



# PLANNING COMMISSION REGULAR MEETING MINUTES

Wednesday, July 23, 2025

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## CALL TO ORDER

The Planning Commission was called to order by Chair Thompson at 6:00 pm.

Planning Commissioners Kate Akyuz, JB Gibson, Nazim Nice, Anthony Perez, and Dan Thompson were present.

## Staff Participation:

Jeff Thomas, Director (Remote)

Alison Van Gorp, Deputy CPD Director

Adam Zack, Principal Planner

Molly McGuire, Senior Planner

Kim Adams-Pratt, Contract Legal Counsel

Deb Estrada, Deputy City Clerk

Raven Gillis, Recreation Specialist

A motion was made by Gibson; seconded by Perez to:

## Approve the revised order of business as follows:

- 1) Discuss PCB25-14, a Study Session on the Omnibus Ordinance Related to Permanent Regulations for Housing Production and Permit Streamlining, and
- 2) finish with a third reading on PCB25-13 regarding Permanent Regulations for Temporary Uses and Structures Including Outdoor Dining.

Approved 5-0

**PUBLIC APPEARANCES** – There were no public appearances.

## REGULAR BUSINESS

### 1. Planning Commission Meeting Minutes of June 10, 2025, Special Meeting:

A motion was made by Gibson; seconded by Akyuz to:

## Approve the minutes.

Passed 4-0; Commissioner Nice abstained.

### 2. PCB25-14: Study Session – Omnibus Ordinance Related to Permanent Regulations for Housing Production and Permit Streamlining

Principal Planner, Adam Zack, provided a presentation and responded to questions that addressed the following:

- Omnibus Ordinance Purpose and Background
- Scope of Work
- Topics addressed by the Omnibus Ordinance:
  - HB 1220 - Affordable and emergency housing
  - SB 6015 - Residential parking requirements
  - HB 1293 - Clear and objective design standards
  - SB 5290 - Permit review timelines
  - HB 1998 - Co-Living Housing
  - Remove references to Design Commission review
  - Comprehensive Plan - implementing amendments to the Town Center development code
- Planning Commission Comments (Process)
- Schedule & Next Steps

**3. PCB25-13: Permanent Regulations for Temporary Uses and Structures Including Outdoor Dining (Third Reading)**

Senior Planner, Molly McGuire, briefly summarized the background and motions incorporated into the current draft.

**(June 10 Tabled Motion)**

Motion by Akyuz; seconded by Gibson to:

**Recommend that the City Council adopt the proposed amendments to MICC 19.06.050 – Commerce on public property as amended; proposed new section MICC 19.06.130 – Temporary use permits as amended; and proposed amendments to MICC 19.15.030 – Land use review types as amended.**

Motion by Gibson; seconded by Akyuz to:

**Approve the amendments listed under Category A as presented in PCB 25-13**

Passed 5-0

Motion by Nice; seconded by Gibson to:

**Approve the amendments listed under Category B as presented in PCB 25-13**

Passed 5-0

Motion by Gibson; seconded by Akyuz to:

**Accept minor amendments Log Numbers 13 (first alternate), 14, 15, 18, 25, staff alternate 27, 30, 34, 54, and 55**

Passed 5-0

In response to previous Commission feedback, Vice Chair Gibson offered the following motion.

[10 minute recess 7:26 to 7:35]

Motion by Gibson; seconded by Thompson to:

**Replace Section F with New Section F as follows:**

**F. Temporary structure deviation criteria. Temporary structures which cannot meet the development standards of the underlying zone applicable to the site on which the temporary structure is located, and require a temporary use permit, may apply for a temporary structure deviation. The code official may approve, or condition and approve, an application for a temporary structure deviation subject to the criteria in subsections (E)(1)(a) through (j) and the following criteria:**

- 1. The proposed use is allowed in the underlying zone, including allowances provided by a conditional use permit.**
- 2. The temporary structure must be accessory to the established use of the property.**
- 3. Temporary structures shall ensure sufficient temporary or permanent vegetative or equal screening from adjacent residentially zoned properties and public right of way to mitigate visual effects created by the deviation.**
- 4. The proposed structure provides significant public benefit. Significant public benefit may be demonstrated by meeting one of the following conditions:**
  - a. The temporary use or structure is owned or operated by the City of Mercer Island.**
  - b. The temporary use or structure is owned or operated by an organization or corporation serving at least 250 people; or**
  - c. The temporary use or structure is open to the public without charge and access is not limited to membership in an organization**

5. A temporary structure deviation does not allow a deviation from the applicable provisions in MICC Chapters 19.07 Environment, 19.10 Trees, 19.13 Shoreline Master Program, and 19.21 Environmental Procedures.
6. Deviations for temporary structures shall be limited to the following. Deviations from requirements not listed below are strictly prohibited.
  - a. The maximum gross floor area for temporary structures shall be 20% of the lot area.
  - b. The maximum lot coverage for temporary structures shall be limited to 10% of the lot area.
  - c. Temporary structures may exceed the maximum building height allowed in the underlying zone, including allowances provided by a conditional use permit, by the lesser of 35 percent or 10 feet.
  - d. Yard setbacks may be reduced to four feet, subject to the following:
    - i. The temporary structure is not adjacent to a property with an established residential use.
    - ii. The height of the structure within the setback area of the underlying zone, including allowances provided by a conditional use permit, does not exceed 20 feet.

**Passed 5-0**

Motion by Thompson; seconded by Gibson to:

**Amend Section G, Time Limitation, and delete the sentence, “The code official may grant an extension not to exceed 30 days per calendar year.”**

Passed 4-1 (Akyuz)

Motion by Gibson; seconded by Thompson to:

**Amend 19.06.130(D) item #2 to add “with a maximum duration of 72 hours within any given 60-day period” to the end.**

**Passed 5-0**

[Recess 8:27 – 8:45]

Staff conferred with the city attorney during the recess and reported that it was recommended that a second public hearing be scheduled for September 10 to give the public an opportunity to review amendments made at tonight’s meeting.

Motion by Nice; seconded by Gibson to:

**Add Log No. 29, amending 19.06.130(D5) to allow for structures like Sukkots that are typically erected for ~8 days in October but require some setup and take down time. .**

Passed 5-0

Motion by Nice; seconded by Gibson to:

**Add Log 16, amending 19.06.050(D3c), to strike “No music or sound is amplified.”**

Passed 5-0

Motion by Akyuz; seconded by Gibson to:

**Table the main Motion to the Special September 10 Meeting**

**“Recommend that the City Council adopt the proposed amendments to MICC 19.06.050 – Commerce on public property as amended; proposed new section MICC 19.06.130 – Temporary use permits as amended; and proposed amendments to MICC 19.15.030 – Land use review types as amended.”**

Passed 5-0

## **OTHER BUSINESS**

### **4. Staff Report**

Deputy Director Alison Van Gorp reminded the Commission that there would not be an August meeting and summarized the upcoming schedule of meetings.

The Annual Docket opens September 1, 2025

**ADJOURNED** - The meeting adjourned at 9:00 pm



Deborah Estrada, Deputy City Clerk