



# PLANNING COMMISSION SPECIAL HYBRID MEETING AGENDA

Wednesday, June 29, 2022

Mercer Island Community & Event Center and Zoom Virtual Platform  
9611 SE 36th Street | Mercer Island, WA 98040  
Phone: 206.275.7706 | [www.mercerisland.gov](http://www.mercerisland.gov)

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## PLANNING COMMISSIONERS:

**Chair:** Daniel Hubbell

**Vice Chair:** Michael Murphy

**Commissioners:** Kate Akyuz, Carolyn Boatsman, Michael Curry, Adam Ragheb, Victor Raisys

In compliance with the Americans with Disabilities Act, those requiring accommodation for meetings should notify the Staff Liaison at least 24 hours prior to the meeting.

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The virtual meeting will be broadcast live on Zoom and recorded and saved on the City Council's YouTube Channel

Join by Telephone at 6:00 PM: To listen to the meeting via telephone, please call 253.215.8782 and enter Webinar ID 814 7116 0758 when prompted.

Join by Internet at 6:00 PM: To watch the meeting over the internet via your computer, follow these steps:

- 1) Click this link: <https://us02web.zoom.us/j/81471160758>
- 2) If the Zoom app is not installed on your computer, you will be prompted to download it.
- 3) If prompted for Webinar ID, enter 814 7116 0758

Join in person at Mercer Island Community & Event Center at 5:00 PM: Mercer Island Community & Event Center: 8236 SE 24th Street.

## CALL TO ORDER & ROLL CALL, 6 PM

Election - Chair / Vice-Chair

1. Election - Chair / Vice-Chair

## PUBLIC APPEARANCES

Registering to Speak: Individuals wishing to speak live during Appearances will need to register their request with Adam Zack, Senior Planner, at 206.275.7719 or email [adam.zack@mercerisland.gov](mailto:adam.zack@mercerisland.gov) and leave a message before 4 PM on the day of the Planning Commission meeting. Please reference "Appearances" on your correspondence and state if you would like to speak either in person at Mercer Island Community & Event Center or remotely using Zoom. Each speaker will be allowed three (3) minutes to speak.

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

## REGULAR BUSINESS

[2.](#) April 27, 2022 Minutes

[3.](#) Review and adoption of Planning Commission Bylaws

**OTHER BUSINESS**

4. Deputy Director's Report

5. Planned Absences for Future Meetings

6. Announcements & Communications

7. Next Scheduled Meeting - July 27, 2022

**ADJOURNMENT**

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# CITY OF MERCER ISLAND

## COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

PHONE: 206.275.7605 | [www.mercerisland.gov](http://www.mercerisland.gov)



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## PLANNING COMMISSION

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**To:** Planning Commission

**From:** Adam Zack, Senior Planner

**Date:** June 23, 2022

**SUBJECT:** Election – Chair / Vice-Chair

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### SUMMARY

The Planning Commission must elect officers for a term of 1 calendar year at the first regular meeting on or after June 1 each year.

### PROCESS

To elect a new Chair, the current Chair will call on the Commissioners to nominate members of the Commission. Nominations do not require a second. When it appears that no one else wishes to make any further nomination, the current Chair will ask again for further nominations and if there are none, the Chair will declare the nominations closed. A motion to close the nominations is not necessary.

After nominations have been closed, voting for the Chair takes place in the order nominations were made. A tie vote results in a failed nomination, and the current Chair will call for a vote on the next nominee. As soon as one of the nominees receives a majority vote of the Commissioners present, the Chair will declare him/her elected. No votes may be taken on any remaining nominees. Upon election, the newly-appointed Chair conducts the election for Vice Chair following the same process.



# CITY OF MERCER ISLAND PLANNING COMMISSION REGULAR VIDEO MEETING MINUTES

Wednesday, April 27th, 2022

Item 2.

## CALL TO ORDER

The Planning Commission was called to order by Chair Hubbell at 6:05 pm from a remote location.

## PRESENT

Chair Daniel Hubbell, Vice Chair Michael Murphy, Commissioners Carolyn Boatsman, Jordan Friedman, Victor Raisys, Tiffin Goodman and Kate Akyuz were present.

All Commissioners participated in the meeting remotely using Zoom.

## ABSENT

none

## STAFF PRESENT

Alison Van Gorp, Deputy CPD Director, Adam Zack, Senior Planner, and Ross Freeman, Sustainability Program Analyst, participated in the meeting remotely.

## PUBLIC APPEARANCES

There were no public appearances

## PUBLIC HEARING

### Agenda Item #1: ZTR21-003 – State Mandated Code Amendments

There were no speakers on this item

The public hearing was opened at 6:07pm and closed at 6:08pm

### Agenda Item #2: ZTR21-007 and ZTR21-008 – Transportation and Park Impact Fee Updates

There were no speakers on this item

The public hearing was opened at 6:09pm and closed at 6:10pm

## REGULAR BUSINESS

### Agenda Item #1: Review and Approval of the March 23, 2022 Planning Commission Regular Video Meeting Minutes

It was moved by Friedman; seconded by Murphy to approve the minutes.

Commissioner Raisys proposed a correction to the minutes related to the change he proposed to the Feb minutes striking words from Feb minutes – instead amended to use her language “trustee of Olsen family trust” and then strike (5 min 30 seconds).

Approved as amended

⇒ Passed: 6-0

### **Agenda Item #2: Update on the Climate Action Plan**

Ross Freeman, Sustainability Program Analyst provided a brief presentation.

The Commission asked questions of Staff.

Commissioner Akyuz joined the meeting at 6:30 pm

### **Agenda Item #3: ZTR21-003 – State Mandated Code Amendments**

Adam Zack, Senior Planner, gave a brief presentation on ZTR21-004 State Mandated Code Amendments

The Commission reviewed the proposed amendment and asked questions of Staff.

The Commission deliberated on the proposed amendments.

It was moved by Boatsman and seconded by Goodman to **approve the draft code amendment.**

Motion by Akyuz to amend the motion by striking the additive language in B1 “spouse, child... etc” under Owner Occupancy. Seconded by Murphy.

⇒ Passed: 6-1

Main motion to approve the draft code amendment as amended.

⇒ Passed: 6-1

The Commission also flagged the issue of inconsistency around the use of the term family in the definition and in the owner occupancy clause – Council should evaluate the potential policy implications from relaxing the owner occupancy requirement.

### **Agenda Item #4: ZTR21-007 and ZTR21-008 – Transportation and Park Impact Fee Updates**

Alison van Gorp and Kendra Breiland, consultant from Fehr and Peers, gave a brief presentation on ZTR21-007 Transportation Impact Fee Updates.

Jason Hennessy, consultant from Berk Consulting, gave a brief presentation on ZTR21-008 Park Impact Fee Updates.

The Commission reviewed the proposed amendment and asked questions of the consultants and Staff.

The Commission deliberated on the proposed amendments.

It was moved by Boatsman and seconded by Goodman to:

**Approve the draft code amendment.**

⇒ Passed: 7-0

**The Chair called a recess at 7:49. The meeting reconvened at 8:00pm.**

**Agenda Item #5: Comprehensive Plan Update and Project Kickoff**

Adam Zack, Senior Planner, gave a brief presentation on the Comprehensive Plan schedule and work plan for the coming months. He also asked the commission to designate two members for the Housing Work Group and two members for the Economic Development Work Group.

The Commission asked questions of Staff.

The Commission selected Boatsman and Akyuz for the Housing Work Group

The Commission selected Murphy and Raisys for the Economic Development Work Group.

**OTHER BUSINESS****Deputy Director's Report**

Alison Van Gorp, Deputy Director reminded the commission of the current recruitment for board and commission members and encouraged those interested to apply. She also reminded the commission to respond with their Q1 volunteer hours. She updated the Commission on upcoming items on the City Council calendar. Finally, she asked the commission to provide feedback on the date of the special meeting for discussion of the Climate Action Plan and the commissioners indicated that June 1 at 6:00pm was an agreeable date and time.

**Planned Absences for Future Meetings**

There were no planned absences

**Announcements & Communications**

There were no announcements & communications

**Next Scheduled Meeting**

The next scheduled meeting is May 25, 2022

**ADJOURNED**

The meeting adjourned at 8:40 pm

# CITY OF MERCER ISLAND

## COMMUNITY PLANNING & DEVELOPMENT

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## PLANNING COMMISSION

**TO:** Planning Commission

**FROM:** Adam Zack, Senior Planner

**DATE:** June 23, 2022

**SUBJECT:** Planning Commission Bylaws

**Attachments** Planning Commission Bylaws Approved January 26, 2022

### SUMMARY

Planning Commission Bylaws are adopted by the Commission annually at the first regular meeting on or after June 1.

### BACKGROUND

There are no amendments proposed by the City staff.

Bylaws may be amended by a majority vote of the entire membership of the Commission (4 votes). If amendments are proposed by the Commission and voted on by the majority of the Commission, staff will take the proposed changes for review by the City Attorney and bring the bylaws back to the Planning Commission at the next regular meeting for final adoption.

### RECOMMENDED MOTION

**Motion:** Move to approve the Planning Commission bylaws.

**Alternative Motion:** Move to direct staff to review the proposed amendments to the Planning Commission bylaws with the City Attorney and schedule approval of the amended bylaws at the next regular meeting.

# Mercer Island Planning Commission Bylaws (Rules of Procedure)

Adopted: \_\_\_\_\_

## ARTICLE I GENERAL PROVISIONS

Section 1.1 Relationship to Other Regulations. These bylaws are supplementary to chapter 3.46 Mercer Island City Code ("MICC") and chapter 35A.63 Revised Code of Washington ("RCW").

Section 1.2 Purpose and Responsibilities of Commission. The Planning Commission's role is to advise the City Council on growth management issues, land use policies, and development regulations. The Planning Commission (hereinafter "Commission") is also responsible for making recommendations to the City Council on proposed street vacations and rezones. The members of the Commission accept the responsibility of the office and declare their intention to execute the duties defined under state law and city code to the best of their ability and to respect and observe the requirements established by the City Council.

## ARTICLE II POWERS OF COMMISSION, MEMBERS, AND OFFICERS

Section 2.1 Powers of Commission. The Commission shall undertake the duties and responsibilities defined in chapters 3.46 and 19.15 MICC, including acting as a research agency, and serving in an advisory capacity to the City Council.

Section 2.2 Members. The Commission shall consist of 7 members appointed by the City Council. Membership on the Commission shall be limited to residents of Mercer Island. The term of each member is 4 years, unless removed earlier by the process set forth in Section 2.5 of these bylaws. No member may serve longer than two consecutive terms. Vacancies occurring other than through the expiration of terms shall be filled by the Mayor and Deputy Mayor confirmed by the City Council for the unexpired term.

Section 2.3 Officers and Duties. The officers of the Commission shall consist of a Chair and a Vice-Chair. Chair / Vice-Chair duties are to:

1. Run / Facilitate Commission meetings in a fair, efficient, productive, and informative manner;
2. Act as a spokesperson to City Council and, when necessary, to the public and/or media; and
3. Work with Community Planning and Development staff on schedule / calendar and meeting agendas.



Section 2.4 Officer Election and Vacancies. Officers shall be elected for a term of 1 calendar year at the first regular meeting on or after June 1 and annually thereafter. To elect a new Chair, Commissioners shall nominate members of the Commission for a given office. Nominations do not require a second. When it appears that no one else wishes to make any further nomination, the current Chair will ask again for further nominations and if there are none, the Chair will declare the nominations closed. A motion to close the nominations is not necessary.

After nominations have been closed, voting for the Chair takes place in the order nominations were made. A tie vote results in a failed nomination, and the Chair will call for a vote on the next nominee. As soon as one of the nominees receives a majority vote of the Commissioners present, the Chair will declare him/her elected. No votes may be taken on any remaining nominees. Upon election, the newly-appointed Chair conducts the election for Vice Chair following the same process.

In the event of an officer vacancy, a replacement Chair and/or Vice-Chair shall be elected following the same process as above to serve the unexpired term of the vacant office(s). In the absence of the Chair and Vice-Chair, members shall elect a Chair *pro tem* following the same process as above to serve only for the meeting at which he/she is elected.

Section 2.5 Removal. Members may be removed by the Mayor, after public hearing and with the approval of City Council, for inefficiency, neglect of duty, or malfeasance in office.

### **ARTICLE III MEETINGS**

Section 3.1 Regular Meetings. Regular meetings of the Commission shall be held on the fourth Wednesday of each month at 6:00 P.M., or such other day and time as determined by the Commission, in the Mercer Island City Hall or such other place as the Commission may determine. Any regular meeting may be canceled or re-scheduled by the Chair, or in his/her absence, by the Vice Chair. If a regular meeting falls on a legal holiday, the Commission shall have the discretion to hold the meeting on the next business day which is not a holiday.

Section 3.2 Special Meetings. Special meetings of the Commission may be called by any of the following: the Chair, or in his/her absence, by the Vice Chair, the City Manager, Community Planning and Development Director, or the Mayor.

- Section 3.3 Quorum. A majority of the Commission membership shall constitute a quorum. For the conduct of business, a majority vote of the members in attendance at a meeting, provided a quorum is present, shall be sufficient to act.
- Section 3.4 Open to the Public. All regular and special meetings of the Commission are open to the public. The scheduling and holding of all Commission meetings is to be done in accordance with these bylaws and Washington state law.
- Section 3.5 Legislative Public Hearings. The Commission is responsible for conducting public hearings. The Commission recognizes that public hearings are intended to obtain public input on legislative recommendations on matters of policy. Public hearings are required when the city addresses such matters as comprehensive land use plans, street vacations, or development regulations.

#### **ARTICLE IV CONDUCT OF MEETINGS**

- Section 4.1 Conduct. All meetings of the Commission shall be conducted in accordance with these bylaws and Washington state law. Where these bylaws fail to provide otherwise, the meetings shall be conducted in accordance with parliamentary rules and procedures in the most current edition of the Robert's Rules of Order.
- Section 4.2 Chair. The Chair shall preside at all Commission meetings and has the powers generally assigned such office in conducting the meetings. It shall be the Chair's duty to see that the transaction of Commission business is in accord with these bylaws and Washington state law. The Chair of the meeting shall be a full voting member but shall not initiate or second a motion.
- Section 4.3 Agenda Setting. An agenda for every regular meeting shall be prepared and distributed by the Community Planning and Development department to each member not less than 5 calendar days prior to the date of the meeting at which such agenda is to be considered. The agenda shall be accompanied with a complete copy of the unapproved minutes of the previous meeting, staff reports, and other materials as may pertain to the agenda.
- Section 4.4 Agenda Modification. All meetings shall be conducted in accordance with the agenda. To the extent it does not violate public notice requirements, the printed agenda of a regular meeting may be modified, supplemented, or revised at the beginning of the meeting by the affirmative vote of the majority of Commission members present.
- Section 4.5 Minutes. A staff liaison shall be provided by the Community Planning and Development department to prepare minutes of meetings and keep such record, attend to correspondence of the Commission, and perform such other duties as

may be deemed necessary. Minutes of all regular meetings shall be kept and made part of a permanent public record. All actions of the Commission shall be considered conclusive as to general import as of the date of such action. Details of phraseology, conditions, etc., shall be subject to correction at the time of consideration and approval of the meeting minutes.

## **ARTICLE V PUBLIC INVOLVEMENT**

Section 5.1. Purpose. High quality public input is desired by the Commission and is needed to help inform the Commission's analysis, recommendations, and decisions. The Commission goals for public involvement are to:

1. Undertake a fair, meaningful, and effective outreach to affected parties for each work item, with opportunities for all interested parties to participate in a comfortable setting.
2. Use a consistent and adaptable process that allocates limited time efficiently and encourages input that is relevant, clear, and specific.

Section 5.2. Time Limits. Time limits on public input should be established to allow for the efficient use of the Commission's time. Generally, the Commission will establish time limits as follows:

1. For public comment related to legislative matters such as the adoption of amendments to development regulations or the Mercer Island Comprehensive Plan, each speaker is limited to 3 minutes speaking time.
2. The Commission shall have the discretion to increase speaking times if necessary.

Section 5.3. Conduct. The public may address the Commission only after being recognized by the Chair of the meeting. All speakers must give their names and address. If audience dialogue becomes disruptive, the Chair may recess the meeting or request that the meeting be adjourned.

Section 5.4. Alternative Communication. To communicate with the Commission on a matter not scheduled for public hearing, the public may communicate with the Commission in writing and/or speak during an optional portion of each meeting entitled "Appearances" near the beginning of the agenda. The Commission shall have the discretion to omit "Appearances" from the agenda. The Chair of the meeting shall endeavor to minimize the amount of cumulative redundant testimony by the public.

## **ARTICLE VI CONFLICT OF INTEREST, EX-PARTE CONTACT, AND APPEARANCE OF FAIRNESS DOCTRINE**

Section 6.1 Conflict of Interest. Chapter 42.23 RCW prohibits commissioners from using their positions to secure special privileges or special exemptions for themselves or others. If an actual or perceived conflict of interest exists that affects the work of the Commission, it is each commissioner’s responsibility to refrain from any prior discussion of such matter with other members of the Commission, to openly describe the issue, and then recuse him/herself from the meeting during the period of discussion and action thereon.

**ARTICLE VII DECISION-MAKING AND RECOMMENDATIONS**

Section 7.1 Recommendations on Legislative Matters. The Commission’s goal is to provide a consensus recommendation to the City Council on legislative matters; in all cases, however, a majority vote is taken. To document the recommendations of the Commission, the Community Planning and Development department staff shall prepare a written statement or memorandum, including the facts and rationale for the final recommendations. This statement is then approved by the Chair whose responsibility it is to present the recommendations to the City Council on behalf of the Commission when requested by either the City Council or City staff.

**ARTICLE VIII ATTENDANCE**

Section 8.1 Regular and Special Meetings. Attendance at regular and special meetings is expected of all Commission members.

Section 8.2 Absence. Any member anticipating absence from a meeting should notify the Chair and staff liaison from the Community Planning and Development department.

Section 8.3 Chronic Absences. Chronic absences of any member may be referred by the Commission to the Mayor for a public hearing pursuant to Section 2.5 of these bylaws. “Chronic,” for the purposes of this section, means 6 or more absences in a 12-month period.

**ARTICLE IX AMENDMENTS TO BYLAWS**

These bylaws may be amended by a majority vote (4 votes) of the entire membership of the Commission.

Date Approved: June \_\_\_\_, 2022

Planning Commission Chair: \_\_\_\_\_