



PLANNING COMMISSION REGULAR MEETING AGENDA

Wednesday, February 21, 2018
Mercer Island City Hall

CALL TO ORDER & ROLL CALL

6:00 PM

MINUTES

February 7, 2018

APPEARANCES

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*

REGULAR BUSINESS

Agenda Item #1: 2018 Comprehensive Plan Amendments Nos. 1, 2, 4, and 5 – Second Review

Review of the draft language for Comprehensive Plan Amendments 1, 2, 4, and 5.

Agenda Item #2: 2018 Code Cleanup – Code Amendments – Introduction

Introduction and overview of the proposed 2018 “clean up” zoning code amendments.

OTHER BUSINESS

Planning Manager’s report & review of DRAFT calendar

Planned Absences for Future Meetings

Next Regularly Scheduled Meeting: February 21, 2018 at 6:00PM

ADJOURN

PLANNING COMMISSIONERS

Carolyn Boatsman

Bryan Cairns

Tiffin Goodman, Vice-Chair

Daniel Hubbell, Chair

Jennifer Mechem

Lucia Pirzio-Biroli

Ted Weinberg

PHONE: 206-275-7729

WEB: www.mercergov.org

AGENDA TIMES ARE APPROXIMATE

CITY COUNCIL CHAMBERS - MERCER ISLAND CITY HALL
9611 SE 36TH STREET; MERCER ISLAND, WA 98040



PLANNING COMMISSION MEETING MINUTES FEBRUARY 7, 2018

CALL TO ORDER:

The Planning Commission was called to order by Chair Dan Hubbell at 6:04 PM in the Council Chambers at 9611 SE 36th Street, Mercer Island, Washington.

ROLL CALL:

Chair Dan Hubbell, Commissioner Ted Weinberg, Lucia Pirzio-Biroli, Bryan Cairns and Carolyn Boatsman were present. Vice Chair Tiffin Goodman and Commissioner Jennifer Mechem were absent.

City staff was represented by Scott Greenberg, DSG Director, Evan Maxim, Planning Manager, Lauren Anderson, Assistant Planner, Alison Van Gorp, Administrative Services Manager/Ombudsman, Bio Park, Assistant City Attorney, and Andrea Larson, Administrative Assistant.

Commissioner Weinberg moved to approve the January 17, 2018 minutes. Commissioner Boatsman seconded move to approve minutes. Commissioner Boatsman clarified that she wanted to ensure that the Planning Commission held panel meetings with the public as part of the critical areas update. 5-0-0 minutes passed as amended.

APPEARANCES:

No public appearances.

REGULAR BUSINESS:

Agenda Item #1: 2018 Comprehensive Plan Amendments Nos. 1, 2, 4, 5, 6, 9, 10, 12

Evan Maxim, Planning Manager, gave a short presentation introducing several of the proposed 2018 Comprehensive Plan amendments.

The Commission discussed amendment numbers 1, 2, 4, 5, and 6. Following discussion, the Commission supported the proposed staff approach.

The Commission discussed amendment number 9. Following discussion, the Commission supported the proposed staff approach and directed staff to consider approaches to permitting, the adaptive identification of new hazard areas that may result from disasters, and to avoid overly general policy statements.

The Commission discussed amendment number 10. Following discussion, the Commission gave the direction to look into this further, and bring back high level goal statements.

The Commission discussed amendment number 12. Following discussion, the Commission consensus was that a robust decision-making and analysis framework was a valuable tool to the City. The STAR rating system was a valuable lens through which the City could evaluate its decisions. The Commission requested that staff develop goals and policies based upon the Commission's discussion for further review. The Commission also requested that staff engage in further research regarding the STAR rating system and similar decision-making / analysis

frameworks and their use in jurisdictions similar in size to Mercer Island.

The commission broke for recess at 7:58 PM.

The commission reconvened at 8:07 PM.

Agenda Item #2: 2018 Comprehensive Plan Amendments Nos. 11- Green Building Goals and Policies

Lauren Anderson, Assistant Planner, gave a brief presentation introducing the proposed 2018 Comprehensive Plan amendment supporting Green Building techniques in single family residential development.

The Commission discussed amendment number 11. Commissioner Pirzio-Biroli asked that the City look into the living building challenge and passive homes. Would also like to look into uses for grey water. Cautions against not letting it become the low standard that developers always design to, rather than an aspirational standard.

The Commission supported the idea of removing unintended barriers to green building.

The Commission supported the idea of incentives and brainstormed a number of different ideas. The Commission does not support using gross floor area as an incentive, because it goes against building green.

The Commission supported the idea of requiring green building for new house construction when a house exceeded 3,000 to 5,000 square feet of gross floor area. The Commission also supported the idea of requiring green building in subdivisions, where the project exceeded either a threshold of lots (e.g. more than 4 lots) or a resultant gross floor area within the subdivision (e.g. exceeding 3,000 to 5,000 square feet of gross floor area).

Commissioner Pirzio-Biroli indicated it was helpful to do something as an educational seminars for Planning Commission, city staff, members of the community on what this means to the building and the community. Commissioner Boatsman suggested that the City look into if there are any grants for building green or housing affordability.

OTHER BUSINESS:

Evan Maxim gave a brief update on Critical Areas Update that was given the go ahead from City Council and about the JCC/French American/ Hertzler Ner Tamid code amendment.

Chair Hubbell meeting with Council/ City Manager next week to start doing quarterly updates. Chair Hubbell encourages commissioners to look at the budget issues messages.

NEXT MEETING:

The next regularly scheduled Planning Commission meeting will be February 21, 2018 at 6:00PM at Mercer Island City Hall.

ADJOURNMENT: Chair Dan Hubbell adjourned the meeting at 9:01 PM.



DEVELOPMENT SERVICES GROUP

9611 SE 36TH ST., MERCER ISLAND, WA 98040
(206) 275-7605

TO: Planning Commission

FROM: Evan Maxim, Planning Manager

DATE: February 21, 2018

RE: **2018 Comprehensive Plan Amendments Nos. 1, 2, 4, and 5 – 2nd Meeting**

Summary

Following Planning Commission confirmation of the direction on February 7, 2018, the City staff has prepared several draft amendments for further review by the Planning Commission on February 21, 2018 (Attachment B). This block of Comprehensive Plan amendments represents those amendments that seem to be the most straightforward amendments to the Mercer Island Comprehensive Plan.

Presuming no further Planning Commission review is required prior to the public hearing, these items will be queued up for a final review with the Planning Commission in August 2018.

Background

Amendment #1. The Land Use Element contains the Land Use map (Attachment B) that establishes land use designations for broad areas of the City. The Land Use map is often used in a Comprehensive Plan to provide a visual reference to the long-term goals and policies described in the text of the land use designations.

Following the Planning Commission’s review on February 7, 2018, the City staff has prepared an amendment which consolidates several of the land use designations around a single policy statement. For example, the single family residential land use designation provides a high level policy statement around the anticipated land uses that encompasses all four of the residential zoning designations.

Amendment #2. The Capital Facilities Element should contain a reference to the City’s Capital Improvement Plan (CIP), to allow for coordination between the Land Use and Capital Facilities elements of the Comprehensive Plan, and the City’s budget.

This amendment is a simple amendment primarily to reference the CIP “as adopted” by the City Council.

Amendment #4. Staff has prepared draft language for review by the Planning Commission that both generally supports a goal of conserving open space land on Mercer Island, and supports the use of

specific conservation programs, including the King County PBRS program and others (e.g. participation a Transfer of Development Rights program, etc).

Amendment #5. In June of 2017, the City Council adopted updates to the City’s stormwater regulations to comply with National Pollutant Discharge Elimination System (NPDES) requirements. This proposed Comprehensive Plan amendment is a “follow on” to the update to the stormwater regulations; the proposed amendments will update the Vision statement of the Comprehensive Plan, along with the Stormwater section of the Utilities element.

The proposed amendment reflects language supporting the use of Low Impact Development and preservation of open space and correcting references to other plans.

Staff has draft language resulting from the preparation of the NPDES code amendments in 2017, for Planning Commission review and recommendation.

Next Steps

At the February 21st meeting, staff will provide a brief overview of the Comprehensive Plan Amendments, answer questions the Planning Commission may have, and seek any further input related to the draft amendments.

Based upon the provided direction and discussion on February 7th, staff anticipates that these items will not require further Planning Commission review prior to the public hearing, and these amendments will be queued up for a final review with the Planning Commission in August 2018.

I welcome questions you may have at this stage of the process, as well as topics that you would like covered during the February 21st meeting. If you provide questions in advance, staff will attempt to address them at the meeting. I can be reached at evan.maxim@mercergov.org or 206-275-7732.

Attachments:

- A. Draft Comprehensive Plan Amendments 1, 2, 4, and 5
- B. Current Land Use Map

2018 Comprehensive Plan Amendments 1, 2, 4, and 5 – Draft Text

Amendment 1 – Land Use Designations

Amend the Land Use Element to add a section entitled Land Use Designations, to read:

Add table to read:

Land Use Designation	Implementing Zoning Designations	Description
Park	P R-8.4 R-9.6 R-12 R-15	The park land use designation represents land within the City that is intended for public use consistent with the adopted Parks and Recreation Plan.
Linear Park (I-90)	P	The linear park (I-90) land use designation primarily contains the Interstate 90 right-of-way. The land use designation is also improved with parks and recreational facilities (e.g. Aubrey Davis park, I-90 Outdoor Sculpture Gallery, etc) adjacent to and on the lid above the Interstate 90 freeway.
Open Space	P R-8.4 R-9.6 R-12 R-15	The open space use designation represents land within the City that should remain as predominantly unimproved open space consistent with the adopted Parks and Recreation Plan.
Commercial Office	CO B	The commercial office land use designation represents commercial areas within Mercer Island, located outside of the Town Center, where the land use will be predominantly commercial office. Complementary land uses (e.g. healthcare uses, schools, places of worship, etc.) are also generally supported within this land use designation.
Neighborhood Business	PBZ	The neighborhood business land use designation represents commercial areas within Mercer Island, located outside of the Town Center, where the land uses will be predominantly a mix of small scale, neighborhood oriented business, office, service, public and residential uses.
Single Family Residential (R)	R-8.4 R-9.6 R-12 R-15	The single family residential land use designation (R) represents areas within Mercer Island where development will be predominantly single family residential neighborhoods. Complementary land uses (e.g. private recreation areas, schools, home businesses, public parks, etc) are generally supported within this land use designation.

Multifamily Residential (MF)	MF-2 MF-2L MF-3	The multifamily residential land use (MF) represents areas within Mercer Island where the land use will be predominantly multifamily residential development. Complementary land uses (e.g. private recreation areas, schools, home businesses, public parks, etc) are generally supported within this land use designation.
Town Center (TC)	TC	The Town Center land use designation represents the area where land uses consistent with the small town character and the heart of Mercer Island will be located. This land use designation supports a mix of uses including outdoor pedestrian spaces, residential, retail, commercial, mixed-use and office-oriented businesses.

Amendment 2 – CIP

Amend Policy 1.5 of the Capital Facilities Element to read:

1.5 Within the context of a biennial budget, the City shall update the six-year Capital Improvement Plan (CIP). The CIP, as amended biennially, is adopted by reference as Appendix B of this Comprehensive Plan.

Amendment 4 – Policy support for Open Space Conservation

Amend the Land Use Element to create a new policy 19.14, which reads:

Support the conservation of private property on Mercer Island through the use of conservation tools and programs including, but not limited to, the King County Public Benefit Rating System and Transfer of Development Right programs.

Amendment 5 – Policy support for the use of Low Impact Development

Amend the Introduction, Section II – Vision Statement Environment of the Comprehensive Plan to read:

Open space (trees and green spaces) preservation continues to be a primary activity for attaining the community’s quality-of-life vision. City leaders will continue to search for effective new tools and standards, such as low impact development principles, to protect and enhance the environment.

Amend policy 4.1 of the Utilities Element to read:

4.1 The City shall continue to implement programs and projects designed to meet the goals and requirements of the Action Agenda for Puget Sound Water Quality Management Plan.

Amend the Utilities element to create a new policy 4.4, which reads:















4.4 Incorporate low impact development principles including minimizing impervious surfaces, retaining native vegetation, and minimizing stormwater runoff in all new development and redevelopment projects. Incorporate low impact development best management practices such as bioretention, rain gardens, and permeable pavement where feasible.

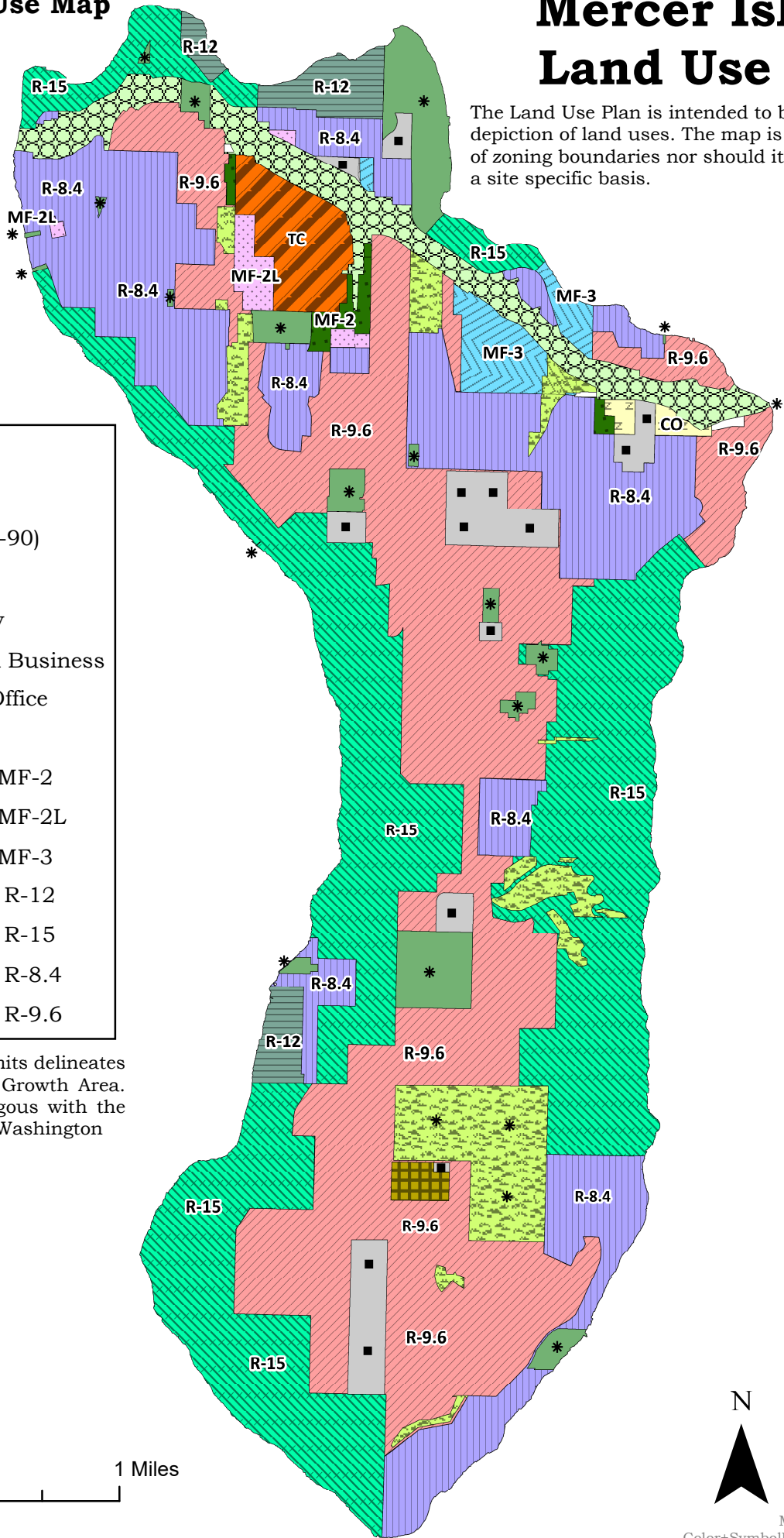
Figure 1- Land Use Map

Mercer Island Land Use Plan

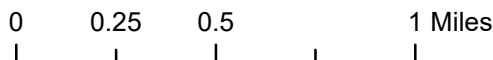
The Land Use Plan is intended to be a generalized depiction of land uses. The map is not a description of zoning boundaries nor should it be interpreted on a site specific basis.

Legend

-  Park
-  Linear Park (I-90)
-  Open Space
-  Public Facility
-  Neighborhood Business
-  Commercial Office
-  Town Center
-  Multi-Family MF-2
-  Multi-Family MF-2L
-  Multi-Family MF-3
-  Single Family R-12
-  Single Family R-15
-  Single Family R-8.4
-  Single Family R-9.6



The Mercer Island City limits delineates the communities' Urban Growth Area. The City limits are contiguous with the Mercer Island Lake Washington Shoreline.





DEVELOPMENT SERVICES GROUP

9611 SE 36TH ST., MERCER ISLAND, WA 98040
(206) 275-7605

TO: Planning Commission
FROM: Andrew Leon, Planner
DATE: February 21, 2018
RE: ZTR18-003 – 2018 Code Cleanup – Narrative

Summary

The proposed amendments to the Mercer Island City Code (MICC) are intended to clean up the code in the following ways:

1. Improve consistency between different sections of the code;
2. Ensure that the code is consistent with the intent of the City Council; and,
3. Correct errors in typography and wording.

Following adoption of the Residential Development Standards, the City Council directed staff to periodically review the MICC to ensure that it is consistent and free of errors. The currently proposed amendment is necessary to ensure that this objective is met. The proposed amendment consists of clarifying language in existing code, as well as ensuring that the code is consistent with the definitions found in MICC 19.16.

Staff has identified code sections that will require amendment. The code sections proposed for amendment at this time are simple in scale and involve minor edits to the code to improve consistency and correct errors, as seen in Attachment A. More complex code amendments will be addressed at a later date following creation of the “user group”, and/or as the part of larger code update processes (i.e. Shoreline Master Program, Town Center, etc.).

Background

Ordinance 17C-15, adopted on September 19, 2017 and implemented on November 1, 2017, set forth new residential development standards within the City of Mercer Island’s single-family residential zones. The changes to the residential development standards created conflicts with other sections of the code, especially the definitions found in Chapter 19.16. As a starting point, staff proposes to address some of the conflicts created by the adoption of Ordinance 17C-15. Staff will continue to maintain the code and address other issues with the code on a regular basis.

In addition to code inconsistencies created by the adoption of Ordinance 17C-15, staff has identified other sections of code in need of amendment. Most of these code sections can be found in the Nonconforming code of MICC 19.01.050, the Shoreline Master Program of MICC 19.07.110, the Subdivision code of Chapter 19.08 MICC, and the Town Center code of Chapter 19.11 MICC. The identified Subdivision and Nonconforming code sections would involve complex fixes that are outside the scope of this amendment. The identified sections in the Shoreline Master Program and Town Center code will be addressed when those codes are next updated.

Staff intends to prepare draft language for review by the Planning Commission that will correct or clarify several code sections. Staff is also seeking additional guidance from the Planning Commission regarding the desired scope of this proposed amendment.

Next Steps

At the February 21st meeting, staff will provide a brief overview of the Comprehensive Plan Amendments, answer questions the Planning Commission may have, and seek input. Staff will request the Commissioners' input on the following:

1. Additional information that the Planning Commission anticipates needing; and
2. Direction regarding the proposed amendments.

Based upon the provided direction and discussion tonight staff anticipates returning to the Planning Commission for further review in late March or early April 2018.

I welcome questions you may have at this stage of the process, as well as topics that you would like covered during the February 21st meeting. If you provide questions in advance, staff will attempt to address them at the meeting. I can be reached at andrew.leon@mercergov.org or 206-275-7720.

Attachments:

- A. Proposed Code Changes

Proposed Code Changes:

The proposed changes to the following code sections are denoted by ***bold italics***.

MICC 19.02.020(C)(1)(c)(iii)(2)(b):

Original Text:	Single-family dwellings with a height of more than 25 feet measured from the finished grade to the top of the exterior wall façade adjoining the side yard shall provide a minimum side yard depth of 10 feet.
Proposed Text:	Single-family dwellings with a height of more than 25 feet measured from the <i>existing or finished grade, whichever is lower</i> , to the top of the exterior wall façade adjoining the side yard shall provide a minimum side yard depth of 10 feet.
Basis for Change:	Setting the base line for the wall height measurement to the lower of the existing or finished grade will make this code consistent with other sections of the Residential Development Standards. In particular, this will ensure consistency with MICC 19.02.020(C)(1)(c)(iii)(2).

MICC 19.02.020(C)(3)(b):

Original Text:	Platforms, Walks, and Driveways. Platforms, walks, stairs, and driveways not more than 30 inches above existing grade or finished grade, whichever is lower, may be located in any required yard.
Proposed Text:	<i>Hardscape</i> and Driveways. <i>Hardscape</i> and driveways not more than 30 inches above existing or finished grade, whichever is lower, may be located in any required yard.
Basis for Change:	Patios and other types of hardscape are not currently included in MICC 19.02.020(C)(3)(b). Changing the text to “Hardscape and driveways” will include all types of hardscape in the allowed intrusions into required yards.

MICC 19.08.050(C)(1)(e):

Original Text:	Scale shown graphically, date and north point. The scale of the final plat shall be such that all distances and bearings can be clearly and legibly shown thereon in their proper proportions. Where there is a difference between the legal and actual field distances and bearings, both distances and bearings shall be shown with the field distances and bearings shown in brackets.
Proposed Text:	Scale shown graphically, <i>datum</i> , and north point. The scale of the final plat shall be such that all distances and bearings can be clearly and legibly shown thereon in their proper proportions. Where there is a difference between the legal and actual field distances and bearings, both distances and bearings shall be shown with the field distances and bearings shown in brackets.
Basis for Change:	This amendment will correct a typo in the code. The correct word here is “datum” Note: This change is also proposed as a part of the Permit Processing and Procedures Amendment (ZTR18-001).

MICC 19.16.010(M):

Original Text:	<p>Major Single-Family Dwelling Permit: A building permit for:</p> <ol style="list-style-type: none"> 1. A new single-family dwelling on a vacant lot or as a replacement of an existing or demolished building; or 2. Any change to a single-family dwelling that requires a building permit and results in any of the following: <ol style="list-style-type: none"> a. An increase in the existing maximum building height above the highest point of the building, except for a reroof that increases the highest point of the building by 12 inches or less; b. A reduction in any existing side yard; c. An increase in the existing gross floor area of more than 500 square feet; or d. An increase in the existing impervious surface on the lot of more than 100 square feet.
Proposed Text:	<p>Major Single-Family Dwelling Permit: A building permit for:</p> <ol style="list-style-type: none"> 1. A new single-family dwelling on a vacant lot or as a replacement of an existing or demolished building; or 2. Any change to a single-family dwelling that requires a building permit and results in any of the following: <ol style="list-style-type: none"> a. An increase in the existing maximum building height above the highest point of the building, except for a reroof that increases the highest point of the building by 12 inches or less; b. A reduction in any existing side yard; c. An increase in the existing gross floor area of more than 500 square feet; or d. An increase in the existing lot coverage on the lot of more than 100 square feet.
Basis for Change:	<p>Impervious Surface is no longer used for lot coverage limitations on single family residences under the revised Residential Development Standards code. The lot coverage limits, as set forth in MICC 19.02.020(F) have replaced limits for impervious surface.</p>

MICC 19.16.010(S):

Original Text:	<p>Slope: A measurement of the average incline of a lot or other piece of land calculated by subtracting the lowest elevation from the highest elevation, and dividing the resulting number by the shortest horizontal distance between these two points.</p>
Proposed Text:	<p>Slope: A measurement of the average incline of a lot or other piece of land calculated by subtracting the lowest existing elevation from the highest existing elevation, and dividing the resulting number by the shortest horizontal distance between these two points.</p>
Basis for Change:	<p>Other sections of the code explicitly state that the existing or finished grade are to be used for calculations. As the definition for slope exists now, a developer could grade a lot such that the overall slope is reduced, thereby allowing additional lot coverage.</p>



DRAFT - PLANNING COMMISSION PLANNING SCHEDULE

All meetings are held in the Council Chambers unless otherwise noted.

All meetings begin at **6:00 pm** unless otherwise noted.

Items listed for each meeting are not in any particular order and may change.

FEBRUARY 21		
Item Type	Topic / Presenter	
Regular	CPA 1, 2, 4, and 5 – 2 nd meeting (EM)	30
Regular	Code cleanup – introduction (AL / EM)	45

MARCH 7		
Item Type	Topic / Presenter	
Regular	Procedural Code Amendments – 2 nd meeting (Tentative – NG / AL)	90
Regular	Green incentives CPA – 2 nd meeting (EM / LA)	45

MARCH 21		
Item Type	Topic / Presenter	
Regular	Code cleanup – 2 nd meeting (Tentative - AL / EM)	30
Regular	Code compliance ordinance – introduction (AVG)	30
Regular	Critical Areas Update – briefing on existing regulations (RP / EM)	90
Regular	Comprehensive Plan / Code discussion (EM)	45

APRIL 4		
Item Type	Topic / Presenter	
Public Hearing	Code cleanup – recommendation (AL / EM)	30

Regular	JCC / FASPS / Herzl-Ner Tamid – Comp Plan / Code amendment Intro (NG / EM)	60
Regular	Code compliance ordinance – 2 nd meeting (AVG)	45
Regular	CPA 6, 9, 10 – 2 nd meeting (Tentative EM)	45

APRIL 18		
Item Type	Topic / Presenter	
Public Hearing	Procedural Code Amendments – Public Hearing (Tentative - NG)	90
Regular	Transportation Element (SG) - Intro	45
Regular	Critical Areas Update – review (Tentative – RP / EM)	45
Regular	CPA 12 - STAR – 2 nd meeting (Tentative - EM)	45

MAY 2		
Item Type	Topic / Presenter	
Public Hearing	Code compliance – Public hearing and recommendation	45
Regular	JCC / FASPS / Herzl-Ner Tamid – Comp Plan / Code amendment (NG / EM)	60
Regular	Critical Areas Update – decision making	60
Regular	CPA 12 STAR – 3 rd meeting (if needed) (EM)	30

MAY 16		
Item Type	Topic / Presenter	
Regular	Town Center Comprehensive Plan amendment – intro	30
Regular	PUD Comprehensive Plan amendment – intro	30

MAY 30 – SPECIAL MEETING (5TH WEDNESDAY)		
Item Type	Topic / Presenter	

Regular	Capital Facilities Plan update (SG) – 2 nd meeting	45
Regular	Transportation Element (SG) – 2 nd meeting	45
Regular	Traffic Concurrency code amendment (SG) – intro (if needed)	45

JUNE 6		
Item Type	Topic / Presenter	
Regular	Town Center Comprehensive Plan amendment – 2 nd meeting	45
Regular	PUD Comprehensive Plan amendment – 2 nd meeting	45
Regular	Traffic Concurrency code amendment (SG) – 2 nd meeting (if needed)	45
Regular	Critical Areas Comprehensive Plan amendment – intro (if needed)	45

JUNE 20		
Item Type	Topic / Presenter	
Regular	JCC / FASPS / Herzl-Ner Tamid – Comp Plan / Code amendment (NG / EM)	60
Regular	Code compliance code amendment recommendation (if needed)	60

JULY 4 – CANCELLED		
Item Type	Topic / Presenter	