF-3: No building shall exceed 36 feet or three stories in height, whichever is less, except
7 appurtenances may extend to a maximum of five feet above the height allowed for the main
8 structure.

9 3. Buildings within the MF-2L shall meet the following standards:

10 a. No building shall exceed 30 feet in height above the average building elevation to the
11 highest point of the roof; and

12 b. The maximum building facade height on the downhill side of a sloping lot shall not
13 exceed 30 feet in height. The building facade height shall be measured from the existing
14 grade or finished grade, whichever is lower, at the furthest downhill extent of the
15 proposed building, to the top of the exterior wall facade supporting the roof framing,
16 rafters, trusses, etc.

17 4. Building height for buildings within the MF-2 and MF-3 zone shall be calculated using the method
18 described in MICC 19.11.030(A)(3).

19 [...]

21 MICC 19.04.010

22 E. Development Standards – Nonresidential.

23 1. Building Height Limit. No nonresidential structure shall exceed 36 feet in height, calculated using
24 the method described in MICC 19.11.030(A)(3).

25 2. Minimum Parcel Area Requirements. There shall be no minimum parcel size for nonresidential
26 uses.

27 3. Parking Requirements. All nonresidential uses permitted in this zone shall comply with the
28 parking requirements set out in MICC 19.04.040.

31 F. Development Standards – Residential.

32 1. Criteria for Residential Units. The intent for residential development in the PBZ is for a variety of
33 housing units smaller in size than the surrounding neighborhood, developed in a planned and
34 coordinated manner. Except as otherwise provided in this section, no residential units shall be
35 located under or over another unit or within a commercial structure.

36 2. Building Height Limit. No residential building shall exceed 30 feet in height, calculated using the
37 method described in MICC 19.11.030(A)(3). Antennas, lightning rods, plumbing stacks, flagpoles,
38 electrical service leads, chimneys and fireplaces and other similar appurtenances may extend to a
39 maximum of five feet above the height allowed for the main structure.

ZTR19-001 Minor Code Amendments

Item D

1 [...]

2 MICC 19.04.020

3 Building Height Limit.

4 1. Structures shall not exceed 36 feet in height, calculated using the method described in MICC
5 19.11.030(A)(3).

6 [...]

7 MICC 19.04.050

8 [..]

9 D. Building Height Limit. Maximum allowable building height shall be the lesser of 1) three stories or 2)
10 36 feet, -calculated using the method described in MICC 19.11.030(A)(3). ~~whichever is less.~~

11

ZTR19-001 Minor Code Amendments

Item E

1 MICC 19.09.100

2 B. Development, including roads, walkways and parking areas, in critical areas, should be avoided, or if
3 not avoided, adverse impacts to critical areas will be mitigated to the greatest extent reasonably
4 feasible.

5

ZTR19-001 Minor Code Amendments

Item F

1 MICC 19.15.030 Table A

Type I	Type II	Type III	Type IV
Table A. Land Use Review Type			
<ul style="list-style-type: none"> • Home business • Seasonal development limitation waiver • Nonmajor single-family dwelling building permits • Tree removal permit • Right-of-way permit • Special needs group housing safety determination • Tenant improvement/change of use • Shoreline exemption¹ • Critical areas determination (steep slope alteration) • Final short plat • Temporary commerce on public property • Site development permits • Transportation concurrency certificate 	<ul style="list-style-type: none"> • Modified wireless communication facilities (6409 per 47CFR 1.40001) • Lot line revision • Setback deviations • Final plat^{2,3} • Code official design review • Accessory dwelling unit • <u>Parking variances modification</u> (reviewed by city engineer) 	<ul style="list-style-type: none"> • New and modified wireless (non-6409) eligible facility • SEPA threshold determination • Critical areas determination (wetland/watercourse buffer averaging/reduction) • Temporary encampment⁴ • Short plat alteration and vacations • Preliminary short plat • Development code interpretations • Major single-family dwelling building permit⁵ • Shoreline substantial 	<ul style="list-style-type: none"> • Preliminary long plat approval • Conditional use permit • Variance • Critical areas reasonable use exception • Long plat alteration and vacations • Parking variances (reviewed by design commission) • Variance from short plat acreage limitation • Wireless communication facility height variance • Planned unit development • Design commission design review • Permanent commerce on public property

ZTR19-001 Minor Code Amendments

Item F

Type I	Type II	Type III	Type IV
Table A. Land Use Review Type			
		development per mit ¹ • Shoreline revision (substantial development) ¹	• Shoreline conditional use permit (SCUP) ⁶ • Shoreline variance ⁶ • Shoreline revision (variance and SCUP)

1
2
3

ZTR19-001 Minor Code Amendments

Item G

1 MICC 19.15.110

2 C. *Deadline Extension.* Applicants may request an extension to provide requested materials. Extension
3 requests shall be in writing, shall include a basis for the extension and shall be submitted in writing
4 prior to expiration of the time limit. The code official is authorized to extend the time limit in
5 writing. There is no limit to the number of extensions an applicant may be granted, however, the
6 total time limit for a response shall not exceed 180 days unless there is an extenuating
7 circumstance. An extenuating circumstance must be unexpected and beyond the control of the
8 applicant.

9 ~~C.D.~~ *Limit on Number of Review Cycles.* The code official may issue a decision when multiple
10 requests for the same information have remained unaddressed by materials submitted by the
11 applicant. The official or entity shall provide written notification to the applicant, informing them
12 that a decision will be issued and providing the opportunity for one set of information to be
13 submitted before the decision is issued. The intent of this provision is to allow the code official to
14 issue a decision when the content of submittal materials demonstrates an inability or unwillingness
15 to meet applicable code requirements after repeated requests by the City. It is not the intent of this
16 section to limit good faith efforts to meet code requirements by submitting new information in
17 pursuit of approval.

18

ZTR19-001 Minor Code Amendments

Item H

1 MICC 19.15.220

2 C. Design Review Procedure.

3 1. General.

4 a. Intent. The intent of the design review process is to ensure that regulated development in
5 all land use zones complies with design objectives and standards established in Chapters
6 19.11 and 19.12 MICC.

7 b. Scope. No building permit or other required permit shall be issued by the city for
8 development of any regulated improvement without prior approval of the design
9 commission or code official as authorized pursuant to this chapter. Deviations from a plan
10 approved by the design commission or code official shall be permitted only upon the filing
11 and approval of an amended plan. In no instance shall the design commission's or code
12 official's action conflict with the city's development code or other applicable city ordinances
13 or with state or federal requirements. Certain development and activities that do not
14 require a permit are subject to design review as provided in subsection (C)(1)(c) of this
15 section.

16 c. Review Authority.

17 i. The following development proposals shall require design commission review:

18 (a) New buildings;

19 (b) Any additions of gross floor area to an existing building(s);

20 (c) Any alterations to an existing building that will result in a change of 50 percent, or
21 more, of the exterior surface area;

22 (d) Any alterations to a site, where the alteration will result in a change to the site
23 design that affects more than 50 percent of the development proposal site; and

24 (e) Any alterations to existing facades, where the building is identified by the city as an
25 historic structure.

26 ii. All other development proposals requiring design review and not requiring design
27 commission review under MICC 19.15.220(C)(1)(c)(i)~~subsection A~~ of this subsection shall
28 be reviewed by the code official. The code official shall have the authority to determine
29 that an application normally reviewed by code official shall require design commission
30 review and approval, based on factors such as the scope, location, context, and visibility
31 of the proposed change or modification; and

32

ZTR19-001 Minor Code Amendments

Item I

- 1 MICC 19.16.010(L)
- 2 Lot, Irregular: A legally established lot that 1) is not rectangular and 2) does not meet minimum width,
- 3 depth, and area standards required by the zone in which the lot is located.

ZTR19-001 Minor Code Amendments

Item J

- 1 MICC 19.16.010(L)
- 2 Lot Coverage Maximum: The maximum area of a residentially zoned lot that may be covered by a
- 3 combination of buildings, including eaves and roof overhangs, and vehicular driving surfaces.
- 4

Minor Code Amendments
Addendum

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ADMINISTRATION

- 19.15.230 Comprehensive plan amendments
- 19.15.250 Code amendment
- 19.15.260 Review procedures for comprehensive plan amendments, reclassification of property, and code amendments

“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

1 **19.15.230 Comprehensive plan amendments and docketing procedures.**

2 ...

3 D. Docketing of Proposed Amendments. For purpose of this section, docketing refers to compiling and
4 maintaining a list of suggested changes to the comprehensive plan or code -in a manner that will ensure
5 such suggested changes will be considered by the city and will be available for review by the public. The
6 following process will be used to create the docket:

- 7 1. Preliminary Docket Review. By September 1, the city will issue notice of the annual
8 comprehensive plan and code amendment cycle for the following calendar year. The
9 amendment request deadline is October 1. Proposed amendment requests received after
10 October 1 will not be considered for the following year's comprehensive plan and code
11 amendment process but will be held for the next eligible comprehensive plan and code
12 amendment process.
- 13 a. The code official shall compile and maintain for public review a list of suggested
14 amendments and identified deficiencies as received throughout the year.
- 15 b. The code official shall review all complete and timely filed applications proposing
16 amendments to the comprehensive plan or code -and place these applications on the
17 preliminary docket along with other city-initiated amendments to the comprehensive
18 plan.
- 19 c. The planning commission shall review the preliminary docket at a public meeting and
20 make a recommendation on the preliminary docket to the city council each year.
- 21 d. The city council shall review the preliminary docket at a public meeting. By
22 December 31, the city council shall establish the final docket based on the criteria in
23 subsection E of this section. Once approved, the final docket defines the work plan and
24 resource needs for the following year's comprehensive plan amendments.
- 25 2. Final Docket Review.
- 26 a. Placement on the final docket does not mean a proposed amendment will be
27 approved. The purpose of the final docket is to allow for further analysis and
28 consideration by the city.
- 29 b. All items on the final docket shall be considered concurrently so that the cumulative
30 effect of the various proposals can be ascertained. Proposed amendments may be
31 considered at separate meetings or hearings, so long as the final action taken considers
32 the cumulative effect of all proposed amendments to the comprehensive plan.
- 33 c. The code official shall review and assess the items placed on the final docket and
34 prepare recommendations for each proposed amendment. The code official shall be
35 responsible for developing an environmental review of the combined impacts of all
36 proposed amendments on the final docket, except that applicants seeking a site-specific
37 amendment shall be responsible for submittal of a SEPA environmental checklist and
38 supporting information. The applicant will need to submit SEPA and any other
39 accompanying legislative actions such as a rezone or a code amendment at this time.
40 The code official may require an applicant to pay for peer review and/or additional
41 resources needed to review the proposal. The code official shall set a date for
42 consideration of the final docket by the planning commission and timely transmit the
43 staff recommendation prior to the scheduled date.

1 d. The planning commission shall review the proposed amendments contained in the
2 final docket based on the criteria set forth in subsection (F)(1) of this section. The
3 planning commission shall hold at least one public hearing on the proposed
4 amendments. The planning commission shall make a recommendation on the proposed
5 amendments and transmit the recommendation to the city council.

6 e. After issuance of the planning commission's recommendation, the code official shall
7 set a date for consideration of the final docket by the city council. The city council shall
8 review the proposed amendments taking into consideration the recommendations of
9 the planning commission and code official. The city council may deny, approve, or
10 modify the planning commission's recommendations consistent with the criteria set
11 forth in subsection (D)(1) of this section. The city council's establishment of a final
12 docket of proposed amendments is not appealable.

13 f. The planning commission and the city council may hold additional public hearings,
14 meetings, or workshops as warranted by the proposed amendments.

15 E. Docketing Criteria. The following criteria shall be used to determine whether a proposed
16 amendment is added to the final docket in subsection D of this section:

17 1. The request has been filed in a timely manner, and either:

18 a. State law requires, or a decision of a court or administrative agency has directed,
19 such a change; or

20 b. All of the following criteria are met:

21 i. The proposed amendment presents a matter appropriately addressed
22 through the comprehensive plan or the code;

23 ii. The city can provide the resources, including staff and budget, necessary to
24 review the proposal, or resources can be provided by an applicant for an
25 amendment;

26 iii. The proposal does not raise policy or land use issues that are more
27 appropriately addressed by an ongoing work program item approved by the city
28 council;

29 iv. The proposal will serve the public interest by implementing specifically
30 identified goals of the comprehensive plan or a new approach supporting the
31 city's vision; and

32 v. The essential elements of the proposal and proposed outcome have not
33 been considered by the city council in the last three years. This time limit may
34 be waived by the city council if the proponent establishes that there exists a
35 change in circumstances that justifies the need for the amendment.

36 ...

37

1
2 **19.15.250 Code amendment.**
3

- 4 A. Purpose. The purpose of this section is to establish the process and criteria for amendment of this
5 code.
6
- 7 B. Process. ~~Zoning~~ Code amendments shall be considered as provided in MICC 19.15.260.
8
- 9 C. Initiation of ~~Zoning~~ Code Amendment Request.
10 1. ~~A zoning~~ code amendment request may be initiated at any time by the city council, planning
11 commission, or code official.
12 2. A code amendment request may be initiated by any interested person as follows:
13 a) Suggestion. A code amendment may be suggested by any interested person. The suggested
14 amendments shall be docketed pursuant to MICC 19.15.230(D) and considered on at least
15 an annual basis.
16 b) Application. An application for a code amendment may be submitted by any interested
17 person. An application for a code amendment shall be accompanied by the filing fee
18 established by resolution.
19 c) All proposed code amendments, whether initiated by suggestion or application, shall be
20 accompanied by an application form and shall require a detailed description of the proposed
21 amendment in nontechnical terms.
22 3. Applications for a code amendment shall not be subject to the docketing procedures of MICC
23 19.15.230(D).
24 4. Multiple code amendments may be consolidated for review and action at the city's discretion.
25
- 26 D. Criteria. The city may approve or approve with modifications a proposal to amend ~~the text of~~ this
27 code if:
28 1. The amendment is consistent with the comprehensive plan; and
29 2. The amendment bears a substantial relation to the public health, safety, or welfare; and
30 3. The amendment is in the best interest of the community as a whole.
31
- 32 E. Codification. Following approval of an amendment, the city shall amend this code to reflect the
33 amendment.
34

1 **19.15.260 Review procedures for comprehensive plan amendments, reclassification of property,**
2 **and code amendments.**
3

- 4 A. The city shall issue a notice for comprehensive plan amendments, reclassifications of property, and
5 zoning code text amendments as described in MICC 19.15.230, 19.15.240, and 19.15.250. Notice
6 shall be provided in the weekly CPD bulletin, a newspaper of general circulation, made available to
7 the general public upon request, and, if the proposed amendment will affect a specific property or
8 defined area of the city, mailed to all property owners within 300 feet of the affected property or
9 defined area, and posted on the site in a location that is visible to the public right-of-way.
- 10 1. The notice shall include the following information:
11 a. The name of the party proposing the proposed amendment or change;
12 b. The location and description of the project, if applicable;
13 c. The requested actions and/or required studies;
14 d. The date, time, and place of the open record hearing;
15 e. Identification of environmental documents, if any;
16 f. A statement of the public comment period which shall not be less than 30 days. The city
17 shall accept public comments at any time prior to the closing of the record of an open
18 record predecision hearing; and a statement of the rights of individuals to comment on the
19 application, receive notice and participate in any hearings, request a copy of the decision
20 once made and any appeal rights;
21 g. The city staff contact and contact information;
22 h. The identification of other reviews or permits that are associated with the review of the
23 proposed comprehensive plan, zoning text, or zoning map amendment, to the extent known
24 by the city;
25 i. A description of those development regulations used in determining consistency of the
26 review with the city's comprehensive plan;
27 j. A link to a website where additional information about the project can be found; and
28 k. Any other information that the city determines appropriate.
- 29 2. Timing of Notice. The city shall provide the notice at least 30 days prior to the hearing.
30 3. The city shall accept public comments at any time prior to the closing of the record of an open
31 record public hearing.
32
33