



PLANNING COMMISSION

REGULAR HYBRID MEETING AGENDA

Wednesday, October 28, 2026 at 6:00 PM

PLANNING COMMISSIONERS

Chair: Dan Thompson

Vice Chair: JB Gibson

Commissioners: Nazim Nice, and Anthony Perez

LOCATION

Mercer Island Community & Event Center and Zoom

8236 SE 24th Street | Mercer Island, WA 98040

(206) 275-7796 | www.mercerisland.gov

We strive to create an inclusive and accessible experience. Those requiring accommodation for Planning Commission meetings should notify the Deputy City Clerk's Office 3 days prior to the meeting at (206) 275-7796 or by [Email](mailto:cityclerk@mercerisland.gov).

Individuals wishing to speak live during Public Appearances (public comment period) or during a scheduled public hearing must register with the Deputy City Clerk at (206) 275-7796 and leave a message or email cityclerk@mercerisland.gov before 4 PM on the day of the Planning Commission meeting. Each speaker will be allowed three (3) minutes to speak.

Join the meeting at 6:00 pm (Public Appearances will start sometime after 6:00 PM) by:

- 1) **Telephone:** Call 253.215.8782 and enter Webinar ID **898 7251 9268**, Passcode **403600**.
- 2) **Zoom:** Click this [Link](#) (Webinar ID **898 7251 9268**, Passcode **403600**).
- 3) **In person:** Mercer Island Community & Event Center | 8236 SE 24th Street, Mercer Island, WA 98040

CALL TO ORDER & ROLL CALL, 6:00 PM

PUBLIC APPEARANCES

This is the opportunity for anyone to speak to the Commission about issues of concern. Please limit your comments to three minutes.

REGULAR BUSINESS

1. Planning Commission Meeting Minutes

Recommended Action: Approve the August 5, 2026 Special Meeting minutes.

2. PCB 26-10: 2027 Annual Docket

Recommended Action: Review each docket proposal and prepare a recommendation to the City Council on the docket proposals that should be included in the final docket.

OTHER BUSINESS

3. Staff Report

ADJOURNMENT



PLANNING COMMISSION SPECIAL MEETING MINUTES

Wednesday, August 5, 2026

Item 1.

CALL TO ORDER

The Planning Commission was called to order by Vice Chair Gibson at 6:00 PM.

Vice Chair JB Gibson, and Planning Commissioners Nazim Nice, and Anthony Perez were present.

Absent: Chair Dan Thompson

Staff Participation:

Jeff Thomas, CPD Director (Zoom)
Alison Van Gorp, Deputy CPD Director
Eileen Keifeer, Contract Legal Counsel
Molly McGuire, Senior Planner

Deborah Estrada, Deputy City Clerk
Reina McCaula, Records Analyst II
Andrea Larson, City Clerk

PUBLIC APPEARANCES

There were no public appearances.

SPECIAL BUSINESS

1. Planning Commission Meeting Minutes of June 10, 2026, Regular Meeting:

It was moved by Nice; seconded by Perez to:

Approve the minutes.

Motion Passed 3-0

2. PCB26-09: Public Hearing to amend the Comprehensive Plan Land Use Map Designation from Single-Family to Commercial Office for Parcels 2655500137, 2655500136, 2655500132, and a portion of 2655500115 (CPA25-002)

Applicant Presentation – Amy Lavin, Mercer Island resident and CEO, and Jessica Clawson, Mercer Island resident and Attorney for Stroum Jewish Community Center, presented on behalf of the Stroum Jewish Community Center.

Staff Presentation – Alison VanGorp, Deputy CPD Director, and Molly McGuire, Senior Planner, presented the proposed amendment to the Comprehensive Plan Land Use Map designation for the Stroum Jewish Community Center.

Vice Chair Gibson opened the public hearing at 6:46 PM.

The following individuals spoke **in opposition** to amending the Comprehensive Plan Land Use Map Designation from Single-Family to Commercial Office for Parcels 2655500137, 2655500136, 2655500132, and a portion of 2655500115 (CPA25-002):

Anastasia Mironova
Pavel Sterba
John Hall

Matt Golbach
Doug Rosen

The following individuals spoke **in support** of amending the Comprehensive Plan Land Use Map Designation from Single-Family to Commercial Office for Parcels 2655500137, 2655500136, 2655500132, and a portion of 2655500115 (CPA25-002):

Dr. Orly Steinberg
David Azose
Denise Joffee
Susan Szafir
David Dunbabin
Hart Cole
Mindy Stern
Steven Linkon
Lisa Fain

Thomas Jacobs
William Gerdes
Jill Handaly
Scott Porad
Eric Radman
Robbie Cape
Mark Clausen
Leslie Somerstein
Doug Rosen

There being no further public testimony, Vice Chair Gibson closed the hearing at 7:52 PM.

The Planning Commission asked staff questions and deliberated for a period.

It was moved by Gibson; seconded by Nice to:

Adopt motion 6A as written in the motion matrix. The motion proposed amendments to the staff findings concerning the traffic analysis and related criteria.

Motion Failed 1-2

It was moved by Gibson; seconded by Nice to:

Adopt the motion 1A addressed the proposed commercial designation and the range of potential uses permitted by the designation.

It was moved and seconded to:

Amend the previous motion to:

Revise the final sentence to state that the Commission recommends that an instrument running with the land be required by the City Council. The secondary amendment was seconded and approved.

Amendment Passed 3-0

Main Motion as Amended Passed 3-0

It was moved by Nice; seconded by Gibson to:

Amend the staff findings 1-A as follows: The Commission recommends an instrument to run with the land be required by the City Council.

Motion Passed 3-0

It was moved by Gibson; seconded by Nice to:

Adopt 3-B as written in the motion matrix The motion addressed compatibility with adjacent land uses, including the size and intensity of development permitted by the proposed designation.

Motion Failed 1-2

It was moved by Gibson; seconded by Nice to:

Adopt 3-C as written in the motion matrix. The motion addressed the resulting land use map and whether the proposed redesignation would be compatible with the surround development pattern.

Motion Failed 1-2

It was moved by Gibson; seconded by Nice to:

Adopt 4-C as written in the motion matrix. The motion addressed a specific single family residential parcel proposed for inclusion in the Comprehensive Plan Amendment.

Motion Passed 2-1

It was moved by Nice; seconded by Perez to:

Amend the motion to adopt 4-C of the motion matrix as written.

Motion Passed 3-0

It was moved by Nice; seconded by Perez to:

Adopt the following amended language of 4-C: The Commission finds that the applicant has carried its burden under MICC 19.15.230(F)(2) subject to the removal of parcel 2655500132.

Motion Passed 2-1

It was moved by Nice; seconded by Perez to:

Adopt the findings documented in the staff report as to the staff report as amended.

Motion Passed 3-0

It was moved by Nice; seconded by Perez to:

Adopt the findings documented in the staff report as amended.

Motion Passed 3-0

It was moved by Nice; seconded by Perez to:

Recommend that the City Council approve the proposed Comprehensive Plan Amendment based on the adopted findings.

Motion Passed 3-0

OTHER BUSINESS

3. Staff Report

CPD Deputy Director Alison Van Gorp reported on the Planning Commission meetings throughout the fall.

ADJOURNED - The meeting adjourned at 9:41 pm

Deborah Estrada, Deputy City Clerk



PLANNING COMMISSION CITY OF MERCER ISLAND

PCB 26-10
October 28, 2025
Regular Business

AGENDA BILL INFORMATION

TITLE:	PCB 26-10: 2027 Annual Docket	☐ Discussion Only
RECOMMENDED ACTION:	Review each docket proposal and prepare a recommendation to the City Council on the docket proposals that should be included in the final docket.	☒ Action Needed: ☐ Motion ☒ Recommendation
STAFF:	Alison Van Gorp, CPD Deputy Director Madelyn Nelson, Assistant Planner	
EXHIBITS:	1. 2027 Annual Docket Proposal Summary 2. Public Docket Applications 3. Docketing Criteria Analysis Matrix 4. Docket Progress Report	

EXECUTIVE SUMMARY

The City provides an annual opportunity for the public to propose amendments to the Comprehensive Plan and development regulations. The proposed amendments are compiled, along with the City's proposed amendments, on a docket. The docket is preliminarily reviewed by the Planning Commission and City Council for a determination on which, if any, proposed amendments will be advanced for full review in the coming year. Amendments selected by the City Council for the "final docket" are then put on the Community Planning and Development (CPD) work program, typically for the next calendar year or when time and resources permit.

BACKGROUND

Docket Process

The Mercer Island City Code (MICC) describes the formal process for soliciting and reviewing docket proposals in section 19.15.230 MICC:

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

1. Preliminary Docket Review. By September 1, the city will issue notice of the annual comprehensive plan amendment cycle for the following calendar year. The amendment request deadline is October 1. Proposed amendment requests received after October 1 will not be considered for the following year's comprehensive plan amendment process but will be held for the next eligible comprehensive plan amendment process.

a. The code official shall compile and maintain for public review a list of suggested amendments and identified deficiencies as received throughout the year.

b. The code official shall review all complete and timely filed applications proposing amendments to the comprehensive plan or code and place these applications and suggestions on the preliminary docket along with other

city-initiated amendments to the comprehensive plan or code.

c. The planning commission shall review the preliminary docket at a public meeting and make a recommendation on the preliminary docket to the city council each year.

d. The city council shall review the preliminary docket at a public meeting. By December 31, the city council shall establish the final docket based on the criteria in subsection E of this section. Once approved, the final docket defines the work plan and resource needs for the following year's comprehensive plan and code amendments."

Public notice of the opportunity to submit docket requests was provided in the permit bulletin and on the City website between July 27 and September 28, 2025, as well as on August 6 and September 3, 2026, in the Mercer Island Reporter. Five code amendment suggestions were received from the public and staff. The suggestions are summarized in Attachment 1 and described below. The original submissions from community members are included in Attachment 2.

Docketing Criteria

The City Code prescribes that proposed comprehensive plan and development code amendments should only be recommended for the final docket if the amendment meets the criteria in MICC 19.15.230(E):

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

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

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

b. All of the following criteria are met:

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

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

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

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

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

Existing CPD Work Plan

The docketing criteria, shown above, include a requirement that the City “can provide resources, including staff and budget, necessary to review the proposal”. As has been the case in the last several years, City staff capacity for legislative review is limited. In addition, the existing CPD work plan already includes several major work items that will continue in 2027, 2028 and beyond, as summarized below. The City does not currently have an “un-docketing” process, so these outstanding work items must receive some form of legislative review. Any work items added to the docket will need to be added to the items already on the work plan.

1. **Outstanding Annual Docket Items:** The City has several items that were included in prior years’ Annual Dockets that have not yet received legislative review (see Exhibit 4). These items will remain in the CPD work plan and work is expected to commence as resources allow. The following items should be addressed prior to any new items added to the 2027 Annual Docket:
 - a. Docket Reference No. 23-7: Amend MICC 19.11 Town Center Development and Design Standards to add a “Government Services” use and the related development standards, initiated by the City of Mercer Island.
 - b. Docket Reference No. 23-14: Amend MICC 19.02.020(E) Building Height Limit and MICC 19.16.010 Definitions to add a provision related to the calculation of maximum downhill building façade height, initiated by both the City and Regan McClellan.
 - c. Docket Reference No. 24-1: Amend MICC 19.01.050 Nonconforming structures, sites, lots, and uses and MICC 19.16.010 Definitions to exclude “exterior alteration” of non-single-family nonconforming structures outside of the Town Center from the determination of nonconforming status during a remodel and add the definition of “enlargement” to the definitions section.
 - d. Docket Reference No. 24-8: Add a new chapter to Title 19 MICC for a “Private Hedge Code”, which would provide a voluntary mechanism for the resolution of disputes involving the height of hedges, initiated by Jeff Haley. *See also Docket Reference No. 24-15.*
 - e. Docket Reference No. 24-15: Amend MICC 19.02.020(C)(3) Intrusions into required yards and MICC 19.02.050 Fences, retaining walls, and rockeries to limit the height of hedges to 12 feet within side yard setbacks unless mutually agreed upon by adjoining property owners. *See also Docket Reference No. 24-8.*
2. **Interim Regulations:** The City has several interim regulations that will expire in 2026. These interim regulations will need to be renewed or replaced with permanent regulations prior to expiration. No action is needed to place these projects on the 2027 Docket because a project to establish permanent regulations was added to the CPD work plan by the City Council when they are adopted. The current interim regulations that will need to be addressed in 2026 are:
 - a. [Ordinance No. 26-05](#) Interim Regulations Related to Middle Housing and Accessory Dwelling Units. These interim regulations were adopted under [Ordinance No. 25C-02](#) and renewed under [Ordinance No. 26-05](#). The interim regulations will expire on December 30, 2026, and will need to be renewed or replaced with permanent regulations prior to December 29, 2026.
 - b. [Ordinance No. 26-06](#) Interim Regulations Related to Unit Lot Subdivisions. These interim regulations were adopted under [Ordinance No. 25C-02](#) and renewed under Ordinance No. 26-06. The interim regulations will expire on December 30, 2026, and will need to be renewed or replaced with permanent regulations prior to December 29, 2026.
3. **Station Subarea Plan Phase 2:** The City’s Station Subarea Plan adopted in 2026 was divided into two phases. Phase 1 was enacted concurrently with the subarea plan adoption. Phase 2 will include planning for the larger station area to comply with recent statewide transit-oriented development requirements ([RCW 36.70A.840](#)). The Station Subarea Plan Phase 2 must be completed by December

31, 2029 (RCW 36.70A.840(15)(a)). Work on Phase 2 is expected to commence in late 2027 or early 2028.

The existing work plan items represent a very significant amount of CPD staff time, as well as a significant portion of the available Planning Commission, City Council, and community bandwidth over the next three years. Staff anticipate the existing work plan items will require the majority of the time available at the Planning Commission's monthly meetings in 2027, 2028, and 2029.

As such, time available for review and consideration of additional docket items will be limited. Each item added to the final docket typically requires at least three touches by the Planning Commission and two by the City Council, a process that usually takes 6 months or more to complete. Thus, if new items are added to the docket and CPD work plan for consideration in 2027, it is very likely that they would need to be carried over into 2030 or beyond, due to the major items already on the work plan.

The City has provided staff comments on each of the proposed amendments. These comments are not intended to reflect on the quality or merits of the proposal. Rather, the comments are intended to evaluate the importance of reviewing the proposed amendment in the coming year relative to existing commitments and the staff resources that are available to do this work. Staff considered whether foregoing the amendment in 2027 would leave the city open to legal or financial risk, lost opportunities or other negative consequences. Staff also considered whether there were any other compelling reasons that an amendment should be considered in the coming year.

ISSUE/DISCUSSION

REVIEW AND RECOMMENDATION

The Planning Commission will need to review each docket proposal and prepare a recommendation to the City Council on the docket proposals that should be included in the final docket. The Planning Commission should consider the criteria from MICC 19.15.230 (E), provided above, to determine whether to recommend adding a project to the final docket. The decision here must be based on the docketing criteria – this is a decision on whether the proposal meets the criteria and can, therefore, be placed on the docket and advanced for future legislative review. It is not a decision on the merits of the proposal. An analysis of each proposal and the docketing criteria in MICC 19.15.230(E) is provided in Exhibit 3. Please carefully consider the workload for CPD staff and the Planning Commission related to the recommended items, especially considering existing work plan items already planned for 2026 and beyond, as discussed on page 4.

Review of Proposed Amendments

At the October 28 meeting, regular business will include public appearances, and adoption of the minutes from the August 5 meeting. Then, the Commission will proceed with review of the proposed amendments suggested for the docket. This will begin with the opportunity for the proponents of each of the proposals to speak to their proposals (up to 3 minutes per proposal), followed by a staff presentation on the proposed amendments (up to 3 minutes each). The Commission will then review each of the proposed amendments, considering the decision criteria. The Commission should make a motion and call a vote on each proposal, recommending whether or not it should be included in the final docket.

PROPOSED AMENDMENTS

The proposed amendments are summarized in Attachment 1 and are also described below. The docket request applications submitted by community members are included in Attachment 2. Attachment 3 provides an analysis of each proposed amendment in relation to the docketing criteria in MICC 19.15.230(E). It provides an assessment of whether each criterion *could* be met by each of the proposed amendments. That is to say, the

matrix indicates whether the staff believe a case can be made that the criterion is met, and the Planning Commission will need to make a final determination on whether they find that the criterion has indeed been met.

Proposed Amendment 27-1

Proposed By: Jim Taherzadeh

Comprehensive Plan or Code Section: MICC 19.10.020(B)(2), Trees -- Applicability and permit required

Proposal Summary: This amendment would expand the criteria for when a tree may be removed prior to being granted a tree permit to include when tree poses a structural hazard certified by a licensed professional engineer. The amendment highlighted five situations the removal could be undertaken for, including threat to basement walls and/or building foundation, roof and/or skylights, building structure, driveway surfaces, or increase fire risk.

Staff Comments: This amendment would alter the City's tree protection measures and make it easier to remove trees adjacent to development. If docketed, Staff recommend a study on the appropriate situations where tree damage risk is severe enough to justify removal of otherwise healthy trees. Staff do not recommend the Planning Commission add this item to the 2027 Annual Docket, given the existing commitments of staff time in the current CPD work plan. If this proposal is docketed, it likely would not receive review until 2030 or later.

Proposed Amendment 27-2

Proposed By: Adam Ragheb

Comprehensive Plan or Code Section: MICC 19.02.020(D)(3)(b), sections (i) through (iv), Residential – Development Standards, Gross Floor Area, Allowances.

Proposal Summary: This amendment would remove the up to 5% gross floor area increase granted to accessory dwelling units.

Staff Comments: The City already has a project on its work plan to adopt permanent regulations for ADUs to comply with the state law. The proposed amendment can be provided as a public comment when the City takes up that project in 2027.

Proposed Amendment 27-3

Proposed By: Sarah Fletcher

Comprehensive Plan or Code Section: MICC 19.10.070, Tree replacement

Proposal Summary: This amendment would prohibit the reduction of replacement trees and eliminate the fee in lieu option for replacement trees.

Staff Comments: This amendment would prohibit the reduction of replacement trees or the fee in lieu option for replacement trees. If docketed, Staff recommends a study on the effect of this reduction in options on tree health and tree retention goals as well as the impact on other City goals, including those outlined in the Housing Element. Staff do not recommend the Planning Commission add this item to the 2027 Annual Docket, given the existing commitments of staff time in the current CPD work plan. If this proposal is docketed, it likely would not receive review until 2030 or later.

Proposed Amendment 27-4

Proposed By: City Staff

Comprehensive Plan or Code Section: Comprehensive Plan Shoreline Master Program and Critical Areas Ordinance Element.

Proposal Summary: This amendment would update the Shoreline Master Program to plan for the shoreline area within 200 feet of the ordinary high-water mark. The Mercer Island critical area regulations are incorporated in the SMP, as a result, updating the SMP will include review of the critical area regulations. The guidance for watercourse regulations from the WA Department of Fish and Wildlife (WDFW) has been updated, prompting changes to the CAO.

Staff Comments: This amendment is required by the Shoreline Management Act, which requires the City to complete a periodic review of the SMP by June 30, 2029. Staff recommend the Planning Commission add this item to the 2027 Annual Docket.

Proposed Amendment 27-5

Proposed By: City Staff

Comprehensive Plan or Code Section: Comprehensive Plan Climate Change and Resiliency Element.

Proposal Summary: This amendment would create a Climate Change and Resiliency Element for the Comprehensive Plan. The Climate Change and Resiliency Element will combine new goals, policies and actions with the existing Climate Action Plan to address the new state requirements. The Element must be adopted by the end of 2029, per RCW 26.70A.130. Work on the Climate Change and Resiliency Element is expected to commence in 2028.

Staff Comments: This amendment is required by the Growth Management Act, which requires cities in King County adopt a Climate Change and Resiliency Element by the end of 2029.

NEXT STEPS

The City Council will review the Planning Commission and staff recommendations at the November 17, 2026, meeting. At that time, the Council will set the final docket for 2027.

RECOMMENDED ACTION

Staff make the following recommendations based on analysis in Exhibit 3:

- 27-1 do not docket
- 27-2 do not docket
- 27-3 do not docket
- 27-4 docket
- 27-5 docket

Move to recommend the City Council docket proposals 27-4 and 27-5.

COMMUNITY PLANNING & DEVELOPMENT

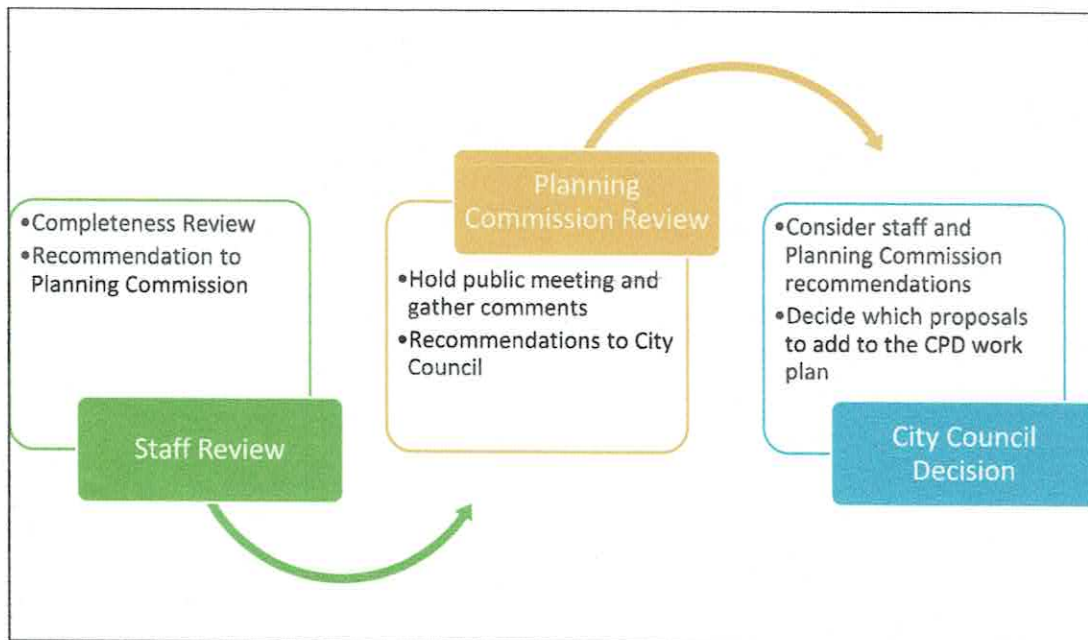
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2026 DOCKET REQUEST FORM

APPLICATION REVIEW PROCESS

Docket requests are the first step in the process of amending the City's Comprehensive Plan or development regulations. The Mercer Island City Code (MICC) describes the process for these amendments in MICC [19.15.230-.260](#). The illustration below summarizes the annual docket process.



Staff review all docket requests for timeliness and completeness and will use the information provided in the application form to present a request to the Mercer Island Planning Commission and City Council. The Planning Commission will review the docket requests and make a recommendation to the City Council regarding which docket items to add to the final docket.

The City Council has decision-making authority over all annual docket proposals. The City Council determines whether to add a proposal to the final docket. Items added to the final docket will be incorporated in the Community Planning and Development work plan for the upcoming year. Docket requests are evaluated based on alignment with the current City work plan, current policies, programmatic priorities, staff capacity, and budget to complete the legislative process for the request in the following year. The City Council will approve the final docket by December 31 each year. Items placed on the final docket will be scheduled for legislative review by the Planning Commission and City Council in the following year.

DOCKET REQUEST FORM

The following information is required. Failure to complete this form may result in the application being incomplete. Incomplete applications will not be considered during the annual docket process.

APPLICANT INFORMATION

Name: Mohammad (Jim) Taherzadeh
 Address: 7239 E. Mercer Way, MT, WA. 98040
 Phone: 425-499-2703
 Email: _____

AGENT/CONSULTANT/ATTORNEY

Complete this section if the primary contact is different from the applicant.

Name: _____
 Address: _____
 Phone: _____
 Email: _____

REQUEST INFORMATION

Important: A separate Docket Request Form must be completed for each docket item requested.

Is this request related to a specific property or zone? Yes ☐ No ☒

If yes, please complete the following information:

Property Owner Name: _____
 Address: _____
 County Assessor's Parcel No.: _____
 Parcel Size (sq. ft.): _____

If the application is submitted by an agent/consultant/attorney, please attach a signed letter of consent from all owners of the affected property demonstrating that the application is submitted with consent. Is this request for a Comprehensive Plan amendment or a development code amendment?

Comprehensive Plan Amendment ☒ Development code Amendment ☐

Is this submission a suggestion for a Comprehensive Plan or Development Code amendment, or is this an application for a specific amendment? (Check one box below.)

Note: Applications are subject to applicable permit fees.

Suggestion ☒ Application ☐

DOCKET REQUEST NARRATIVE – REQUIRED FOR ALL APPLICATIONS

Please attach a separate narrative responding to all five (5) questions outlined below. Attach additional sheets, supporting maps, or graphics as necessary. Answer each question separately and reference the question number in your answer.

The application will be considered incomplete without a narrative answering all five questions.

1. Please provide a detailed description of the proposed amendment and a clear statement of what the proposed amendment is intended to accomplish.
 - a. Indicate the specific Comprehensive Plan Elements, maps, goals or policies or the specific sections of the development code you propose to amend.
 - b. If the proposal would amend existing Comprehensive Plan or development code text, please provide the proposal in underline/strikeout format with text to be added indicated by underlining and text to be deleted indicated with ~~strikeouts~~.
 - c. If a map amendment is proposed, please provide a map that clearly outlines the areas proposed to be changed.
2. How does the proposal benefit the community or the environment?
3. Explain how the request relates to the applicable decision criteria (MICC 19.15.250(D) for code amendments, and MICC 19.15.230(F) for Comprehensive Plan amendments, see below).
4. For Comprehensive plan amendments: Is the proposal consistent the Growth Management Act and King County Countywide Planning Policies?
5. For development code amendments: How does the proposal align with the goals of the City's Comprehensive Plan?

Please sign and date below acknowledging application requirements.

Signature:

Yam Takergach

Date:

9/29/2026

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Please attach a separate narrative
responding to the above questions.

DOCKETING CRITERIA

MICC 19.15.230(E) Docketing criteria. The following criteria shall be used to determine whether a proposed amendment is added to the final docket in subsection D of this section:

1. The request has been filed in a timely manner, and either:
 - a. State law requires, or a decision of a court or administrative agency has directed, such a change; or
 - b. All of the following criteria are met:
 - i. The proposed amendment presents a matter appropriately addressed through the comprehensive plan or the code;
 - ii. The city can provide the resources, including staff and budget, necessary to review the proposal, or resources can be provided by an applicant for an amendment;
 - iii. The proposal does not raise policy or land use issues that are more appropriately addressed by an ongoing work program item approved by the city council;
 - iv. The proposal will serve the public interest by implementing specifically identified goals of the comprehensive plan or a new approach supporting the city's vision; and
 - v. The essential elements of the proposal and proposed outcome have not been considered by the city council in the last three years. This time limit may be waived by the city council if the proponent establishes that there exists a change in circumstances that justifies the need for the amendment.

COMPREHENSIVE PLAN DECISION CRITERIA

MICC 19.15.230(F) Decision criteria. Decisions to amend the comprehensive plan shall be based on the criteria specified below. An applicant for a comprehensive plan amendment proposal shall have the burden of demonstrating that the proposed amendment complies with the applicable regulations and decision 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; and:
 - 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.
2. If the amendment is directed at a specific property, the following additional findings shall be determined:
 - a. The amendment is compatible with the adjacent land use and development pattern;
 - b. The property is suitable for development in conformance with the standards under the potential zoning; and
 - c. The amendment will benefit the community as a whole and will not adversely affect community facilities or the public health, safety, and general welfare.

DEVELOPMENT CODE AMENDMENT DECISION CRITERIA

MICC 19.15.250(D) Criteria. The city may approve or approve with modifications a proposal to amend this Code only if:

1. The amendment is consistent with the comprehensive plan; and
2. The amendment bears a substantial relation to the public health, safety, or welfare; and
3. The amendment is in the best interest of the community as a whole.

SUGGESTION FOR TREE CODE AMENDMENT

Docket Request Narrative:

1.

a) MICC 19.10.020 2.0

b) (The suggested amendment is underlined below)

Permit approval to remove one or more trees that pose an imminent threat to life or property, such as, but not limited to:

- tree limbs or trunks that are demonstrably cracked, leaning toward overhead utility lines or structures, or are uprooted by flooding, heavy winds or storm events

A licensed professional engineer may certify that a tree poses a structural hazard when any of the following conditions exist:

- The weight of the tree imposes load on a basement wall or building foundation that was not designed to support such forces, creating a risk of structural failure.
- Branches, limbs, or seed clusters from a tall tree overhanging a roof or skylight could fall and cause damage or failure of the roof structure or glazing.
- The trunk of a large tree is positioned such that, if it were to deflect or fail, it could strike and damage the building structure.
- Tree roots have caused or are likely to cause damage to paved or concrete driveway surfaces, or have damaged underground piping or utility lines on the property.
- The proximity of the tree to the building increases the amount of combustible material adjacent to the structure, thereby elevating wildfire risk.

These examples are not exhaustive; additional hazardous conditions may be identified and documented by licensed professional engineers.

in which event the permit must be applied for within 14 days of the removal. Permit applications shall be accompanied by documentation of the imminent threat to life or property, ideally in the form of a report by a qualified arborist or licensed professional engineer, but at least in the form of photographs or engineering analysis or engineers report that clearly depict the threat. Prior notice of the impending tree removal should be provided to the city.

c) NA

2. It provided life safety to the community, and protects properties.

3.:**MICC 19.15.230 (E) [Docket criteria]****1b.**

i. international building code requires that the building structure to meet standard set in this code. The amendment provides process to meet this code. This was not considered in past MICC 19.10.020, 2.0 section.

ii. This amendment saves possible legal cost of the city. It currently is not allowing dangerous trees to be cut by citizens. City will be liable for any damage or injury from such trees. It is good policy for the staff to review the amendment which is relatively simple.

iii. There is no other policy or land use criteria s in regards to this modification in MICC.

iv. It provides life safety and property protection which is main purpose of having a city government.

v. Two of the city councils recommended that I make these changes to the city code.

MICC 19.15.250 (D) [Development code amendment decision criteria]

Criteria. The city may approve or approve with modifications a proposal to amend this Code only if:

1.

The amendment is consistent with the comprehensive plan; and

Please see the answers to comprehensive plan MICC 19.15.230 (E)

2.

The amendment bears a substantial relation to the public health, safety, or welfare; and

It is primary to save human life, and citizen's property.

3.

The amendment is in the best interest of the community as a whole.

Human safety is primary interest of a community and its governing body.

MICC 19.15.230 (F): [Comprehensive plan decision criteria]

- 1a.** The technical error exists because it does not address human safety.
- 1b.** The trees are growing bigger and closer to people's houses. The danger that it creates has not been address in the MICC.
- 2.** Even though this amended is applicable to my property, it can apply to any other properties. Mercer Island has many large trees very close to people's houses. There is no wording in the tree code that address human safety and property damage from a healthy large tree.
 - 2a.** Development allows cutting trees. This amendment is for existing non-development properties
 - 2b.** This is for existing properties, so 2c is not applicable to this amendment
 - 2c.** This amendment will benefit the community as it will safeguard them from side effect of large trees.
- 4.** This amendment does not affect the state growth amendment and king county countrywide planning policies as it is for existing non-development properties.
- 5.** This amendment does not affect the city's development plan, as it is for existing properties that are not being developed.

COMMUNITY PLANNING & DEVELOPMENT

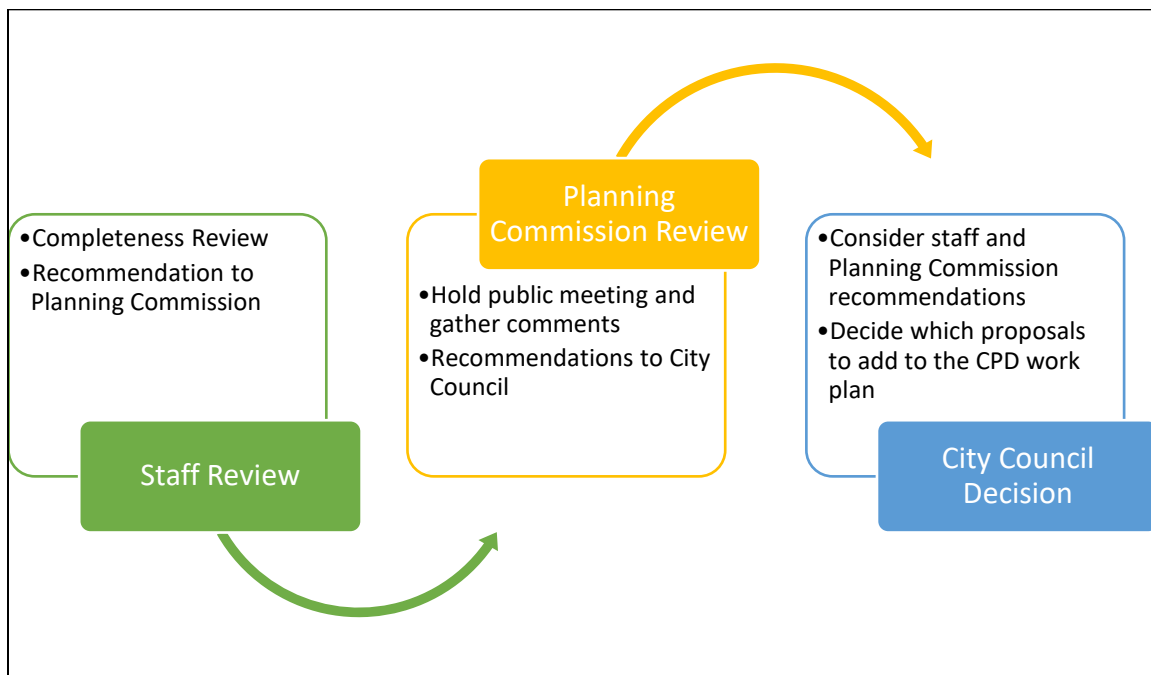
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2026 DOCKET REQUEST FORM

APPLICATION REVIEW PROCESS

Docket requests are the first step in the process of amending the City's Comprehensive Plan or development regulations. The Mercer Island City Code (MICC) describes the process for these amendments in MICC [19.15.230-.260](#). The illustration below summarizes the annual docket process.



Staff review all docket requests for timeliness and completeness and will use the information provided in the application form to present a request to the Mercer Island Planning Commission and City Council. The Planning Commission will review the docket requests and make a recommendation to the City Council regarding which docket items to add to the final docket.

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DOCKET REQUEST FORM

The following information is required. Failure to complete this form may result in the application being incomplete. Incomplete applications will not be considered during the annual docket process.

APPLICANT INFORMATION

Name: Adam Ragheb

Address: 9703 Mercerwood Dr. Mercer Island, WA 98040

Phone: 217-417-5097

Email: adam.ragheb@gmail.com

AGENT/CONSULTANT/ATTORNEY

Complete this section if the primary contact is different from the applicant.

Name: _____

Address: _____

Phone: _____

Email: _____

REQUEST INFORMATION

Important: A separate Docket Request Form must be completed for each docket item requested.

Is this request related to a specific property or zone? Yes ☐ No ☒

If yes, please complete the following information:

Property Owner Name: _____

Address: _____

County Assessor's Parcel No.: _____

Parcel Size (sq. ft.): _____

If the application is submitted by an agent/consultant/attorney, please attach a signed letter of consent from all owners of the affected property demonstrating that the application is submitted with consent.

Is this request for a Comprehensive Plan amendment or a development code amendment?

Comprehensive Plan Amendment ☐

Development code Amendment ☒

Is this submission a **suggestion** for a Comprehensive Plan or Development Code amendment, or is this an **application** for a specific amendment? (Check one box below.)

Note: Applications are subject to applicable permit fees.

Suggestion ☒

Application ☐

DOCKET REQUEST NARRATIVE – REQUIRED FOR ALL APPLICATIONS

Please attach a separate narrative responding to all five (5) questions outlined below. Attach additional sheets, supporting maps, or graphics as necessary. Answer each question separately and reference the question number in your answer.

The application will be considered incomplete without a narrative answering all five questions.

1. Please provide a detailed description of the proposed amendment and a clear statement of what the proposed amendment is intended to accomplish.
 - a. Indicate the specific Comprehensive Plan Elements, maps, goals or policies or the specific sections of the development code you propose to amend.
 - b. If the proposal would amend existing Comprehensive Plan or development code text, please provide the proposal in underline/strikeout format with text to be added indicated by underlining and text to be deleted indicated with ~~strikeouts~~.
 - c. If a map amendment is proposed, please provide a map that clearly outlines the areas proposed to be changed.
2. How does the proposal benefit the community or the environment?
3. Explain how the request relates to the applicable decision criteria (MICC 19.15.250(D) for code amendments, and MICC 19.15.230(F) for Comprehensive Plan amendments, see below).
4. For Comprehensive plan amendments: Is the proposal consistent the Growth Management Act and King County Countywide Planning Policies?
5. For development code amendments: How does the proposal align with the goals of the City's Comprehensive Plan?

Please sign and date below acknowledging application requirements.

Signature: Adam Ragheb Date: 9/29/2026

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Please attach a separate narrative
responding to the above questions.

DOCKETING CRITERIA

[MICC 19.15.230\(E\) Docketing criteria](#). The following criteria shall be used to determine whether a proposed amendment is added to the final docket in subsection D of this section:

1. The request has been filed in a timely manner, and either:
 - a. State law requires, or a decision of a court or administrative agency has directed, such a change; or
 - b. All of the following criteria are met:
 - i. The proposed amendment presents a matter appropriately addressed through the comprehensive plan or the code;
 - ii. The city can provide the resources, including staff and budget, necessary to review the proposal, or resources can be provided by an applicant for an amendment;
 - iii. The proposal does not raise policy or land use issues that are more appropriately addressed by an ongoing work program item approved by the city council;
 - iv. The proposal will serve the public interest by implementing specifically identified goals of the comprehensive plan or a new approach supporting the city's vision; and
 - v. The essential elements of the proposal and proposed outcome have not been considered by the city council in the last three years. This time limit may be waived by the city council if the proponent establishes that there exists a change in circumstances that justifies the need for the amendment.

COMPREHENSIVE PLAN DECISION CRITERIA

[MICC 19.15.230\(F\) Decision criteria](#). Decisions to amend the comprehensive plan shall be based on the criteria specified below. An applicant for a comprehensive plan amendment proposal shall have the burden of demonstrating that the proposed amendment complies with the applicable regulations and decision 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; and:
 - 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.
2. If the amendment is directed at a specific property, the following additional findings shall be determined:
 - a. The amendment is compatible with the adjacent land use and development pattern;
 - b. The property is suitable for development in conformance with the standards under the potential zoning; and
 - c. The amendment will benefit the community as a whole and will not adversely affect community facilities or the public health, safety, and general welfare.

DEVELOPMENT CODE AMENDMENT DECISION CRITERIA

[MICC 19.15.250\(D\) Criteria](#). The city may approve or approve with modifications a proposal to amend this Code only if:

1. The amendment is consistent with the comprehensive plan; and
2. The amendment bears a substantial relation to the public health, safety, or welfare; and
3. The amendment is in the best interest of the community as a whole.

Suggestion for Residential Code Amendment

MICC 19.02.020 Development Standards

MICC 19.02.020(D)3(b) Gross Floor Area Incentives for ADUs

Suggested Code Amendment:

I suggest eliminating the Gross Floor Area Incentives for ADUs in MICC 19.02.020(D)3(b), sections (i) through (iv).

Docket Request Narrative:

Primary Purpose of The Comprehensive Plan 2017 Amendment to the Residential Development Code.

One of the primary purposes of the 2017 rewrite of the Residential Development Code was to address the massing and out of scale residential development.

The primary tool used by the Planning Commission in 2017 to reduce massing and out-of-scale residential development was to reduce GFAR from 45% to 40%, except MICC 19.02.020(D) is directly contrary to that goal.

The original intent of MICC 19.02.020(D) in 2017 was to help Mercer Island meet its future housing growth targets (before affordability mandates, since ADUs are not considered affordable housing at market rates). Now that the City of Mercer Island has adopted revisions to its Comprehensive Plan that create an excess capacity of housing units, this GFAR bonus serves only to increase the cost of housing (which hurts the community) and contribute to loss of our mature tree canopy (which hurts the environment) by allowing large houses to be built larger.

MICC 19.02.020(D) Offers Disparate and Little Benefit.

The language in MICC 19.02.020(D)3 states:

“3. Allowances.

b. If an attached accessory dwelling unit is proposed, the 40 percent allowed gross floor area may be increased by the lesser of five percentage points or the actual floor area of the proposed accessory dwelling unit, provided:

- i. The allowed gross floor area of accessory buildings that are not partially or entirely used for an accessory dwelling unit shall not be increased through the use of this provision.**

...

iii. The total gross floor area shall not exceed 4,500 square feet or 45 percent of the lot area, whichever is less; and”

Therefore, assuming most property owners will use the maximum allowed 40% GFAR in the main house, the ADU/DADUs breakdown is as follows:

LOT SIZE (sqft)	5% GFAR FOR ADUs	40% GFAR (sqft)	45% GFAR (sqft)	NET GAIN (sqft)
8,400	420	3,360	3,780	420
9,600	480	3,840	4,320	480
10,000	506	4,000	4,500	500
12,500	625	5,000	5,625	0
15,000	750	6,000	6,750	0

As noted above, the 4,500 sq ft cap on total gross floor area eliminates the allowance for lots above 10,000 sq ft because total GFAR exceeds 4,500 sq ft.

The Allowed Gross Floor Area is too Small to be Usable as a Rental.

The primary purpose of the ADU provision was to increase housing on Mercer Island. However, as noted in the chart above, no ADU will be greater than 500 sqft and many will be much smaller, which will be an extremely small unit for a rental in suburban residential neighborhoods.

ADUs Are No Longer Necessary to Meet the City’s Housing Growth Target.

In 2022, the Growth Management Planning Council allotted Mercer Island a future housing growth target through 2044 of 1,229 units (despite the Island losing residents every year since 2020). Recently, our City Council adopted amendments to comply with the Growth Management Hearings Board Order on Non-Compliance on Remand and upzoned **just Phase 1** of the TOD Zone and Town Center to add **3,500 units**, or approximately **2,500 additional units** beyond that originally mandated by the GMPC. Therefore, ADU/ DADUs in the Residential Zone are no longer to meet Mercer Island’s future housing growth targets.

The ADU/DADUs Do Not Count Towards the City’s Affordable Housing Growth Targets.

The City, in its land use analysis supplement, determined that market rate structures including ADU/DADUs in the Residential Zone would not meet the City’s affordable housing growth target. The Growth Management Hearings Board precluded market rate ADU/DADUs counting towards the City’s affordability housing mandates. As a result, the Council recently

met and significantly exceeded its entire affordable housing growth target in just Phase 1 in the Town Center.

Despite the very small, allowed lot size for an ADU/DADUs, they tend to be much more expensive than an equivalent-sized apartment and basically are only usable by a single person.

The ADU/DADU Allowance is not Being Used to Create Rental or Affordable Housing.

Due to the fact the ADU allowance is 500 sq ft or less, the vast majority of ADU/DADUs are not being used for rental housing, but instead spaces are being used to claim the additional gross floor area for the main house to simply create a hobby, guest, or theater room with an attached small kitchen. This was never the intent of the ADU allowance.

Finally, too many houses are taking advantage of MICC 19.02.020(D)3 but do not comply with (D)3(b)(i) that requires that the additional gross floor area be used for a rental ADU, instead using this provision to simply increase the allowable gross floor area for the main house. The language in 19.02.020(D)3(b)(i) attempts to limit the allowance to legitimate ADU uses but the City has no enforcement tool since the additional GFAR is used to build the ADU.

Proposed Changes to MICC 19.02.020(D)3

3. Allowances.

a. The gross floor area for lots with an area of 7,500 square feet or less may be the lesser of 3,000 square feet or 45 percent of the lot area; or

~~b. If an attached accessory dwelling unit is proposed, the 40 percent allowed gross floor area may be increased by the lesser of five percentage points or the actual floor area of the proposed accessory dwelling unit, provided:~~

~~i. The allowed gross floor area of accessory buildings that are not partially or entirely used for an accessory dwelling unit shall not be increased through the use of this provision;~~

~~ii. The lot will contain an attached accessory dwelling unit associated with the application for a new or remodeled single family home;~~

~~iii. The total gross floor area shall not exceed 4,500 square feet or 45 percent of the lot area, whichever is less; and~~

~~iv. In exchange for the increase in gross floor area, one off-street parking space shall be provided for the accessory dwelling unit in addition to any parking required under MICC 19.02.025(G) and/or MICC 19.02.030(B).~~

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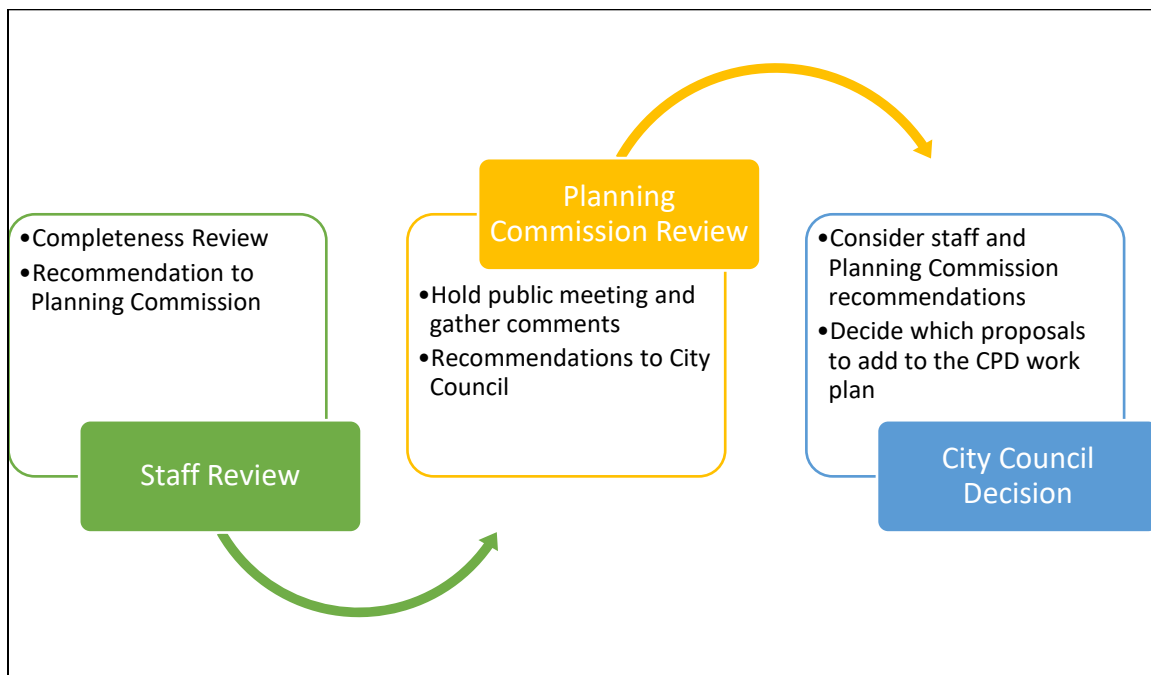
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APPLICANT INFORMATION

Name: SARAH FLETCHER
 Address: 2500 81st AVE SE Mercer Island WA 98040
 Phone: 206 236 3028
 Email: fletchsa1@gmail.com

AGENT/CONSULTANT/ATTORNEY

Complete this section if the primary contact is different from the applicant.

Name: _____
 Address: _____
 Phone: _____
 Email: _____

REQUEST INFORMATION

Important: A separate Docket Request Form must be completed for each docket item requested.

Is this request related to a specific property or zone? Yes ☐ No ☒

If yes, please complete the following information:

Property Owner Name: _____
 Address: _____
 County Assessor's Parcel No.: _____
 Parcel Size (sq. ft.): _____

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Comprehensive Plan Amendment ☒ Development code Amendment ☐

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Please sign and date below acknowledging application requirements.

Signature: Sarah of hkh Date: 9/26/2025

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Please attach a separate narrative
responding to the above questions.

19.10.070 Tree replacement.

Trees that are cut pursuant to a tree permit shall be replaced as specified in subsections A and B of this section, or a fee in lieu shall be paid as specified in subsection C of this section.

A. *Tree replacement ratio.* Removed trees shall have the following base replacement ratio:

Diameter of removed tree	Number of replacement trees required
Less than 10 inches	1
10 inches up to 24 inches	2
24 inches up to 36 inches	3
More than 36 inches and any exceptional tree(s)	6

B. *Replacement trees.*

1. *Location.* Replacement trees shall be located in the following order of priority from most important to least important:
 - a. On-site replacement adjacent to or within critical tree areas as defined in chapter 19.16 MICC;
 - b. On-site replacement outside of critical tree areas adjacent to other retained trees making up a grove or stand of trees;
 - c. On-site replacement outside of critical tree areas; and
 - d. Off-site in adjacent public right-of-way where explicitly authorized by the city.
2. *Species.* Replacement trees shall primarily be those species native to the Pacific Northwest. In making a determination regarding the species of replacement trees, the city arborist shall defer to the species selected by the property owner unless the city arborist determines that the species selected is unlikely to survive for a period of at least ten years, represents a danger or nuisance, would threaten overhead or underground utilities or would fail to provide adequate protection to any critical tree area.
3. *Size.*
 - a. Coniferous trees shall be at least six feet tall; and
 - b. Deciduous trees shall be at least one and one-half inches in caliper.

The city arborist may authorize the planting of smaller sized replacement trees if the applicant can demonstrate that smaller trees are more suited to the species, the site conditions, neighborhood character, and the purposes of this section, and that such replacement trees will be planted in sufficient quantities to meet the intent of this section. The city arborist shall not authorize the planting of shrubs or bushes in lieu of required replacement trees.
4. *Reduction.* The city arborist may NOT reduce the number of replacement trees as follows, where other measures designed to mitigate the tree loss by restoring the tree canopy coverage and its associated benefits are considered to be effective and consistent with the purposes of this chapter. The city arborist may consider, but is not limited to, the following measures:
 - a. Replacement of hazardous, undesired, or short-lived trees with healthy new trees that have a greater chance of long-term survival;
 - b. Restoration of critical tree areas with native vegetation; and

- c. Protection of small trees to provide for successional stages of tree canopy.
- 5. *Timing.* Replacement trees shall be planted in the wet season (October 1 through April 1), following the applicable tree removal or, in the case of a development proposal, completion of the development work, provided the city arborist may authorize an extension to ensure optimal planting conditions for tree survival.
- C. ~~*Fee-in-lieu.* If the city arborist determines there is insufficient area to replant on the site or within the adjacent public right of way, the city arborist may authorize payment of a fee-in-lieu provided:~~
 - 1. ~~There is insufficient area on the lot or adjacent right-of-way for proposed on-site tree replacement to meet the tree replacement requirements of this chapter; or~~
 - 2. ~~Tree replacement or management provided within public right-of-way or a city park in the vicinity will be of greater benefit to the community.~~
 - 3. ~~Fees provided in lieu of on-site tree replacement shall be determined based upon:~~
 - a. ~~The expected tree replacement cost including labor, materials, and maintenance for each replacement tree; and~~
 - b. ~~The most current council of tree and landscaper appraisers guide for plant appraisal.~~
 - 4. ~~Any fee-in-lieu is also optional for the applicant and requires an explicit written agreement.~~ THIS SHOULD NOT BE
- D. *Maintenance of replacement trees.* The applicant shall maintain all replacement trees in a healthy condition for a period of five years after planting. The applicant shall be obligated to replant any replacement tree that dies, becomes diseased, or is removed during this five-year time period.
- E. *Private utility company.* If the permit is granted to a private utility company and the property owner is unwilling to place any replacement trees on the owner's property, the private utility company shall pay to the city the amount necessary to purchase and plant replacement trees on public property necessary to mitigate the impact of the removed trees based upon arborist industry standards. Monies paid to the city for replacement trees shall be used for that purpose.

(Ord. 17C-15 § 1 (Att. A))

19.10.160 Enforcement.

- A. *Violation.* It is a violation of this chapter for any person to fail to comply with the requirements of this chapter.
- B. *Civil penalty, Criminal penalty and remediation.*
1. *Civil penalty.* The penalty for violating this chapter shall be a fine equal to up to three times the value of the damaged or cut tree or removed vegetative cover, plus the cost of reasonable remediation. Trees and other vegetation shall be appraised according to the method specified by the Council of Landscape and Tree Appraisers, most current edition.

2. Criminal. RCW 64.12.030

Injury to or removing trees, etc.—Damages.

Whenever any person shall cut down, girdle, or otherwise injure, or carry off any tree, including a Christmas tree as defined in *RCW 76.48.020, timber, or shrub on the land of another person, or on the street or highway in front of any person's house, city or town lot, or cultivated grounds, or on the commons or public grounds of any city or town, or on the street or highway in front thereof, without lawful authority, in an action by the person, city, or town against the person committing the trespasses or any of them, any judgment for the plaintiff shall be for treble the amount of damages claimed or assessed.

[2009 c 349 s 4; Code 1881 s 602; 1877 p 125 s 607; 1869 p 143 s 556; RRS s 939.]

2. *Remediation.* Remediation for trees removed in violation of this chapter shall include, but is not limited to, the following:
 - a. Removal of the remaining plant parts or debris;
 - b. Preparation of a replanting plan in a form approved by the code official for replanting the area where trees were removed in violation of this chapter;
 - c. Payment of the costs to review, approve, and administer the remediation process;
 - d. Installation of the required replantings as reflected on the replanting plan; and
 - e. Maintenance of the required replantings for a period of five years.
- C. *Tree retention enforcement.* Trees identified for retention through the approval of a development proposal that are subsequently removed, or are damaged to the extent that removal is required, with prior written approval by the city arborist, whether the removal or damage is intentional or unintentional, shall result in a civil penalty pursuant to subsection B of this section, in addition to required replanting and remediation. The code official may waive the civil penalty if the code official determines that appropriate tree protection standards were in place and maintained and natural disaster or events entirely outside the knowledge and control of the property owner resulted in the tree loss.

(Ord. 17C-15 § 1 (Att. A))

YOU WILL NOTE THAT THERE IS NO MENTION OF “FEE-IN-LIEU” AS A PENALTY OR AS A REMEDIATION, THEREFORE, A FEE-IN-LIEU SHOULD BE REMOVED IN ITS ENTIRETY.

This is what Bellevue’s Code is:

1.18.045 Monetary penalty – Illegal clearing, cutting, damaging, or removal of trees or vegetation.

A. *Trees and Vegetation on City Property.*

1. BCC 1.18.040(E) shall have no application to a violation of BCC 3.43.335. Instead, the monetary penalty shall be the greater of:

- a. The current value of the in-lieu fee provided in LUC 20.20.900.E.6.h.iv for each tree cleared, cut, damaged, or removed, or for each act of clearing, cutting, damaging, or removing vegetation; or
- b. Triple the value of each tree cleared, cut, damaged, or removed, or of the vegetation cleared, cut, damaged, or removed, the value to be the replacement value as determined using the Guide for Plant Appraisal, published by the Council of Tree and Landscape Appraisers, as now or as hereafter amended. If the Guide for Plant Appraisal provides for multiple methodologies for determining the replacement value, then the director of the department of parks and community services is authorized to select the methodology from the Guide for Plant Appraisals to use to establish the replacement value. In accordance with BCC 3.43.030, rules may be adopted as needed to clarify, interpret, or apply any methodology found in the Guide for Plant Appraisal for the calculation of replacement value for the purposes of this subsection.

2. When the monetary penalty is calculated under subsection (A)(1)(b) of this section, the director of the department of parks and community services may, in addition to the monetary penalty, assess on the person responsible for the violation the costs incurred by the city to investigate the violation and to calculate the monetary penalty under subsection (A)(1)(b) of this section. In determining whether to assess such costs, the director of the department of parks and community services shall consider the factors set forth in BCC 1.18.050(D)(3)(a)(ii).

B. *Significant Trees and Landmark Trees on Private Property.*

1. BCC 1.18.040(E) shall have no application to a violation of LUC 20.20.900 or BCC 23.76.035(A)(6), 23.76.035(A)(7), 23.76.060(A), or 23.76.060(G). Instead, the monetary penalty shall be the greater of:

- a. The current value of the in-lieu fee provided in LUC 20.20.900.E.6.h.iv for each significant tree or landmark tree cleared, cut, damaged, or removed; or
- b. The value of each significant tree or landmark tree cleared, cut, damaged, or removed, the replacement value as determined using the Guide for Plant Appraisal, published by the Council of Tree and Landscape Appraisers, as now or as hereafter amended. If the Guide for Plant Appraisal provides for multiple methodologies for determining the replacement value, then the director of the development services department is authorized to select which methodology to use to establish the replacement value. In accordance with LUC 20.40.100, rules may be adopted as needed to clarify, interpret, or apply any methodology found in the Guide for Plant Appraisal for the calculation of replacement value for the purposes of this subsection.

2. Each significant tree or landmark tree cleared, cut, damaged, or removed in violation of the requirements of LUC 20.20.900 or BCC 23.76.035(A)(6), 23.76.035(A)(7), 23.76.060(A), or 23.76.060(G) is a separate violation, subject to separate penalties.

3. The hearing examiner may double the monetary penalty if the violation was a repeat violation. In determining the amount of the monetary penalty for repeat violations, the hearing examiner shall consider the factors set forth in BCC 1.18.050(D)(3)(a)(ii).

4. When the monetary penalty is calculated under subsection (B)(1)(b) of this section, the director of the development services department may, in addition to the monetary penalty, assess on the person responsible for the violation the costs incurred by the city to investigate the violation and to calculate the monetary penalty under subsection (B)(1)(b) of this section. In determining whether to assess such costs, the director of the development services department shall consider the factors set forth in BCC 1.18.050(D)(3)(a)(ii). (Ord. 6795 § 4, 2024; Ord. 5664 § 1, 2006; Ord. 4247 § 1, 1991.)

COMMUNITY PLANNING & DEVELOPMENT

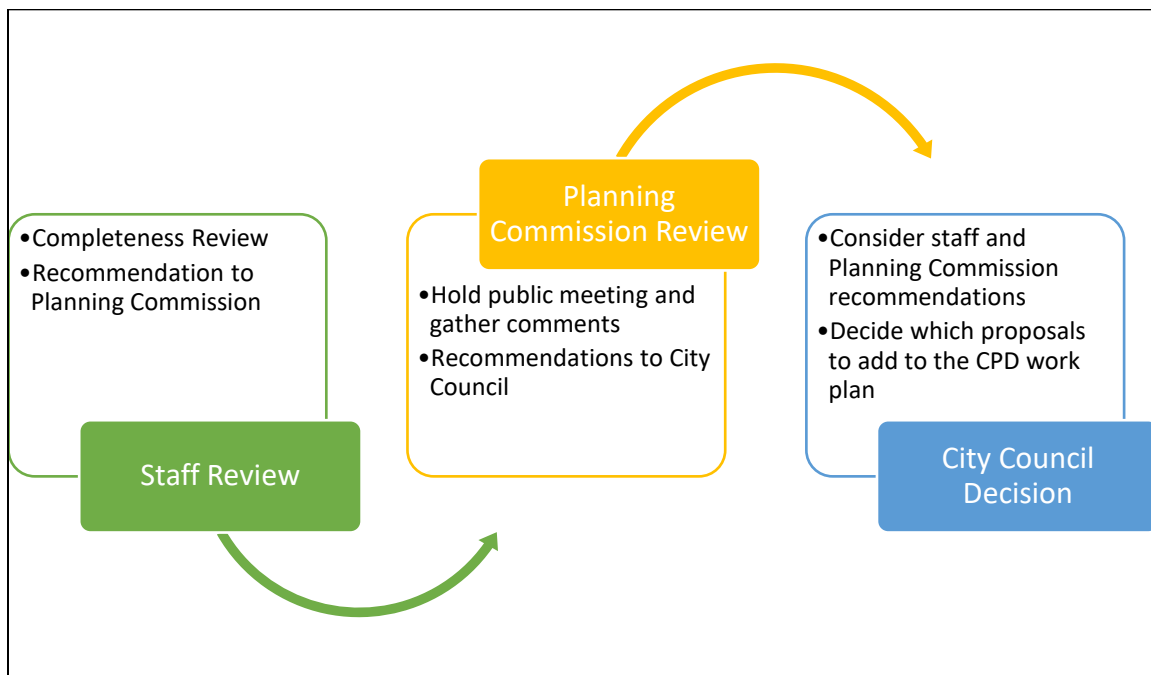
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APPLICANT INFORMATION

Name: Mercer Island Department of Community Planning and Development

Address: 9611 SE 36th Street, Mercer Island, WA 98040

Phone: 206-275-7719

Email: adam.zack@merceraisland.gov

AGENT/CONSULTANT/ATTORNEY

Complete this section if the primary contact is different from the applicant.

Name: Adam Zack

Address: 9611 SE 36th Street, Mercer Island, WA 98040

Phone: 206-275-7719

Email: adam.zack@merceraisland.gov

REQUEST INFORMATION

Important: A separate Docket Request Form must be completed for each docket item requested.

Is this request related to a specific property or zone? Yes ☐ No ☒

If yes, please complete the following information:

Property Owner Name: _____

Address: _____

County Assessor's Parcel No.: _____

Parcel Size (sq. ft.): _____

If the application is submitted by an agent/consultant/attorney, please attach a signed letter of consent from all owners of the affected property demonstrating that the application is submitted with consent.

Is this request for a Comprehensive Plan amendment or a development code amendment?

Comprehensive Plan Amendment ☒

Development code Amendment ☒

Is this submission a **suggestion** for a Comprehensive Plan or Development Code amendment, or is this an **application** for a specific amendment? (Check one box below.)

Note: Applications are subject to applicable permit fees.

Suggestion ☐

Application ☒

DOCKET REQUEST NARRATIVE – REQUIRED FOR ALL APPLICATIONS

Please attach a separate narrative responding to all five (5) questions outlined below. Attach additional sheets, supporting maps, or graphics as necessary. Answer each question separately and reference the question number in your answer.

The application will be considered incomplete without a narrative answering all five questions.

1. Please provide a detailed description of the proposed amendment and a clear statement of what the proposed amendment is intended to accomplish.
 - a. Indicate the specific Comprehensive Plan Elements, maps, goals or policies or the specific sections of the development code you propose to amend.
 - b. If the proposal would amend existing Comprehensive Plan or development code text, please provide the proposal in underline/strikeout format with text to be added indicated by underlining and text to be deleted indicated with ~~strikeouts~~.
 - c. If a map amendment is proposed, please provide a map that clearly outlines the areas proposed to be changed.
2. How does the proposal benefit the community or the environment?
3. Explain how the request relates to the applicable decision criteria (MICC 19.15.250(D) for code amendments, and MICC 19.15.230(F) for Comprehensive Plan amendments, see below).
4. For Comprehensive plan amendments: Is the proposal consistent the Growth Management Act and King County Countywide Planning Policies?
5. For development code amendments: How does the proposal align with the goals of the City's Comprehensive Plan?

Please sign and date below acknowledging application requirements.

Signature: Adam Zack Date: September 30, 2026

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Please attach a separate narrative
responding to the above questions.

DOCKETING CRITERIA

[MICC 19.15.230\(E\) Docketing criteria](#). The following criteria shall be used to determine whether a proposed amendment is added to the final docket in subsection D of this section:

1. The request has been filed in a timely manner, and either:
 - a. State law requires, or a decision of a court or administrative agency has directed, such a change; or
 - b. All of the following criteria are met:
 - i. The proposed amendment presents a matter appropriately addressed through the comprehensive plan or the code;
 - ii. The city can provide the resources, including staff and budget, necessary to review the proposal, or resources can be provided by an applicant for an amendment;
 - iii. The proposal does not raise policy or land use issues that are more appropriately addressed by an ongoing work program item approved by the city council;
 - iv. The proposal will serve the public interest by implementing specifically identified goals of the comprehensive plan or a new approach supporting the city's vision; and
 - v. The essential elements of the proposal and proposed outcome have not been considered by the city council in the last three years. This time limit may be waived by the city council if the proponent establishes that there exists a change in circumstances that justifies the need for the amendment.

COMPREHENSIVE PLAN DECISION CRITERIA

[MICC 19.15.230\(F\) Decision criteria](#). Decisions to amend the comprehensive plan shall be based on the criteria specified below. An applicant for a comprehensive plan amendment proposal shall have the burden of demonstrating that the proposed amendment complies with the applicable regulations and decision 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; and:
 - 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.
2. If the amendment is directed at a specific property, the following additional findings shall be determined:
 - a. The amendment is compatible with the adjacent land use and development pattern;
 - b. The property is suitable for development in conformance with the standards under the potential zoning; and
 - c. The amendment will benefit the community as a whole and will not adversely affect community facilities or the public health, safety, and general welfare.

DEVELOPMENT CODE AMENDMENT DECISION CRITERIA

[MICC 19.15.250\(D\) Criteria](#). The city may approve or approve with modifications a proposal to amend this Code only if:

1. The amendment is consistent with the comprehensive plan; and
2. The amendment bears a substantial relation to the public health, safety, or welfare; and
3. The amendment is in the best interest of the community as a whole.

Shoreline Master Program and Critical Areas Ordinance Update

Detailed Description of the Proposal

Cities and counties in Washington are required to adopt and periodically update an SMP to plan for the shoreline area within 200 feet of the ordinary high-water mark. Mercer Island must review and adopt necessary updates of its SMP by June 30, 2029 (RCW 90.58.080(4)(b)(i)). Cities and Counties planning under the Growth Management Act (GMA) must adopt regulations for critical areas such as wetlands, watercourses, fish and wildlife habitat conservation areas, and geologically hazardous areas. The critical areas regulations are referred to as the critical areas ordinance (CAO). The Mercer Island CAO is incorporated in the SMP, as a result, updating the SMP will include review of the CAO. Furthermore, the guidance for watercourse regulations from the WA Department of Fish and Wildlife (WDFW) has been updated, prompting changes to the CAO.

Comprehensive Plan Elements

There is an SMP element of the Comprehensive Plan. During the project, the SMP element will be reviewed and updated as necessary to comply with updated guidance and new state rules. The goals and policies in the Land Use Element will also need to be reviewed to ensure consistency between the SMP and CAO.

Development Code Sections

The SMP regulations are established in Chapter 19.13 of the Mercer Island City Code (MICC). The CAO establishes Chapter 19.07 MICC. During this project Chapters 19.07 and 19.13 MICC will be reviewed and updated as necessary. Substantial reviews to both chapters are expected given the changes in state guidance and the Shoreline Management Act rules.

Map Amendments

The project will include critical area and environmental data review that may prompt amendments to the Watercourse map in Title 19 Appendix E MICC and the Shoreline Master Program Map in Title 19 Appendix F MICC. The data review may also result in updates to the City's public web map.

How does the proposal benefit the community or the environment?

The proposal will benefit the environment by ensuring critical area and shoreline regulations are consistent with updated Shoreline Management Act rules made by the WA Department of Ecology and the updated watercourse guidance published by WDFW.

Docketing Criteria

The proposed amendment meets the docketing criteria in MICC 19.15.230(E)(1)(a) because the SMA and CAO updates are required by the Shoreline Management Act and the Growth Management Act; both of which are state laws.

Growth Management Act and Countywide Planning Policies

The Growth Management Act (GMA) requires the SMP be incorporated into locally adopted comprehensive plans and that jurisdictions planning under the GMA designate and protect critical areas. Likewise, the King County Countywide Planning Policies (CPPs) require cities to designate and protect critical areas consistent with the GMA.

Mercer Island Comprehensive Plan

The Comprehensive Plan shoreline and critical area provisions are subject to the requirements of both the GMA and the Shoreline Management Act. Updates to the state rules and guidance for both prompts an amendment of the Comprehensive Plan. The amendments to Chapters 19.07 and 19.13 MICC will be reviewed for consistency with other goals and policies in the Comprehensive Plan to ensure that internal consistency is maintained.

COMMUNITY PLANNING & DEVELOPMENT

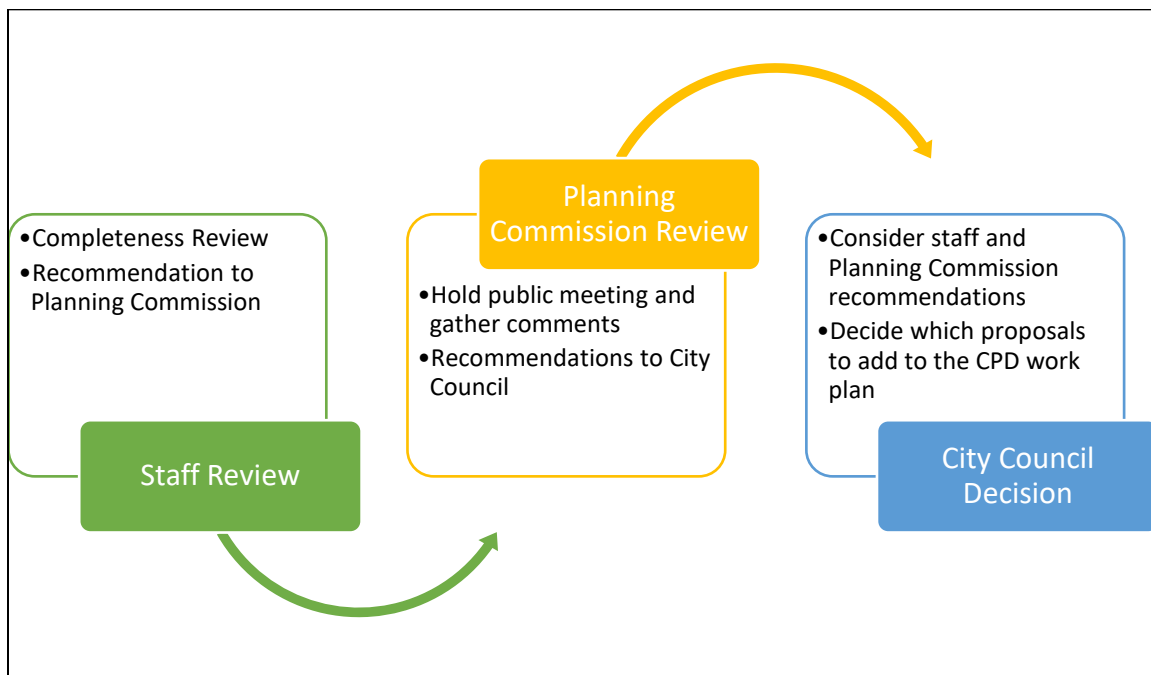
9611 SE 36TH STREET | MERCER ISLAND, WA 98040
 PHONE: 206.275.7605 | www.mercerisland.gov/cpd



2026 DOCKET REQUEST FORM

APPLICATION REVIEW PROCESS

Docket requests are the first step in the process of amending the City's Comprehensive Plan or development regulations. The Mercer Island City Code (MICC) describes the process for these amendments in MICC [19.15.230-.260](#). The illustration below summarizes the annual docket process.



Staff review all docket requests for timeliness and completeness and will use the information provided in the application form to present a request to the Mercer Island Planning Commission and City Council. The Planning Commission will review the docket requests and make a recommendation to the City Council regarding which docket items to add to the final docket.

The City Council has decision-making authority over all annual docket proposals. The City Council determines whether to add a proposal to the final docket. Items added to the final docket will be incorporated in the Community Planning and Development work plan for the upcoming year. Docket requests are evaluated based on alignment with the current City work plan, current policies, programmatic priorities, staff capacity, and budget to complete the legislative process for the request in the following year. The City Council will approve the final docket by December 31 each year. Items placed on the final docket will be scheduled for legislative review by the Planning Commission and City Council in the following year.

DOCKET REQUEST FORM

The following information is required. Failure to complete this form may result in the application being incomplete. Incomplete applications will not be considered during the annual docket process.

APPLICANT INFORMATION

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Is this request related to a specific property or zone? Yes ☐ No ☒

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Address: _____

County Assessor's Parcel No.: _____

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Comprehensive Plan Amendment ☒

Development code Amendment ☒

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Note: Applications are subject to applicable permit fees.

Suggestion ☐

Application ☒

DOCKET REQUEST NARRATIVE – REQUIRED FOR ALL APPLICATIONS

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 - c. If a map amendment is proposed, please provide a map that clearly outlines the areas proposed to be changed.
2. How does the proposal benefit the community or the environment?
3. Explain how the request relates to the applicable decision criteria (MICC 19.15.250(D) for code amendments, and MICC 19.15.230(F) for Comprehensive Plan amendments, see below).
4. For Comprehensive plan amendments: Is the proposal consistent the Growth Management Act and King County Countywide Planning Policies?
5. For development code amendments: How does the proposal align with the goals of the City's Comprehensive Plan?

Please sign and date below acknowledging application requirements.

Signature: Adam Zack Date: September 30, 2026

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Please attach a separate narrative
responding to the above questions.

DOCKETING CRITERIA

[MICC 19.15.230\(E\) Docketing criteria](#). The following criteria shall be used to determine whether a proposed amendment is added to the final docket in subsection D of this section:

1. The request has been filed in a timely manner, and either:
 - a. State law requires, or a decision of a court or administrative agency has directed, such a change; or
 - b. All of the following criteria are met:
 - i. The proposed amendment presents a matter appropriately addressed through the comprehensive plan or the code;
 - ii. The city can provide the resources, including staff and budget, necessary to review the proposal, or resources can be provided by an applicant for an amendment;
 - iii. The proposal does not raise policy or land use issues that are more appropriately addressed by an ongoing work program item approved by the city council;
 - iv. The proposal will serve the public interest by implementing specifically identified goals of the comprehensive plan or a new approach supporting the city's vision; and
 - v. The essential elements of the proposal and proposed outcome have not been considered by the city council in the last three years. This time limit may be waived by the city council if the proponent establishes that there exists a change in circumstances that justifies the need for the amendment.

COMPREHENSIVE PLAN DECISION CRITERIA

[MICC 19.15.230\(F\) Decision criteria](#). Decisions to amend the comprehensive plan shall be based on the criteria specified below. An applicant for a comprehensive plan amendment proposal shall have the burden of demonstrating that the proposed amendment complies with the applicable regulations and decision 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; and:
 - 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.
2. If the amendment is directed at a specific property, the following additional findings shall be determined:
 - a. The amendment is compatible with the adjacent land use and development pattern;
 - b. The property is suitable for development in conformance with the standards under the potential zoning; and
 - c. The amendment will benefit the community as a whole and will not adversely affect community facilities or the public health, safety, and general welfare.

DEVELOPMENT CODE AMENDMENT DECISION CRITERIA

[MICC 19.15.250\(D\) Criteria](#). The city may approve or approve with modifications a proposal to amend this Code only if:

1. The amendment is consistent with the comprehensive plan; and
2. The amendment bears a substantial relation to the public health, safety, or welfare; and
3. The amendment is in the best interest of the community as a whole.

Climate Change and Resiliency Element

Detailed Description of the Proposal

In 2023, the WA Legislature enacted House Bill 1181 requiring cities and counties planning under the Growth Management Act (GMA) to adopt a climate change and resiliency element of the comprehensive plan. Cities in King County must adopt the climate change and resiliency element by the end of 2029 (RCW 36.70A.130). The Climate Change and Resiliency Element will combine new goals, policies and actions with the existing Climate Action Plan to address the new state requirements. Work on the Climate Change and Resiliency Element is expected to commence in 2028.

Comprehensive Plan Elements

A new Climate Change and Resiliency Element of the Comprehensive Plan must be adopted to meet the GMA requirements. Additional elements may need amendments because the new policies will either relocate or replace existing climate change and resiliency goals and policies.

Development Code Sections

The new goals and policies in the Climate Change and Resiliency element will need to be implemented. Implementation will likely include updates to the development code in Title 19 of the Mercer Island City Code (MICC).

Map Amendments

Changes to the future land use map and zoning map are not expected during this project.

How does the proposal benefit the community or the environment?

The proposed project would benefit the environment by establishing goals, policies, regulations, and implementing actions to plan for climate change and make Mercer Island more resilient.

Docketing Criteria

The proposed amendment meets the docketing criteria in MICC 19.15.230(E)(1)(a) because the Climate Change and Resiliency element is required to be adopted by the end of 2029 under the GMA.

Growth Management Act and Countywide Planning Policies

Cities and counties planning under the GMA must adopt a climate change and resiliency element per RCW 36.70A.070(9). The climate change and resiliency element must be adopted by the end of 2029 per RCW 36.70A.130(10). Adopting a climate change and resiliency element will be consistent with the King County Countywide Planning Policies (CPPs), particularly those CPPs directed at greenhouse gas emissions and reducing vehicle miles traveled. The climate change and resiliency element must specifically address greenhouse gas emissions and reducing vehicle miles traveled with both the policies and implementing actions contained in the element.

Mercer Island Comprehensive Plan

The Mercer Island Comprehensive Plan is required to be consistent with the GMA. A climate change and resiliency element must be added to the Comprehensive Plan to maintain consistency with the GMA.

2027 Annual Docket Proposal Summary

ITEM NO.	PROPOSED BY	POTENTIALLY AFFECTED SECTION, GOAL OR POLICY	SUMMARY OF PROPOSAL
27-1	Jim Taherzedah	MICC 19.10.020(B)(2), Trees -- Applicability and permit required	This amendment would expand the criteria for when a tree may be removed prior to being granted a tree permit to include when tree poses a structural hazard certified by a licensed professional engineer. The amendment highlighted five situations the removal could be undertaken for, including threat to basement walls and/or building foundation, roof and/or skylights, building structure, driveway surfaces, or fire risk.
27-2	Adam Ragheb	MICC 19.02.020(D)(3)(b) Gross floor area incentives for ADUs	This amendment would eliminate the Gross Floor Area incentives for ADUs in the Residential Zones.
27-3	Sarah Fletcher	MICC 19.10.070 Tree Replacement	This amendment would prohibit the City Arborist from reducing the amount of replacement trees and eliminate the fee in-lieu option for replacement trees.
27-4	Jeff Thomas	Comprehensive Plan Shoreline Master Program and Critical Areas Ordinance Element & MICC 19.13, MICC 19.07, MICC 19.10.	This amendment would update the Shoreline Master Program to plan for the shoreline area within 200 feet of the ordinary high-water mark. The Mercer Island critical area regulations are incorporated in the SMP, as a result, updating the SMP will include review of the critical area regulations. The guidance for watercourse regulations from the WA Department of Fish and Wildlife (WDFW) has been updated, prompting changes to the CAO.
27-5	Jeff Thomas	Comprehensive Plan Climate Change and Resiliency Element.	This amendment would create a Climate Change and Resiliency Element for the Comprehensive Plan. The Climate Change and Resiliency Element will combine new goals, policies and actions with the existing Climate Action Plan to address the new state requirements. The Element must be adopted by the end of 2029, per RCW 26.70A.130.

Docketing Criteria Analysis

Item 2.

Table 1. Docketing Criteria Analysis Summary.

Item No.	Criterion 1: Appropriately Addressed by Comp Plan or Code	Criterion 2: Necessary Staff and Budget Resources can be Provided by City or Applicant	Criterion 3: Raises an Issue Unrelated to Ongoing Work Program Item	Criterion 4: Serves Public Interest by Implementing Comp Plan Goals or Supports City's Vision	Criterion 5: Has Not Been Considered by the City Council in the Last 3 Years
27-1	✓	↓	✓	✗	✓
27-2	✓	—	✗	✗	✓ ¹
27-3	✓	↓	✓	?	✓
27-4	✓	↑	✓ ²	✓	✓
27-5	✓	↑	✓ ³	✓	✓
✓	The proposal could meet this criterion		?	It is unclear or debatable whether the proposal could meet this criterion	
✗	The proposal does not meet this criterion		✗	The proposal does not meet this criterion	
↑	The proposal is a high priority for staff/budget resources		—	The proposal is a moderate priority for staff/budget resources	
↓	The proposal is a low priority for staff/budget resources		↓	The proposal is a low priority for staff/budget resources	

¹ Similar proposal was considered each docket cycle, per 2020-2025. The ADU gross floor area allowance was proposed to be limited to properties smaller than 8,400 sq ft.

² The Shoreline Master Program and Critical Area Ordinance Update are state requirements. This item is not on the existing work plan, compliance with state law is mandatory by June 30, 2029.

³ The Climate Change and Resilience Element Update is a state requirement. This item is not on the existing work plan, compliance with state law is mandatory by June 30, 2029.

Detailed Docketing Criteria Analysis

The docketing criteria are established in [MICC 19.15.230\(E\)](#), which states:

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

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

- a. State law requires, or a decision of a court or administrative agency has directed, such a change; or
- b. All of the following criteria are met:
 - i. The proposed amendment presents a matter appropriately addressed through the comprehensive plan or the code;
 - ii. The city can provide the resources, including staff and budget, necessary to review the proposal, or resources can be provided by an applicant for an amendment;
 - iii. The proposal does not raise policy or land use issues that are more appropriately addressed by an ongoing work program item approved by the city council;
 - iv. The proposal will serve the public interest by implementing specifically identified goals of the comprehensive plan or a new approach supporting the city's vision; and
 - v. The essential elements of the proposal and proposed outcome have not been considered by the city council in the last three years. This time limit may be waived by the city council if the proponent establishes that there exists a change in circumstances that justifies the need for the amendment.”

Detailed analysis of each proposal and how it does or does not meet the criteria is provided below.

Proposal 27-1

MICC Section	Analysis
19.15.230(E)(1)	The proposal was filed in a timely manner between September 1 and October 1 as required by MICC 19.15.230(D)(1)
19.15.230(E)(1)(a)	The proposed amendment is not required by state law, a recent court decision, or administrative agency action. In order to be docketed, the proposal must satisfy the criteria in MICC 19.15.230(E)(1)(b).
19.15.230(E)(1)(b)(i)	The proposed amendment would amend the tree code in Chapter 19.10 MICC. This proposal is appropriate to address through a development code amendment.
19.15.230(E)(1)(b)(ii)	City resources are already committed to other projects required by state law through approximately 2030. The proposed amendment is optional and resources would be unavailable until compliance with state requirements is achieved.
19.15.230(E)(1)(b)(iii)	The City does not have an existing project to amend Chapter 19.10 MICC on its work plan
19.15.230(E)(1)(b)(iv)	The proposal could be inconsistent with some Comprehensive Plan policies directed at retaining tree canopy coverage, including Land Use Element Policy LU 1.7.2, which states: "Manage impacts that could result from new development in residential zones by establishing standards to: [...] 1.7.2 Encourage the retention of landscaped areas and the retention and planting of trees;" and Land Use Element Policy 4.8, which states: "4.8 The City's development regulations should encourage long- term sustainable stewardship of the natural environment. Examples include the preservation and enhancement of native vegetation, tree retention, and rain gardens."
19.15.230(E)(1)(b)(v)	The City Council has not considered the proposed amendment in the preceding three years.
Conclusion	The proposed amendment would require resources beyond what will be available in 2027 because the City is already committed to projects necessary to comply with state law.

Proposal 27-2

MICC Section	Analysis
19.15.230(E)(1)	The proposal was filed in a timely manner between September 1 and October 1 as required by MICC 19.15.230(D)(1)
19.15.230(E)(1)(a)	The proposed amendment is not required by state law, a recent court decision, or administrative agency action. In order to be docketed, the proposal must satisfy the criteria in MICC 19.15.230(E)(1)(b).
19.15.230(E)(1)(b)(i)	The proposed amendment would amend the ADU code in Chapter 19.02 MICC. This proposal is appropriate to address through a development code amendment.
19.15.230(E)(1)(b)(ii)	City resources are already committed to other projects required by state law through approximately 2030. The proposed amendment is optional and resources would be unavailable until compliance with state requirements is achieved.
19.15.230(E)(1)(b)(iii)	The City already has a project docketed to adopt permanent regulations for ADUs that complies with the state law.
19.15.230(E)(1)(b)(iv)	The City's comprehensive plan includes several policies directed at ADUs and their role in addressing the City's housing needs such as Housing Element Policy 1.10, which states: "Encourage accessory dwelling units (ADUs) as a housing form that can help to meet housing needs for moderate to low-income households." And Housing Element Policy 5.4, which states: "Consider amending ADU development standards to add flexibility and expand options for developing this type of housing to help meet housing needs for moderate to low-income households." And Housing Element Policy 5.5, which states: "Consider restructuring existing ADU incentives, such as the gross floor area bonus, to require affordable housing." The proposed amendments would affect the ADU incentives, including the gross floor area bonus and so the proposed amendments may need to be modified to be consistent with the City's comprehensive plan.
19.15.230(E)(1)(b)(v)	The City Council has not considered the proposed amendment in the preceding three years.
Conclusion	The City already has a project on its work plan to adopt permanent regulations for ADUs to comply with the state law. The proposed amendment can be provided as a public comment when the City takes up that project in 2027.

Proposal 27-3

MICC Section	Analysis
19.15.230(E)(1)	The proposal was filed after October 1, 2025, and must be considered during the following year's docket as required by MICC 19.15.230(D)(1)
19.15.230(E)(1)(a)	The proposed amendment is not required by state law, a recent court decision, or administrative agency action. In order to be docketed, the proposal must satisfy the criteria in MICC 19.15.230(E)(1)(b).
19.15.230(E)(1)(b)(i)	The proposed amendment would amend the tree code in Chapter 19.10 MICC. This proposal is appropriate to address through a development code amendment.
19.15.230(E)(1)(b)(ii)	City resources are already committed to other projects required by state law through approximately 2030. The proposed amendment is optional, and resources would be unavailable until compliance with state requirements is achieved.
19.15.230(E)(1)(b)(iii)	The City does not have an existing project to amend Chapter 19.10 MICC on its work plan.
19.15.230(E)(1)(b)(iv)	The proposal is consistent with some Comprehensive Plan policies directed at retaining tree canopy coverage, including Land Use Element Policy LU 1.7.2, which states: "Manage impacts that could result from new development in residential zones by establishing standards to: [...] 1.7.2 Encourage the retention of landscaped areas and the retention and planting of trees;" and Land Use Element Policy 4.8, which states: "4.8 The City's development regulations should encourage long- term sustainable stewardship of the natural environment. Examples include the preservation and enhancement of native vegetation, tree retention, and rain gardens."
19.15.230(E)(1)(b)(v)	The City Council has not considered the proposed amendment in the preceding three years.
Conclusion	The proposed amendment would require resources beyond what will be available in 2027 because the City is already committed to projects necessary to comply with state law.

Proposal 27-4

MICC Section	Analysis
19.15.230(E)(1)	The proposal was filed in a timely manner between September 1 and October 1 as required by MICC 19.15.230(D)(1)
19.15.230(E)(1)(a)	The proposed amendment is required by state law, a recent court decision, or administrative agency action.
Conclusion	The proposed amendment is consistent with the criterion in 19.15.230(E)(1)(a) because it is required by state law and must be completed by 2029.

Proposal 27-5

MICC Section	Analysis
19.15.230(E)(1)	The proposal was filed in a timely manner between September 1 and October 1 as required by MICC 19.15.230(D)(1)
19.15.230(E)(1)(a)	The proposed amendment is required by state law, a recent court decision, or administrative agency action.
Conclusion	The proposed amendment is consistent with the criterion in 19.15.230(E)(1)(a) because it is required by state law and must be completed by 2029.

Docket Progress Tracker

C	Consider adding to the Docket
Y	Yes, add to the Docket
N	No, do not add to the Docket

	Reference No.	Permit No.	Title	PC Rec.	CC Decision	AB	Ord No.	Notes
2020 Proposals (2021 Docket) – Adopted December 1, 2020	20-1	CPA21-001	Correct Comp Plan Land Use Map	Y	Y	5971	21-26	Complete, review of 20-1 and 20-8 was consolidated under CPA21-001
	20-2	ZTR21-004 CPA22-001	Town Center Commercial	Y	Y	6102 6172	22C-09 22C-17	Complete
	20-3	ZTR21-007	Transportation Impact Fee Rate Update	Y	Y	6092	22C-06	Complete
		ZTR21-008	Park Impact Fee Rate Update	Y	Y	6093	22C-07	Complete
	20-4	ZTR19-003	Sign Regulations	Y	Y	5952	21C-21	Complete
	20-5	ZTR19-004	Wireless/Small Cell Regulations	Y	Y	5929	21C-17	Complete
	20-6	ZTR21-001	Implementation of Comp Plan Amendments	N	Y	5866	21C-05	Complete
	20-7	ZTR21-002	Conditional Use Permit Regulations	N	Y	5867	21C-06	Complete
	20-8	CPA21-001	Correct Comp Plan Land Use Map	N	Y	5971	21-26	Complete, review of 20-1 and 20-8 was consolidated under CPA21-001
	20-9	ZTR21-005	Noise and Lighting	C	Y	6019	–	CC first reading completed, elected not to take further action
2021 Proposals (2022 Docket) – Adopted December 7, 2021	20-15	ZTR21-006	Land Use Review Type and Noticing	N	Y	6074	22C-05	Complete
	21-4	ZTR22-001	Amend Business Zone to Allow Schools	Y	Y	6270	23C-08	Complete
	21-14	ZTR21-003	Remove Occupancy Limitations	Y	Y	6146	22C-11	Complete
	21-15	ZTR21-003	Allow 8 People in Adult Family Homes	Y	Y	6146	22C-11	Complete
	21-16	ZTR22-003	Transitional and Permanent Supportive Housing	Y	Y	6802	25C-27	Complete

2022 Proposals (2023 Docket) – Adopted December 6, 2022	Reference No.	Permit No.	Title	PC Rec.	CC Decision	AB	Ord No.	Notes
	22-1	ZTR23-001	Allow SCUPs for Marina and Swim Facilities	Y	Y	6340	23C-15	Complete
2023 Proposals (2024 Docket) – Adopted December 5, 2023	23-7	TBD	Standards for Government Services Use in Town Center	Y	Y	6382		<i>Will be scheduled for review in 2027 or later</i>
	23-8	ZTR25-004	State Mandated Amendments Related to Permit Timelines (SB5290)	Y	Y	6802	25C-27	Complete
		ZTR25-004	State Mandated Amendments Related to Design Review (HB1293)					
			State Mandated Amendments Related to SEPA (SB5412)					
	23-9		State Mandated Amendments Related to Middle Housing (HB1110)	Y	Y	6627	25C-02	Interim regulations in effect from June 30, 2025; permanent regulations scheduled for review in 2027
			State Mandated Amendments Related to ADUs (HB1337)			6627	25C-02	Interim regulations in effect from June 30, 2025; permanent regulations will be scheduled for review in 2027
		ZTR25-004	State Mandated Amendments Related to Conversion of Existing Buildings to Residential Units (HB1042)			6802	25C-27	Complete
	23-10	ZTR25-001	Temporary Use Regulations (City proposal)	Y	Y	6808	25C-26	Complete
	23-14	TBD	Downhill Façade Height on Sloping Lot	Y	Y	6382		<i>Will be scheduled for review in 2027 or later</i>
	23-15	ZTR23-002 (Interim)	Temporary Use or Structure Permits (Mercer Island Country Club proposal)			6808	25C-26	Complete
	23-18	TBD	Redesignate the SJCC and MICC properties as Commercial-Office on the Comprehensive Land Use Map;	Y	Y	6389		<i>Underway; City Council decision anticipated in December 2026.</i>

2024 Proposals (2025 Docket) – Adopted December 3, 2024	Reference No.	Permit No.	Title	PC Rec.	CC Decision	AB	Ord No.	Notes
			Rezone the JCC Property to Commercial-Office					
	24-1	TBD	Exterior Alterations of Non-Single-Family Nonconforming Structures Outside the Town Center	Y	Y	6577		Will be scheduled for review in 2027 or later
	24-8	TBD	Private Hedge Code in Title 19 MICC	Y	Y	6577		Will be scheduled for review in 2027 or later
	24-15	TBD	Limit Height of Hedges Within Side Yards	Y	Y	6577		Will be scheduled for review in 2027 or later

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Items Proposed – Not Docketed

	Reference No.	Title	PC Rec.	CC Decision	Notes
2020	20-10	Prioritization of the Use of Public ROW	N	N	
	20-11	RDS: GFA for Clerestory Space	N	N	
	20-12	RDS: GFA for Covered Porches and Decks	N	N	
	20-13	RDS: Garages Within 10 ft of Front Property Line	N	N	
	20-14	RDS: GFA for ADUs on Small Lots	N	N	
	20-16	RDS: Parking Requirements for Smaller Homes	N	N	
2021	21-1	Increase Tree Retention to 50%	Y	N	
	21-2	New Impact Fee for Ped/Bike	N	N	
	21-3	Recategorize Intersections in Transportation Element	Y	N	
	21-5	Allow Additions to Nonconforming Homes in Critical Areas	C	N	
	21-6	Require Electric Heating	C	N	
	21-7	RDS: GFA for Clerestory Space	N	N	
	21-8	RDS: GFA for Covered Porches and Decks	N	N	
	21-9	RDS: Garages Within 10 ft of Front Property Line	N	N	
	21-10	RDS: GFA for ADUs on Small Lots	N	N	
	21-11	Land Use Review Types and Noticing	N	N	Docketed in 2020 – See 20-15 and ZTR21-006

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	Reference No.	Title	PC Rec.	CC Decision	Notes	
	21-12	RDS: Parking Requirements for Smaller Homes	N	N		
	21-13	Bike/Ped Update Schedule	Y	N		
2022	22-2	RDS: GFA for Clerestory Space	N	N		
	22-3	RDS: GFA for Covered Porches and Decks	N	N		
	22-4	RDS: Garages Within 10 ft of Front Property Line	N	N		
	22-5	RDS: GFA for ADUs on Small Lots	N	N		
	22-6	RDS: Parking Requirements for Smaller Homes	N	N		
	22-7	Repeal Piped Watercourse Regulations	Y	N		
	22-8	Amend Docketing Criteria	Y	N		
	22-9	Town Center Commercial Height Limit	–	–	Withdrawn prior to PC consideration	
	22-10	Administrative Code Interpretations	–	–	Withdrawn prior to PC consideration	
	22-11	Update Legal Lot Revisions	–	–	Withdrawn prior to PC consideration	
	22-12	Temporary Use Regulations	–	–	Withdrawn prior to PC consideration	
2023	23-1	RDS: GFA for Clerestory Space	N	N		
	23-2	RDS: GFA for Covered Porches and Decks	N	N		
	23-3	RDS: Garages Within 10 ft of Front Property Line	N	N		
	23-4	RDS: GFA for ADUs on Small Lots	N	N		
	23-5	RDS: Parking Requirements for Smaller Homes	N	N		
	23-6	Downhill Façade Height on Sloping Lot (City Proposed)	N	N		
	23-11	<i>proposal withdrawn</i>	–	–	Withdrawn prior to PC consideration	
	23-12	Prohibit Rezoning of Single-Family Property	N	N		
	23-13	Prohibit Non-Residential Structures/Uses from Obtaining a Rezone	N	N		
	23-16	Setbacks for Piped Watercourses	Y	N		
	23-17	Parking for Residential Units Outside Town Center	N	N		
2024	24-2	Comments on Open Space and Housing Elements of the Draft 2044 Comprehensive Plan	N	N		
	24-3	Prohibit Rezoning of Single-Family Property	N	N		
	24-4	Prohibit Non-Residential Structures/Uses from Obtaining a Rezone	N	N		
	24-5	Prohibit CUP on a Residential Property For Any Use on a Separate Property in Another Zone	N	N		
	24-6	Establish Criteria to Determine Illegal, Site-Specific Rezone	N	N		
	24-7	Downhill Façade on a Sloping Lot	N	N	Docketed in 2023 – See 23-6 and 23-14	
	24-9	Parking Requirements for Smaller Homes	N	N		
	24-10	RDS: GFA for Clerestory Space	N	N		

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Reference No.	Title	PC Rec.	CC Decision	Notes
24-11	RDS: GFA for Covered Porches and Decks	N	N	
24-12	RDS: Garages Within 10 ft of Front Property Line	N	N	
24-13	RDS: GFA for ADUs on Small Lots	N	N	
24-14	RDS: Parking Requirements for Smaller Homes	N	N	
25-1	Rezone parcel 5315101235 in Town Center from TC-7 to Park or Public Institution (PI).	N	N	
25-2	Restrict Conditional Use Permits on residential property from granting a use permitted in zones TC, CO, B, or PBZ.	N	N	
25-3	Prohibit a non-residential structure or use in the single-family residential zones from requesting or obtaining a rezone or reclassification of any single-family residentially zoned properties.	N	N	
25-4	Clarify parking standards for C-O, B, and non-residential uses in the PBZ zone do not apply to residentially zoned properties. Eliminate cooperative parking reduction.	N	N	
25-5	RDS: GFA for Clerestory Space	N	N	
25-6	RDS: GFA for Covered Porches and Decks	N	N	
25-7	RDS: Garages Within 10 ft of Front Property Line	N	N	
25-8	RDS: GFA for ADUs on Small Lots	N	N	
25-9	RDS: Parking Requirements for Smaller Homes	N	N	