

GMHB EXHIBIT 4



BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 5941
September 21, 2021
Regular Business

AGENDA BILL INFORMATION

TITLE:	AB 5941: State-Mandated Code Amendments	<input type="checkbox"/> Discussion Only
RECOMMENDED ACTION:	Hold public hearings on each ordinance and adopt Ordinance Nos. 21C-19, 21C-22, and 21C-23	<input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution

DEPARTMENT:	Community Planning and Development	
STAFF:	Jeff Thomas, Director Alison Van Gorp, Deputy Director Eileen Kieffer, Legal Counsel	
COUNCIL LIAISON:	n/a	
EXHIBITS:	<ol style="list-style-type: none"> 1. Ordinance No. 21C-19 Amending MICC 19.16.010, of the Development Code, to Comply with ESSB 5235 Relating to Unrelated Persons Cohabiting 2. Ordinance No. 21C-22 Amending MICC 19.16.010, of the Development Code, to Comply with ESHB 1023 Relating to Adult Family Home Capacity 3. Ordinance No. 21C-23 Amending MICC 19.16.010, of the Development Code, to Comply with E2SHB 1220 Relating to Transitional and Permanent Supportive Housing 	
CITY COUNCIL PRIORITY:	n/a	

SUMMARY

During the 2020 and 2021 state legislative sessions, several housing and land use related bills passed, a few of which require City action ([ESSB 5235](#), [ESHB 1023](#) and [E2SHB 1220](#)). Based on the timelines imposed by this legislation, the City must act quickly to comply with the new requirements. A two-step approach is proposed to address the timing requirements: 1) adopt emergency interim regulations at the September 21 City Council meeting and, 2) adopt permanent regulations in approximately twelve months.

BACKGROUND

Staff consolidated the review of the code amendments related to ESSB 5235, ESHB 1023 and E2SHB 1220 because they all relate to housing issues and require amendments to the development code. ESSB 5235 and ESHB 1023 require cities to comply with provisions in the legislation related to the allowed occupancy of homes, dwelling units and adult family homes. While these legislative directives do not have an explicit deadline, amendments to the Mercer Island City Code are required to comply. Alternatively, E2SHB 1220 includes an explicit timeline that requires cities to be in compliance by September 30, 2021. To comply with this September 30 deadline, staff worked quickly to develop the interim ordinances now under consideration (see Exhibits 1, 2 and 3). More information on each piece of legislation and the required City code amendments are provided on page 2.

ESSB 5235: Housing Unit Inventory — Removing Limits on Unrelated Persons Cohabiting

[ESSB 5235](#) prohibits cities from regulating or limiting the number of unrelated people who may occupy a house or other dwelling unit. There are some exceptions: occupant limits on group housing regulated under state law or short-term rentals, any lawful limits on occupant load per square feet, and generally applicable health and safety provisions (i.e. fire code).

The bill requires a minor change to the City’s code. Staff is proposing an amended definition of family that simply means one or more persons living together in a “single housekeeping unit,” without any requirement that such persons be related. This is consistent with how other cities are amending their codes (for example, Bellevue is also taking this approach). Please also be advised that the City can still enforce other portions of its code relating to noise issues, fire code, etc. if concerns arise about the impacts of increased occupancy.

ESHB 1023: Increase to Capacity for Adult Family Homes

[ESHB 1023](#) provides that the Department of Social and Health Services, in certain circumstances, can approve an adult family home to provide services to up to eight adults (previously, the limit was six adults). Accordingly, staff propose code amendment to the definition of adult family homes allowing up to eight adults to be served.

E2SHB 1220: Emergency Shelters and Housing

[E2SHB 1220](#) is designed to encourage cities to accommodate transitional housing, emergency shelters, and permanent supportive housing. The bill contains new requirements for Comprehensive Plan housing element updates and creates new requirements for cities’ zoning/development regulations regarding indoor shelters and housing for the homeless. Namely, the bill forbids cities from prohibiting transitional or permanent supportive housing in residential zones or zones where hotels are allowed. The bill also forbids cities from prohibiting indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed (except for cities that authorize indoor emergency shelters/housing in a majority of zones within a one-mile proximity to transit). Finally, any regulations regarding occupancy, spacing, and intensity of use requirements regarding the four types of housing listed above must be reasonable and designed to protect public health and safety. Further, such restrictions cannot be used to prevent the siting of a “sufficient number necessary to meet” Mercer Island’s projected need for such housing and shelter.

What each city’s “projected need” for housing and shelter may be is an unresolved question—staff are anticipating numbers will be forthcoming from the Department of Commerce, likely in 2023. In the meantime, some jurisdictions are using the “Point in Time” count as a reasonable estimate or simply not imposing occupancy, spacing, or intensity of use requirements at all. The City’s development code does currently include some spacing restrictions; staff recommend retaining these restrictions for now and we will further evaluate them for compliance with E2SHB 1220 as we develop a permanent code amendment in 2022.

NEXT STEPS

Staff recommends that the City Council hold a public hearing on each proposed ordinance and adopt the proposed code amendments at the September 21 City Council meeting. Included as an attachment to each code amendment is a work plan outlining the process for developing permanent regulations on each of these issues. By adopting these work plans, state law allows for the interim ordinances to be in effect for 12 months (rather than the more common 6-month duration, [RCW 36.70.A.390](#)). This will provide adequate time for staff to perform additional analysis of each issue, including review of peer jurisdictions approaches

and further outreach to the Department of Commerce on compliant approaches. In the first half of 2022, staff will bring draft code amendments to the Planning Commission for review, and then to the City Council for final review and adoption, prior to the expiration of the 12-month interim ordinances.

RECOMMENDED ACTIONS

1. Conduct Public Hearings on Ordinance Nos. 21C-19, 21C-22, and 21C-23 and consider public testimony.
2. Adopt Ordinance No. 21C-19, amending Mercer Island City Code 19.16.010, Definitions, relating to the definitions of Family and Housekeeping Units.
3. Adopt Ordinance No. 21C-22, amending Mercer Island City Code 19.16.010, Definitions, relating to Adult Family Homes.
4. Adopt Ordinance No. 21C-23 amending Mercer Island City Code 19.16.010, Definitions, relating to Emergency Shelters and Housing, Transitional Housing, and Permanent Supportive Housing.

**CITY OF MERCER ISLAND
ORDINANCE NO. 21C-19**

**AN INTERIM ORDINANCE OF THE CITY OF MERCER ISLAND,
WASHINGTON, AMENDING MICC 19.16.010, DEFINITIONS, RELATING TO
THE DEFINITIONS OF FAMILY AND HOUSEKEEPING UNITS; ADOPTING A
WORK PLAN; PROVIDING FOR SEVERABILITY; DECLARING AN
EMERGENCY; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the adoption of land use and zoning regulations is a valid exercise of the City's police power and is specifically authorized by RCW 35A.63.100; and

WHEREAS, within the express terms of the Growth Management Act, the Washington State Legislature has specifically conferred upon the governing bodies of Washington cities the right to establish and adopt interim development regulations; and

WHEREAS, homelessness is a national, state, regional, and local crisis and homelessness has devastating effects on human lives and severe health, safety, social, economic, and environmental impacts on cities, neighborhoods, families, schools, businesses, healthcare facilities, and social service agencies; and

WHEREAS, the Washington State legislature recently passed SB 5235, which prohibits cities from restricting occupancy requirements of unrelated persons in a household or dwelling unit; and

WHEREAS, SB 5235 includes a July 25, 2021 deadline for cities to comply with the new legislation; and

WHEREAS, due to the effective date of the ordinance, it is necessary for the City to take immediate action to conform its code with state law; and

WHEREAS, the City is authorized under RCW 36.70A.390 to pass an interim zoning and official control ordinance for up to one year if a work plan is developed for related studies providing for such a longer period; and

WHEREAS, City Staff have developed a work plan for related studies for compliance with SB 5235 and such work plan is attached to this Ordinance as Exhibit A; and

WHEREAS, the City is authorized under RCW 35A.63.220 and 36.70A.390 to pass an interim zoning and official control ordinance, provided it holds a public hearing on the same within sixty days after passage if it has not previously held a public hearing on the proposed ordinance; and

WHEREAS, the City Council held a public hearing on September 21, 2021 regarding this interim zoning and official control ordinance;

WHEREAS, both the homelessness crisis and the deadlines in SB 5235 for cities to adopt compliant development regulations cause an emergency which necessitates that this ordinance become effective immediately in order to preserve the public health, safety, and welfare and also requires action prior to the preparation of a State Environmental Protection Act threshold determination pursuant to WAC 197-11-880 and MICC 19.21.160;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1: Whereas Clauses Adopted. The “Whereas Clauses” set forth in the recital of this Ordinance are hereby adopted as the findings and conclusions of the City Council for passing this Ordinance.

Section 2: Section 19.16.010 MICC, Definitions, Amended. MICC Section 19.16.101, Definitions, is hereby amended as follows. All other definitions not herein amended shall remain as currently written.

~~Family: One or more persons (but not more than six unrelated persons) living together in a single housekeeping unit. For purposes of this definition, persons with familial status and persons with handicaps within the meaning of the Fair Housing Amendments Act (FHAA), 42 U.S.C. Sections 3602(h) and (k) will not be counted as unrelated persons. The limitation on the number of unrelated residents set forth in this definition shall not prohibit the city from making reasonable accommodations, as required by the FHAA, 42 U.S.C. Section 3604(f)(3)(B) and as provided in MICC 19.01.030. The term “family” shall exclude unrelated persons who are not also handicapped or have familial status within the meaning of the FHAA who live together in social service transitional housing or special needs group housing.~~

Single Housekeeping Unit: One or more persons jointly occupying a single-family dwelling or dwelling unit, including the joint use of and responsibility for common areas, sharing household activities and responsibilities such as meals, chores, household maintenance, and expenses. Such persons need not be related by blood or marriage. A Single Housekeeping Unit does not include larger institutional or congregant group living situations such as dormitories, fraternities, sororities, monasteries, or nunneries.

Section 3: Duration of Interim Zoning and Official Controls. The interim zoning and official controls approved by this Ordinance shall be effective immediately upon passage of this ordinance and continue in effect for a period of one year, unless repealed, extended, or modified by the City Council.

Section 4: Adoption of Work Plan. The work plan attached to this Ordinance as Exhibit A is hereby adopted.

Section 5: Severability. If any section, sentence, clause or phrase of this Ordinance or any municipal code section amended hereby should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause or phrase of this Ordinance or the amended code section.

Section 6: Effective Date. The City Council hereby finds and declares the deadlines in SB 5235 for cities to adopt compliant development regulations cause an emergency which necessitates that this ordinance become effective immediately in order to preserve the public health, safety, and welfare. This ordinance shall become effective immediately upon passage by at least a majority plus one member of the

City Council. The City Clerk is directed to publish a summary of this ordinance at the earliest possible publication date.

PASSED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON AT ITS REGULAR MEETING ON SEPTEMBER 21, 2021.

CITY OF MERCER ISLAND

Benson Wong, Mayor

Approved as to Form:

ATTEST:

Bio F. Park, City Attorney

Deborah A. Estrada, City Clerk

Date of Publication: _____

Exhibit A

State Mandated Code Amendments Work Plan

<p>1. Technical analysis and staff recommendation</p> <ul style="list-style-type: none">a. Review peer city approachesb. Analyze existing code criteria and spacing requirements for siting transitional and supportive housing facilities to understand existing capacity for potential housing sitesc. Await Department of Commerce data on Mercer Island’s “share” of the population in need of transitional/supportive housing and the amount of such housing the City should plan to accommodated. Prepare staff recommendations and begin drafting a code amendment based on the above informatione. Prepare a SEPA checklist and determination on the proposed code amendment, provide notification to state agencies and tribes	<p>Q4 2021-Q1 2022</p>
<p>2. Planning Commission review and recommendation on a draft code amendment</p> <ul style="list-style-type: none">a. Public outreach, including public hearingb. Approximately 3 points of review by the commission – study session, public hearing, and recommendation	<p>Q2 2022</p>
<p>3. City Council review and approval of code amendment</p> <ul style="list-style-type: none">a. First and second reading of the ordinance	<p>Q2-Q3 2022</p>

**CITY OF MERCER ISLAND
ORDINANCE NO. 21C-22**

**AN INTERIM ORDINANCE OF THE CITY OF MERCER ISLAND,
WASHINGTON, AMENDING MICC 19.16.010, DEFINITIONS, RELATING TO
ADULT FAMILY HOMES; PROVIDING FOR SEVERABILITY; ADOPTING A
WORK PLAN; DECLARING AN EMERGENCY; AND ESTABLISHING AN
EFFECTIVE DATE.**

WHEREAS, the adoption of land use and zoning regulations is a valid exercise of the City's police power and is specifically authorized by RCW 35A.63.100; and

WHEREAS, within the express terms of the Growth Management Act, the Washington State Legislature has specifically conferred upon the governing bodies of Washington cities the right to establish and adopt interim development regulations; and

WHEREAS, homelessness is a national, state, regional, and local crisis and homelessness has devastating effects on human lives and severe health, safety, social, economic, and environmental impacts on cities, neighborhoods, families, schools, businesses, healthcare facilities, and social service agencies; and

WHEREAS, in 2020, the Washington State legislature passed HB 1023, which amended state statute to allow adult family homes to serve up to eight people (previously six); and

WHEREAS, the effective date of HB 1023 was June 11, 2020; and

WHEREAS, the Mercer Island City Code currently only recognizes the previous state limit on adult family homes to six residents, rather than the current limit of eight; and

WHEREAS, due to the effective date of the ordinance, it is necessary for the City to take immediate action to conform its code with state law; and

WHEREAS, the City is authorized under RCW 36.70A.390 to pass an interim zoning and official control ordinance for up to one year if a work plan is developed for related studies providing for such a longer period; and

WHEREAS, City Staff have developed a work plan for related studies for compliance with HB 1023 and such work plan is attached to this Ordinance as Exhibit A; and

WHEREAS, the City is authorized under RCW 35A.63.220 and 36.70A.390 to pass an interim zoning and official control ordinance, provided it holds a public hearing on the same within sixty days after passage if it has not previously held a public hearing on the proposed ordinance; and

WHEREAS, the City Council held a public hearing on September 21, 2021 regarding this interim zoning and official control ordinance;

WHEREAS, both the homelessness crisis and the deadlines in HB 1023 for cities to adopt compliant development regulations cause an emergency which necessitates that this ordinance become effective immediately in order to preserve the public health, safety, and welfare and also requires action prior to the preparation of a State Environmental Protection Act threshold determination pursuant to WAC 197-11-880 and MICC 19.21.160;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1: Whereas Clauses Adopted. The “Whereas Clauses” set forth in the recital of this Ordinance are hereby adopted as the findings and conclusions of the City Council for passing this Ordinance.

Section 2: Section 19.16.010 MICC, Definitions, Amended. MICC Section 19.16.101, Definitions, is hereby amended as follows. All other definitions not herein amended shall remain as currently written.

Adult Family Home: As defined and regulated by Chapter 70.128 RCW, an adult family home is the regular family abode of a person or persons who are providing personal care, special care, and room and board to more than one but not more than ~~six~~eight adults who are not related by blood or marriage to the person or persons providing the services.

Section 3: Duration of Interim Zoning and Official Controls. The interim zoning and official controls approved by this Ordinance shall be effective immediately upon passage of this ordinance and continue in effect for a period of one year, unless repealed, extended, or modified by the City Council.

Section 4: Adoption of Work Plan. The work plan attached to this Ordinance as Exhibit A is hereby adopted.

Section 5: Severability. If any section, sentence, clause or phrase of this Ordinance or any municipal code section amended hereby should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause or phrase of this Ordinance or the amended code section.

Section 6: Effective Date. The City Council hereby finds and declares the deadlines in HB 1023 for cities to adopt compliant development regulations cause an emergency which necessitates that this ordinance become effective immediately in order to preserve the public health, safety, and welfare. This ordinance shall become effective immediately upon passage by at least a majority plus one member of the City Council. The City Clerk is directed to publish a summary of this ordinance at the earliest possible publication date.

PASSED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON AT ITS REGULAR MEETING ON SEPTEMBER 21, 2021.

CITY OF MERCER ISLAND

Benson Wong, Mayor

Approved as to Form:

ATTEST:

Bio F. Park, City Attorney

Deborah A. Estrada, City Clerk

Date of Publication: _____

Exhibit A

State Mandated Code Amendments Work Plan

<p>1. Technical analysis and staff recommendation</p> <ul style="list-style-type: none">a. Review peer city approachesb. Analyze existing code criteria and spacing requirements for siting transitional and supportive housing facilities to understand existing capacity for potential housing sitesc. Await Department of Commerce data on Mercer Island’s “share” of the population in need of transitional/supportive housing and the amount of such housing the City should plan to accommodated. Prepare staff recommendations and begin drafting a code amendment based on the above informatione. Prepare a SEPA checklist and determination on the proposed code amendment, provide notification to state agencies and tribes	<p>Q4 2021-Q1 2022</p>
<p>2. Planning Commission review and recommendation on a draft code amendment</p> <ul style="list-style-type: none">a. Public outreach, including public hearingb. Approximately 3 points of review by the commission – study session, public hearing, and recommendation	<p>Q2 2022</p>
<p>3. City Council review and approval of code amendment</p> <ul style="list-style-type: none">a. First and second reading of the ordinance	<p>Q2-Q3 2022</p>

**CITY OF MERCER ISLAND
ORDINANCE NO. 21C-23**

AN INTERIM ORDINANCE OF THE CITY OF MERCER ISLAND, WASHINGTON, AMENDING MICC 19.16.010, DEFINITIONS, RELATING TO EMERGENCY SHELTERS AND HOUSING, TRANSITIONAL HOUSING, AND PERMANENT SUPPORTIVE HOUSING; ADOPTING A WORK PLAN; PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the adoption of land use and zoning regulations is a valid exercise of the City's police power and is specifically authorized by RCW 35A.63.100; and

WHEREAS, within the express terms of the Growth Management Act, the Washington State Legislature has specifically conferred upon the governing bodies of Washington cities the right to establish and adopt interim development regulations; and

WHEREAS, homelessness is a national, state, regional, and local crisis and homelessness has devastating effects on human lives and severe health, safety, social, economic, and environmental impacts on cities, neighborhoods, families, schools, businesses, healthcare facilities, and social service agencies; and

WHEREAS, the Washington State legislature recently passed E2SHB 1220, which, among other things, requires cities to allow indoor emergency shelters and housing, transitional housing, and permanent supportive housing in certain zones; and

WHEREAS, E2SHB 1220 provides, in part, that a city shall not prohibit transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed, and that a city shall not prohibit indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed, except if the city has adopted an ordinance authorizing indoor emergency shelters and indoor emergency housing in a majority of zones within a one-mile proximity to transit; and

WHEREAS, cities are allowed to adopt reasonable occupancy, spacing, and intensity of use requirements on permanent supportive housing, transitional housing, indoor emergency housing, and indoor emergency shelters to protect public health and safety so long as those reasonable restrictions do not prohibit the number of units assigned to the city by the Washington State Department of Commerce ("Commerce"); and

WHEREAS, Commerce has not yet assigned the City of Mercer Island a number of units for permanent supportive housing, transitional housing, indoor emergency housing, and indoor emergency shelters; and

WHEREAS, E2SHB 1220 includes a September 30, 2021, deadline for cities to comply, and the City Council has determined that to comply with the deadline and thoroughly analyze permanent regulations, interim development regulations adopted under the provisions of RCW 36.70A.390 are necessary to allow adequate time for the City to adopt permanent development regulations in compliance with E2SHB 1220; and

WHEREAS, the City is authorized under RCW 36.70A.390 to pass an interim zoning and official control ordinance for up to one year if a work plan is developed for related studies providing for such a longer period; and

WHEREAS, City Staff have developed a work plan for related studies for compliance with E2SHB 1220 and such work plan is attached to this Ordinance as Exhibit A; and

WHEREAS, the City is authorized under RCW 35A.63.200 and 36.70A.390 to pass an interim zoning and official control ordinance, provided it holds a public hearing on the same within sixty days after passage if it has not previously held a public hearing on the proposed ordinance; and

WHEREAS, the City Council held a public hearing on September 21, 2021 regarding this interim zoning and official control ordinance; and

WHEREAS, both the homelessness crisis and the deadlines in E2SHB 1220 for cities to adopt compliant development regulations cause an emergency which necessitates that this ordinance become effective immediately in order to preserve the public health, safety, and welfare and also requires action prior to the preparation of a State Environmental Protection Act threshold determination pursuant to WAC 197-11-880 and MICC 19.21.160;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON DOES HEREBY ORDAIN AS FOLLOWS:

Section 1: Whereas Clauses Adopted. The “Whereas Clauses” set forth in the recitals of this Ordinance are hereby adopted as the findings and conclusions of the City Council for passing this Ordinance.

Section 2: Section 19.16.010 MICC, Definitions, Amended. MICC Section 19.16.010, Definitions, is hereby amended as follows. All other definitions not herein amended shall remain as currently written.

Social Service Transitional Housing: Noninstitutional group housing facilities for unrelated persons, other than special needs group housing or rooming houses, that are privately or publicly operated, including those facilities required to be licensed by the state or federal governments as well as those that may not be required to be licensed, that provide temporary and transitional housing to meet community social service needs including, but not limited to, work-release facilities and other housing facilities serving as an alternative to incarceration, halfway houses, emergency shelters, homeless shelters, domestic violence shelters and other such crisis intervention facilities. ~~Social service transitional housing excludes institutional facilities that typically cannot be accommodated in a single-family residential structure.~~ Further, the term shall include “emergency housing,” and “transitional housing” as defined within RCW 84.36.043(2)(c) or as hereafter amended. The term shall further include “emergency shelter” as defined within RCW 36.70A.030 or as hereafter amended.

Special Needs Group Housing: Noninstitutional group housing that primarily supports unrelated persons with handicaps or persons protected by familial status within the meaning of the FHAA, but not including individuals whose tenancy would constitute a direct threat to the health and safety of other individuals or whose tenancy would result in substantial physical damage to the property of

others. Special needs group housing includes, but is not limited to, foster family homes, adult family homes and residential care facilities as provided in Chapter 70.128 RCW, but excludes facilities ~~that typically cannot be accommodated in a single-family residential structure~~ such as hospitals, nursing homes, assisted living facilities and detention centers. Further, the term shall include "permanent supportive housing" as defined in RCW 36.70A.030 or as hereafter amended.

Section 3: Duration of Interim Zoning and Official Controls. The interim zoning and official controls approved by this Ordinance shall be effective immediately upon passage of this ordinance and continue in effect for a period of one year, unless repealed, extended, or modified by the City Council.

Section 4. Adoption of Work Plan. The work plan attached to this Ordinance as Exhibit A is hereby adopted.

Section 5. Severability. If any section, sentence, clause or phrase of this Ordinance or any municipal code section amended hereby should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause or phrase of this Ordinance or the amended code section.

Section 6: Effective Date. The City Council hereby finds and declares the deadlines in E2SHB 1220 for cities to adopt compliant development regulations cause an emergency which necessitates that this ordinance become effective immediately in order to preserve the public health, safety, and welfare. This ordinance shall become effective immediately upon passage by at least a majority plus one member of the City Council. The City Clerk is directed to publish a summary of this ordinance at the earliest possible publication date.

PASSED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON AT ITS REGULAR MEETING ON SEPTEMBER 21, 2021.

CITY OF MERCER ISLAND

Benson Wong, Mayor

Approved as to Form:

ATTEST:

Bio F. Park, City Attorney

Deborah A. Estrada, City Clerk

Date of Publication: _____

Exhibit A

State Mandated Code Amendments Work Plan

<p>1. Technical analysis and staff recommendation</p> <ul style="list-style-type: none">a. Review peer city approachesb. Analyze existing code criteria and spacing requirements for siting transitional and supportive housing facilities to understand existing capacity for potential housing sitesc. Await Department of Commerce data on Mercer Island’s “share” of the population in need of transitional/supportive housing and the amount of such housing the City should plan to accommodated. Prepare staff recommendations and begin drafting a code amendment based on the above informatione. Prepare a SEPA checklist and determination on the proposed code amendment, provide notification to state agencies and tribes	<p>Q4 2021-Q1 2022</p>
<p>2. Planning Commission review and recommendation on a draft code amendment</p> <ul style="list-style-type: none">a. Public outreach, including public hearingb. Approximately 3 points of review by the commission – study session, public hearing, and recommendation	<p>Q2 2022</p>
<p>3. City Council review and approval of code amendment</p> <ul style="list-style-type: none">a. First and second reading of the ordinance	<p>Q2-Q3 2022</p>