

**CITY OF MERCER ISLAND
ORDINANCE NO. 13C-02**

AN ORDINANCE OF THE CITY OF MERCER ISLAND, WASHINGTON, AMENDING THE ZONING MAP (MERCER ISLAND CITY CODE, TITLE 19, UNIFIED LAND DEVELOPMENT CODE) DESIGNATION OF A CERTAIN PROPERTY WITHIN THE CITY LIMITS OF MERCER ISLAND AT 8473 SE 68TH STREET, AS SPECIFICALLY DESCRIBED BELOW, FROM R-9.6 SINGLE FAMILY RESIDENTIAL TO P, PUBLIC INSTITUTION.

WHEREAS, the City of Mercer Island is owner of the real property with respect to the property legally described as:

The south 150 feet of the north 180 feet of the west 100 feet of the east 270 feet of the west half of the northeast quarter of the southwest quarter of the northwest quarter of Section 30, Township 24N, Range 5E, Willamette Meridian.

WHEREAS, in compliance with the Washington State Growth Management Act, Chapter 36.70A RCW, the City of Mercer Island adopted a Comprehensive Plan in 1994 and has amended the plan on several occasions since that time; and

WHEREAS, in compliance with the Washington State Growth Management Act, Chapter 36.70A RCW, the City of Mercer Island has adopted a zoning code and map (Mercer Island City Code, Title 19, Unified Land Development Code); and

WHEREAS, the existing zoning map in the Unified Land Development Code is not consistent with the adopted Comprehensive Plan Land Use Designation; and

WHEREAS, 36.70A requires the Comprehensive Plan and Unified Land Development Code to be consistent; and

WHEREAS, The City of Mercer Island has met all applicable public notice requirements for said rezoning according to MICC 19.15.020; and

WHEREAS, a public notice of application was published in the City of Mercer Island permit bulletin on December 3, 2012 and also in the Mercer Island Reporter on December 5, 2012, giving notice of the Planning Commission open record public hearing and encouraging public participation; and

WHEREAS, state agencies received 60 day notice of Mercer Island's proposed development code map amendments on December 27, 2012, and no formal comments were received; and

WHEREAS, the City of Mercer Island issued a SEPA Threshold Determination (DNS) for the rezone on December 24, 2012; and

WHEREAS, the Planning Commission held a public hearing on January 16, 2013, and unanimously (5-0) recommended approval of the proposed rezone for 8473 SE 68th Street, finding the application consistent with the prescribed review criteria of MICC 19.15.020 (G)(2); and

WHEREAS, the City Council held a public meeting on March 4, 2013 to provide opportunities for formal public comment on these matters.

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

Section 1. Reclassification - Rezone. The Mercer Island City Council hereby approves the amendment to the City's zoning map, as shown in Exhibit 1, by reclassification and rezone, from "R-9.6" to "P", the real property legally described as:

The south 150 feet of the north 180 feet of the west 100 feet of the east 270 feet of the west half of the northeast quarter of the southwest quarter of the northwest quarter of Section 30, Township 24N, Range 5E, Willamette Meridian.

Section 2: 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 3: Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

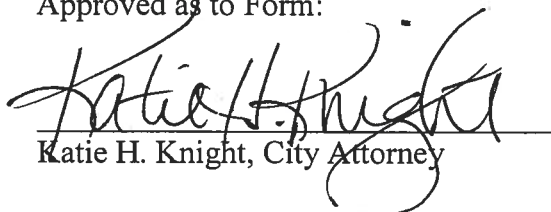
Section 4: Effective Date. This Ordinance shall take effect and be in force on 30 days after its passage and publication.

PASSED by the City Council of the City of Mercer Island, Washington at its regular meeting on the 18th day of MARCH, 2013 and signed in authentication of its passage.

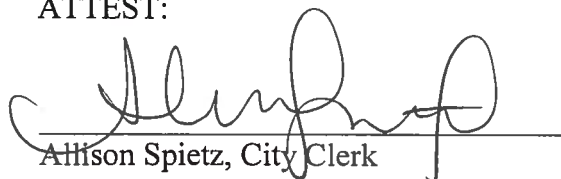
CITY OF MERCER ISLAND


Dan Grausz, Deputy Mayor

Approved as to Form:


Katie H. Knight, City Attorney

ATTEST:


Allison Spietz, City Clerk

Date of Publication: 3/27/2013

EXHIBIT 1

RZN12-001

