
COMMUNITY PLANNING & DEVELOPMENT

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



SEPA THRESHOLD DETERMINATION OF NON-SIGNIFICANCE (DNS)

NOTICE IS HEREBY GIVEN for the application described below:

Application No.: SEP25-001

Permit Type: Type III

Description of Request: Review under the State Environmental Policy Act (SEPA) for a nonproject action to amend the Mercer Island City Code to include regulations for temporary uses and structures.

The proposed amendments establish regulations which would:

- Amend MICC 19.06.050 to:
 - Provide clarification on the applicability of design requirements and review and approval by the Design Commission for commerce on public property;
 - Exclude temporary improvements from compliance with design requirements; and
 - Clarify that permit applications for existing eating and drinking establishments to temporarily provide outdoor food and beverage service on adjacent public property are considered temporary and may be approved by the code official without review or approval by the Design Commission.
- Establish a new code section MICC 19.06.130 – Temporary Use Permits, which would regulate temporary uses and structures on private property.
- Amend MICC 19.15.030 Table A – Permit Review Types to establish “Temporary Use Permit” as a Type I land use review.

Applicant: Molly McGuire, Senior Planner (City of Mercer Island Community Planning & Development) / City of Mercer Island

Location of Proposal: City-Wide, Mercer Island, WA 98040

Lead Agency: City of Mercer Island, Department of Community Planning & Development

Project Documents: Copies of all studies and/or environmental documents are available through the following link:

Application Process Information:

Date of Application: February 10, 2025
Determined to be Complete: February 10, 2025
Bulletin Notice: March 10, 2025
Comment Period Ends: 5:00PM on March 24, 2025

The lead agency determined that the proposed development will not have a probably significant adverse impact on the environment. An environmental impact statement (EIS) is not required pursuant to RCW 43.21C.031(2). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

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| <input type="checkbox"/> | There is no comment period for this DNS. |
| <input type="checkbox"/> | This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. |
| <input checked="" type="checkbox"/> | This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. Comments must be submitted by March 24, 2025 <u>at 5:00 PM.</u> |

Responsible Official: Alison Van Gorp, Deputy Director
alison.vangorp@mercerisland.gov | (206) 275-7733

Issued Date: March 10, 2025 **Signature: /s/** Alison Van Gorp, Deputy Director

APPEAL INFORMATION

This decision to issue a Determination of Non-significance (DNS) rather than to require an EIS may be appealed pursuant to Section 19.21 of the Mercer Island Unified Land Development Code, Environmental procedures.

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| <input checked="" type="checkbox"/> | There is no agency appeal. |
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