



# PLANNING COMMISSION

## REGULAR HYBRID MEETING AGENDA

Wednesday, May 28, 2025 at 6:00 PM

### PLANNING COMMISSIONERS

Chair: Dan Thompson  
Vice Chair: JB Gibson  
Commissioners: Kate Akyuz,  
Nazim Nice, and Anthony Perez

### LOCATION

Mercer Island Community & Event Center and Zoom  
8236 SE 24<sup>th</sup> Street | Mercer Island, WA 98040  
(206) 275-7706 | [www.mercerisland.gov](http://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) 275-7793 or by emailing [cityclerk@mercerisland.gov](mailto:cityclerk@mercerisland.gov).*

Individuals wishing to speak live during Public Appearances (public comment period) must register with the Deputy City Clerk at (206) 275-7791 or [cityclerk@mercerisland.gov](mailto:cityclerk@mercerisland.gov) by 4pm 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 **863 8146 1843**, Passcode **398647**.
- 2) **Zoom:** Click this [Link](#) (Webinar ID **863 8146 1843**, Passcode **398647**)
- 3) **In person:** Mercer Island Community & Event Center | 8236 SE 24<sup>th</sup> Street, Mercer Island, WA 98040

### CALL TO ORDER & ROLL CALL, 6 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 April 23, 2025 Regular Meeting minutes.

#### 2. PCB25-09: Public Hearing on Park Zone Code Amendment

**Recommended Action:** Hold public hearing and approve a recommendation regarding the Parks Zone Code Amendment.

#### 3. PCB25-10: Public Hearing on Parks Zone Comprehensive Plan Amendment

**Recommended Action:** Hold public hearing and approve a recommendation regarding the Parks Zone Comprehensive Plan Amendment.

### OTHER BUSINESS

#### 4. Staff Report

### ADJOURNMENT



# PLANNING COMMISSION REGULAR MEETING MINUTES

Wednesday, April 23, 2025

Item 1.

## CALL TO ORDER

The Planning Commission was called to order by Chair Thompson at 6:03 pm.

Planning Commissioners Kate Akyuz (Remote), JB Gibson, Nazim Nice, Anthony Perez, and Dan Thompson were present.

Parks and Recreation Commissioners: Peter Struck and Paul Burstein were present.

## Staff Participation:

Jeff Thomas, Director (Remote)

Alison Van Gorp, Deputy CPD Director

Adam Zack, Principal Planner (Remote)

Carson Hornsby, Management Analyst

Deb Estrada, Deputy City Clerk

Raven Gillis, Recreation Specialist

**APPEARANCES** – There was no public comment.

## REGULAR BUSINESS

### 1. Planning Commission Meeting Minutes of February 26, 2025, Regular Meeting:

A motion was made by Gibson; seconded by Nice to:

**Approve the minutes.**

Approved 4-0-1 (Perez)

### 2. PCB25-07: Public Hearing on New Dwelling Units in Existing Buildings (House Bill 1042)

The public hearing was opened at 6:05 PM

There being no public comments, the public hearing was closed at 6:06 PM

Principal Planner Adam Zack provided a brief presentation that provided an overview of House Bill 1042, and the amendments proposed to comply. Commissioners asked several questions, to which staff responded.

A motion was made by Gibson; seconded by Nice to:

**Recommend the proposed new section of Mercer Island City Code as presented in PRC 25-07**

A motion was made by Nice; seconded by Thompson to:

**Amend the maximum density section to state that the building envelope and site may be modified as follows, not to exceed the requirements of the underlying zone:**

1. Exterior features may be added to comply with ADA or required fire and life safety;
2. Landscape and hardscape alterations to accommodate features for residences such as patios;
3. Alterations in exterior fenestration to accommodate access and ventilation;
4. Awnings at fenestration to provide weather protection and/or solar shading;
5. Exterior features to accommodate necessary mechanical and utilities may be added provided the gross floor area of the building would not be increased by more than five percent.

Amendment passed 5-0

A motion was made by Nice; seconded by Akyuz to:

**Add a subsection 6 to the density bonus section reading "Unenclosed roof top features such as decks and railings may be added provided that they do not increase the existing height by the lesser of the maximum allowed in the subject zone or by six feet and elevator or stair access may be added provided they do not increase the existing building height by the lesser of the maximum allowed in the subject zone or 20 feet."**

Amendment passed 3-2

A motion was made by Perez; seconded by Nice to:

**Amend the above to add after the word existing "quantity of" parking spaces**

Passed 5-0

A motion was made by Gibson; seconded by Nice to:

**Amend the parking section as recommended by staff in comment one of the response matrix to read as follows: Parking. New parking spaces are not required for dwelling units added to an existing building. Existing parking spaces must be retained provided the total number of spaces to be retained is less than or equal to the number of spaces that would be required for multifamily uses in the subject zone.**

Passed 5-0

Original motion PASSED 5-0 (with amendments)

### 3. PCB25-08: Parks and Recreation Commission Parks Zone Recommendation

Management Analyst Carson Hornsby shared an extensive presentation that addressed the following:

- Parks Zone Background:
- Parks and Recreation Commission Zone Recommendation:
  - Draft Parks Zone Development Regulations
  - Draft Zoning Map
  - Draft Land Use Map

Hornsby summarized the next steps, explaining that staff would prepare the draft development code and Comprehensive Plan amendments based on the Planning Commission's (PC) feedback. He further explained that two public hearings were scheduled for the PC's May 28 meeting and that the Commission was expected to complete its review and make a recommendation to the City Council by early June. City Council is scheduled to review the Parks Zone in July 2025.

PRC Chair Peter Struck and Vice Chair Paul Bernstein expanded on Hornsby's presentation and responded to the Commission's questions.

## OTHER BUSINESS

### 4. Staff's Report

Deputy Director Alison Van Gorp addressed the following:

- Planning Commission comments, questions, or proposed amendments to the Park Zone are due by May 12 at noon.
- The May 28 PC meeting will be Park Zone public hearing and deliberations.
- A special meeting in early June will be scheduled if additional time is needed to finalize the PRC recommendation. A public hearing and recommendation on permanent regulations for temporary uses and structures will also be held.
- The July 23 meeting will include another item related to state legislative requirements.

**ADJOURNED** - The meeting adjourned at 9:01 pm

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Deborah Estrada, Deputy City Clerk

DRAFT



# PLANNING COMMISSION CITY OF MERCER ISLAND

PCB 25-09  
May 28, 2025  
Public Hearing

## AGENDA BILL INFORMATION

<b>TITLE:</b>	PCB 25-09: Public Hearing: Parks Zone Code Amendment	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Recommendation
<b>RECOMMENDED ACTION:</b>	Approve a recommendation regarding the Parks Zone Code Amendment.	

<b>STAFF:</b>	Carson Hornsby, Management Analyst II Alison Van Gorp, Deputy Director of Community Planning and Development
<b>EXHIBITS:</b>	1. Development Code Amendment Matrix 2. Draft Parks Zone Code Amendment

## EXECUTIVE SUMMARY

The Parks Zone is a proposed new zone that will establish development regulations for most City-owned and/or managed parks. The purpose of the Parks Zone is to ensure park lands are preserved and managed appropriately, in alignment with the Parks, Recreation, and Open Space (PROS) Plan, City code, master plans, and similar guiding documents.

- Creation of a new zone requires amendments to Title 19 of the Mercer Island City Code (MICC), the Zoning Map in MICC Title 19 Appendix D, and the Land Use Designation Table and Land Use Map in the Comprehensive Plan.
- The Parks and Recreation Commission (PRC) began working on the Parks Zone in October 2024 and finalized their recommendation to the City Council and Planning Commission (PC) in April 2025.
- At the April 15 City Council meeting, the PRC Chair and Vice Chair presented the PRC's Parks Zone recommendation to the City Council. The City Council approved a motion directing the PC to complete legislative review of the Parks Zone by June 2025.
- At the April 23 PC meeting, the PRC Chair and Vice Chair presented the PRC's Parks Zone recommendation to the PC.
- The PC will hold a public hearing for the Parks Zone Code Amendment on May 28, 2025, and consider approving a recommendation to the City Council. The City Council is scheduled to review the PC's Parks Zone Code Amendment recommendation in July 2025.

## BACKGROUND

### Parks Zone/Open Space Zone Background

The scope of work for the 2024 Comprehensive Plan Periodic Update, adopted by the City Council in 2022 with [Resolution No. 1621](#), included the creation of a new Parks Zone and development regulations for the new zone. In January 2024, a preliminary draft of the Parks Zone development regulations was presented to the PRC and PC. Following community and commission feedback, the legislative review was paused, and the draft was returned to the PRC for further review. In March 2024, the PRC recommended dividing the Parks Zone planning into two phases: creating a zone for City-owned open space lands and another for public park properties.

The PRC and Open Space Conservancy Trust (OSCT) Board held several joint meetings to develop legislation for the Open Space Zone. On May 8, 2024, PRC and OSCT Chairs presented a joint recommendation to the PC, which completed its review in June 2024 as part of the Comprehensive Plan Update. On September 25, 2024, the PC approved a recommendation for the Open Space Zone code amendment. The City Council adopted [Ordinance No. 24C-15](#) establishing the Open Space Zone on November 4, 2024 with an effective date of December 31, 2024.

After the adoption of the Open Space Zone, the PRC shifted focus to development of the Parks Zone in October 2024. The PRC finalized their Parks Zone recommendation on April 9, 2025. The PRC Chair and Vice Chair presented the PRC's Parks Zone recommendation to the City Council on April 15, 2025, and the City Council passed a motion directing the PC to complete legislative review of the Parks Zone by June 2025. The PRC Chair and Vice Chair presented the PRC's Parks Zone recommendation to the PC at the April 23, 2025 PC meeting. The PC asked the PRC Chair, Vice-Chair, and staff questions related to the recommendation. Staff requested that the Planning Commissioners provide comments, amendments, and questions and established a deadline for these materials to be submitted prior to the May 28, 2025 public hearing.

Adoption of the Parks Zone will require amendments to the Development Code and the Comprehensive Plan. This PCB (PCB25-09) pertains to the amendments to the Development Code and PCB25-10 pertains to the Comprehensive Plan amendments.

## ISSUE/DISCUSSION

### Draft Parks Zone Code Amendment

Creation of a new zone requires amendments to the Development Code and the Zoning Map in Appendix D of the Development Code. The draft Parks Zone Code Amendment (see Exhibit 2) includes drafts of the Parks Zone Development Regulations and Zoning Map.

#### Draft Parks Zone Development Regulations

The draft Parks Zone Development Regulations outline how land in the Parks Zone can be used and developed, and include the following code amendments:

- Amendment to MICC Title 19 to add a new subsection MICC 19.05.05, establishing the Parks Zone purpose, designation requirements, and uses permitted.
- Amendment to MICC Title 19 to add a new subsection MICC 19.05.060, establishing the Parks Zone development standards.
- Amendment to [MICC 19.16.010 – Definitions](#) to add new definitions for key terms used in the Parks Zone development regulations.
- Amendment to [MICC 19.01.040 – Zone Establishment](#) to establish the Parks Zone.

#### Draft Zoning Map

The draft Zoning Map provides a visual representation of the City's zoning designations. The draft Zoning Map will replace the current adopted Zoning Map in MICC Title 19 Appendix D. The draft Zoning Map includes the following parks in the Parks Zone:

Bicentennial Park  
Clarke Beach Park  
Deane's Children's Park  
First Hill Park  
Groveland Beach Park  
Homestead Park  
Island Crest Park  
Luther Burbank Park

Mercerdale Park  
Roanoke Park  
Rotary Park  
SE 28th Street Mini Park  
Secret Park  
Slater Park  
Wildwood Park

## Planning Commission Proposed Amendments

Following the presentation of the PRC's recommendation on April 23, 2025, Planning Commissioners provided proposed amendments to the draft Parks Zone Development Regulations. The proposed amendments were sorted into two different categories in the Amendment Matrix: minor and major.

- **Minor.** Minor changes are those changes that are non-substantive and would not significantly change the policy direction of the development regulations. Examples of minor changes include wordsmithing, reorganization, clarifying amendments or amendments for consistency with other changes that are more substantive. The Commission may reclassify specific amendments if more detailed discussion is desired to make a recommendation, otherwise, the recommended motion will adopt all the minor amendments as a group. In a couple of cases, staff have proposed an alternative amendment; approving the minor amendments as a group will approve the staff drafted alternatives unless the commission takes separate action on that item.
- **Major.** Major changes are substantive changes are those changes that would significantly impact the policy direction of the development regulations. These changes require review or discussion by the Planning Commission and often include several proposed alternatives. The Planning Commission should focus on the Log Items categorized as "Major Amendments" in Exhibit 1, during the meeting.

The draft code amendment is provided in Exhibit 2, which includes the recommendations of the PRC along with the additional amendments proposed by the PC, as noted in brackets with green highlights that reference the log numbers in Exhibit 1.

During the May 28, 2025 meeting, staff will walk through each of the proposed substantive amendments and time will be available for questions and discussion. Staff will also provide an overview of the process for approving amendments and finalizing the PC recommendation, including proposed motions, which are detailed in the Recommended Action section below.

The PC can finalize its recommendation on this matter at the May 28 meeting, or if the PC requires an additional meeting to finalize their recommendation, deliberations can be extended to the special meeting scheduled for June 10. If deliberations are to continue at the June 10 meeting, the PC may direct staff to prepare updated amendment language for consideration at that meeting, rather than making motions with specific wording changes during the May 28 meeting. This is a good option if drafting revisions to some amendments becomes too complex to resolve during the meeting.

### NEXT STEPS

After holding the public hearing on May 28, the PC will begin deliberations on the Parks Zone code amendment. The Planning Commission should finalize its recommendation by mid-June. The City Council is scheduled to review the PC's Parks Zone recommendations in July 2025.

### RECOMMENDED ACTION

Hold a public hearing and approve a recommendation regarding the Parks Zone Code Amendment.

Staff recommend the following motions:

**Main Motion:** "Move to recommend that the City Council adopt the proposed new section MICC 19.05.050 – Parks Zone; new section MICC 19.05.060 – Parks Zone Development Standards; and proposed amendments to MICC 19.16.010 – Definitions and MICC 19.01.040 – Zone Establishment."

**Note:** once the main motion has been made and seconded, the Planning Commission can begin making amendments by motion as it sees fit.

**Secondary Motion – Minor Amendments:** “Move to approve the minor amendments and amend the draft materials as presented in PCB 25-09.”

**Note:** This motion would make all the minor amendments outlined in Exhibit 1. If there are amendments categorized as minor that the Planning Commission would like to discuss further, the motion could be modified to: “move to approve the minor amendments except for proposed amendments [insert log numbers] and amend the draft materials as presented in PCB 25-06.” The excepted amendments can then be addressed with the same process proposed for substantive amendments.

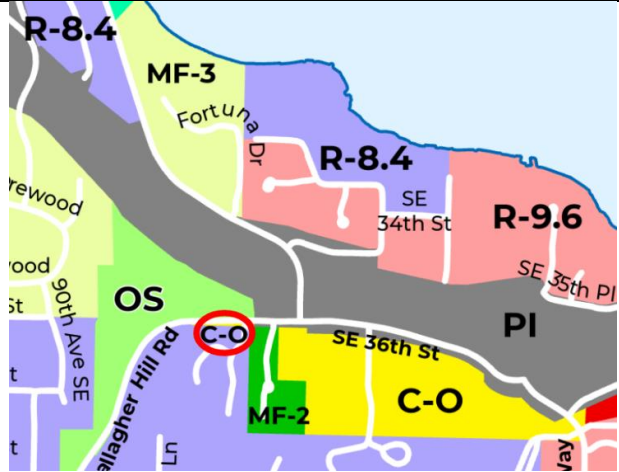
**Secondary Motion – Major Amendments:** “Move to approve substantive amendment [insert log number] alternative [insert preferred alternative] as presented.”

**Note:** Each time a substantive amendment motion is made all the following variables will need to be inserted: (1) amendment log number and (2) the preferred alternative. The phrase “as presented” can be changed to “as amended” if the Planning Commission would like to make further changes to the alternative such as proposing specific language. If changes to an alternative are proposed the tertiary motion below would need to be made to detail the proposed change prior to voting on the secondary motion.

**Tertiary Motion – Changes to a major amendment alternative:** “Move to amend alternative [insert preferred alternative] as follows: [provide the proposed amendment].”



Minor Amendments – Development Regulations & Zoning Map

Log #	Received From	Amendment	Staff Response
1	Akyuz	MICC 19.05.XXX Parks Zone, Section A, Purpose. amend the purpose statement to add shoreline access, new statement should read ...”which provide green space, shoreline access, and recreational, social, and conservation opportunities.”	Please note: Log 6 incorporates the amendment proposed in Log 1, approving Log 6 will also approve the amendment proposed in Log 1
2	Akyuz	MICC 19.05.XXX Parks Zone, Section C, item 5, amend to read, “Public art and arts amenities.”	<b>Staff alternative*</b> Instead of adding a new undefined term, staff recommend adding the following sentence to the definition for public art in MICC 19.16.010: “Public art can be implemented in standalone art installations or incorporated into other structures.”
3	Nice	MICC 19.05.XXX.C.3 Kiosks are often multisided, suggest amending Kiosk size to state: Kiosks shall not exceed 22 square feet of surface area <b>per side</b> and 10 feet in height. Surface area shall be measured as the portion of the kiosk used/usable for providing information.	The proposed size limits for kiosks are based on the kiosk model at Luther Burbank Park and Pioneer Park (Open Space), which utilize both the front and back of the kiosk to display information. Each side of this kiosk model has 22 square feet of surface area. The size limits in the current draft, which are consistent with the language in the Open Space Zone, were written with the intention to be able to use both sides. However, the kiosk standards in the Open Space Zone development regulations do not specify “per side.” This amendment is also relevant to signs, as the proposed size limits for signs also do not specify “per side”.
4	Nice	 <p>This appears to be an errant C-O unless there’s a small sliver of C-O zoned land here (there is a tiny sliver of yellow too).</p>	This area of C-O zone in the ROW was inadvertently left over after the adoption of the Open Space Zone, which included the rezoning of Gallagher Hill Open Space directly across the street. This error can be corrected in the PC’s Zoning Map recommendation.

5	Thompson	Amendment to MICC 19.05 – Parks Zone C. 9. Temporary Uses. Add: “Temporary uses shall conform to the regulatory limits of the Parks Zone.”	<b>Staff alternative *</b> Staff recommend the following alternative amendment for clarity: “Temporary uses are subject to the development standards in MICC 19.05.060.” Making this amendment could restrict some temporary uses that could impact construction, emergency response or community events. For example, complying with the proposed regulations for setbacks, lighting and impervious surfaces could potentially place restriction on some potential temporary uses. Staff recommend considering exemptions to some of the development standards for temporary uses including setbacks, lighting, and impervious surface.
6	Perez	MICC 19.05.XXX Parks Zone, Section A, Purpose. Additionally amend the purpose statement to add Gathering Spaces focus, new statement should read ...”which provide green space, shoreline access, conservation opportunities and recreational, social spaces for individuals and gatherings”	See Log 1. The amendment proposed in Log 6 incorporates the amendment proposed in Log 1. Approving Log 6 will also approve Log 1.

\* If the minor amendments are approved as a group, the staff alternative version will be approved. If the commission would like to take a different action on these items, they should be reclassified as major amendments and discussed and voted on individually.

Major Amendments – Development Regulations & Zoning Map

Log #	Received From	Amendment	Staff Response
1	Akyuz	MICC 19.05.XXX Parks Zone, Section C, please amend adding a new item 12, “Multipurpose Facilities.”	A multipurpose facility is a combination of two or more of the other types of facilities in the permitted uses including Recreational Facilities (the definition for Recreational Facilities includes restrooms) and Park Maintenance Facilities. Therefore, all the potential uses served by a multipurpose facility are already included in the uses permitted and this amendment is not necessary.
2	Akyuz	MICC 19.05.XXX Parks Zone Development Standards, Section D Trail Standards. Please amend to add the following additional numbered items under D. “2. The minimal operational width of any shared use trail, excluding shoulders, is 10 feet. 3. Shoulders are required for any shared use path.	A minimum trail width of 10 feet may not be ideal for some trails that are intended to be smaller and/or are less frequently used. Trail width varies significantly throughout the park system and many trails are under 10 feet in width. If a trail with a width under 10 feet adequately serves the intended uses and is not considered an emergency access route, then increasing the trail width to 10 feet would add additional impervious surface to the parks system without additional benefit. This requirement may also lead to difficulties if trails are not exempt from the impervious surface standard (proposed in log 5). See also Log 13, which

		4. Any obstruction placed in a shared use trail, such as islands or bollards must not reduce the clear width of any portion of the pedestrian path to less than 4 feet.”	seeks to include shoulders in the 12-foot maximum width. Examples of trails in the park system are included in the <a href="#">PRC25-02 presentation</a> .
3	Akyuz	MICC 19.05.XXX Parks Zone Development Standards, Section E Building Size, Item 1. Please amend to add a footnote to the table under item 1 that reads. “For the purposes of this document, the Recycling Center at Mercedale Park is a multi-purpose building.” alternatively for Commission consideration, Same Section, Item 3, add, “e. Recycling Center at Mercedale Park.” [Note to Carson – Building is ~2,000 s.f.]	The proposed definitions for each building type (see MICC 19.16.010) provide the information used to classify buildings in the Parks Zone. It is not necessary to list individual buildings and their classification in this section.
4	Akyuz	MICC 19.05.XXX Parks Zone Development Standards, Section E Building Size, Item 1, please amend the table to add a new building type, “Concession Stand”, GFA Limit “500 square feet”, Height Limit “20 feet”.	Concession stands are included in the definition for Recreational Facilities, which have the same proposed GFA limit of 500 square feet and a height limit of 20 feet. It is not necessary to list concession stand as a separate building type.
5	Akyuz	MICC 19.05.XXX Parks Zone Development Standards, Section G. Please strike, “c. Public trails”, and “e. Synthetic turf athletic fields”	This amendment would most likely require new synthetic turf athletic fields and new trails (depending on the amount of new impervious surface proposed) to be approved through a master planning process or similar planning document with public input and City Council approval. Master planning requires a significant investment of time and resources and could delay currently planned improvements, some of which are not included in a park master plan. See also Logs 17-18 which propose similar amendments.
6	Akyuz	MICC 19.05.XXX Parks Zone Development Standards, please amend to add a new Section with the following items: “J. Shoreline Recreation 1. Shoreline Parks include, Luther Burbank Park, Clarke Beach Park, Groveland Park, Slater Park, and Garfield Landing. 2. Planning and design for Shoreline Parks shall include all reasonable ingress and egress improvements and features to improve accessibility. 3. Up to one marina facility and one boathouse each will be allowed among all Shoreline Parks. 4. Lighting at Shoreline Parks will be turned off within one hour of dusk. 5. A maximum of one Concession Stand type building is allowed at each Shoreline Recreation Park.”	<ol style="list-style-type: none"><li>1. The Landing/Street End properties, including Garfield Landing, are ROW areas primarily used for utilities, and are not proposed to be included in the Parks Zone as part of the PRC’s recommendation.</li><li>2. Is this unique to shoreline recreation such that it needs to be called out? Additional definition needed on what is “reasonable”.</li><li>3. Moorage facilities are discussed in 19.13.050 (F), public access piers, docks and boardwalks are discussed in (H) and marinas are discussed in (L). Is the marina facility referenced here the same as any of these?</li><li>4. Lighting regulations should be included in the existing Development Standard H. Lighting and I. Lighting for Outdoor Performance, Sport and Recreations facilities and Play fields for organization and consistency.</li><li>5. “Concession” is used in MICC 9.30.090 to be sale of goods, services or merchandise and needing the permission of the director or a concession contract with the city. Does this align with what was intended? See also marinas discussed in 19.13.050(L).</li></ol>

7	Akyuz	MICC 19.16.010 Definitions, item Recreational Facilities. Please amend this item to include in the list, “boathouses”.	This amendment is only necessary if the amendment in Log 6 is approved.
8	Akyuz	MICC 19.16.010 Definitions, New item. Please amend the definitions to include two new definitions as follows: Shoreline Park – A park on the shoreline of Lake Washington that has public access for water-dependent recreation.	This amendment is only necessary if the amendment in Log 6 is approved.
9	Nice	MICC 19.05.XXX.H.2: Incorporate language for salmon friendly lighting. Move section 2 (exempt lighting) to new section 3 verbatim. Add new section 2 as follows:  2. Where applicable at or near the shoreline, new lighting shall adhere to salmon-friendly principles to minimize ecological disruption.  a. Remove nonessential lighting to reduce ambient light pollution. b. Ensure fixtures are shielded and positioned to prevent direct illumination of water surfaces. c. Incorporate timers and motion sensors to activate lighting only when necessary. d. Adjust light intensity to the lowest functional level necessary. e. Use fixtures with warm color temperatures (3000K or less) to minimize the detrimental blue light that penetrates deeper into lake waters.	Staff recommend clarifying that this amendment pertains to the shorelands within the Park Zone (shorelands are upland areas within 200 feet of the ordinary high-water mark (OHWM) of a shoreline). Note that shorelands throughout the city are regulated by MICC 19.13 Shoreline Master Program. However, MICC 19.13 does not currently include any lighting standards for shorelands.  Staff also recommend omitting proposed section 2(b) as it is duplicative with section 1 and is unnecessary.  Also see Log 23, which builds on this proposal.
10	Thompson	Amendment to MICC 19.05 – Parks Zone C. 5. <i>Public Art</i> . Add: “All public art in the Parks Zone shall be approved by the Parks and Recreation Commission as to size.”	The authority to approve public art installations lies with the City Council. The Arts Council provides recommendations to the City Council regarding public art, and the City Council has the authority to approve or reject the Arts Council’s recommendations. The recommendation process for public art is a policy/procedure included in the <a href="#">Arts Council Bylaws</a> . If the PC is interested in recommending changes to the process, staff recommend making a separate recommendation to revise the process outlined in the Arts Council Bylaws. Note: the PRC and Arts Council both reviewed this topic and did not recommend any changes to the public art recommendation process as it relates to the Parks Zone. Also see Log 22, which includes a similar proposal.
11	Thompson	Amendment to MICC 19.05 – Parks Zone C. 8. <i>Parking</i> . Add “for park-related uses” after “Parking.”	This amendment would make existing parking for non-park uses non-conforming (for example parking at Luther Burbank Park utilized by Youth and Family Services clients). With the addition of appropriate signage, parking can be restricted to park-related uses, however, in practice this would likely be difficult to enforce.

12	Thompson	Amendment to MICC 19.05 – Parks Zone Development Standards section. <i>Setbacks</i> . Add Section 4.: “Parking adjacent to property that is zoned R-8.4; R-9.6; R-8.12; and R.15 shall have a 20ft setback.”	If the PC would like to include this amendment, staff would recommend instead amending section 3 as follows: “3. The following developments are exempt from setback requirements: fences, gates, culverts, trails, landscaping, furnishings, bollards, signs, kiosks, parking areas, and utilities, except as follows: a. Parking areas located adjacent to property that is zoned R-8.4; R-9.6; R-8.12; or R.15 require a 20-foot setback.”
13	Thompson	Amendment to MICC 19.05 – Parks Zone Development Standards Section D. 1. – <i>Trail Standards</i> . Add at the end of the section: “including shoulders.”	Staff do not recommend making this amendment. Trails throughout the park system are designed to allow access for emergency response vehicles. Minimum clearance for emergency response vehicles is 20 feet. Additional room for shoulders on top of the proposed 12-foot trail width limit is necessary to accommodate emergency fire and medical response in parks. Examples of trails in the park system are included in the <a href="#">PRC25-02 presentation</a> .
14	Thompson	Amendment to MICC 19.05 – Parks Zone Development Standards Section E. 1. <i>Building Size</i> . In the table for “Multipurpose Facilities” delete 3500 Sq ft gross area floor limit for multi-purpose facilities and add language: “Gross floor area limit for multi-purpose facilities shall be the combined gross floor area limit for each building type in the building”.	This amendment would make the multipurpose facility at Island Crest Park, the multipurpose facility at Mercedale Park (recycling center/restroom), and all batting cages nonconforming.
15	Thompson	Amendment to MICC 19.05 – Parks Zone Development Standards Section E. 3. Add Section e: “Multi-purpose facility in Island Park.”	This amendment should only be approved if Log 14 is also approved. This amendment will exempt the multipurpose facility at Island Crest Park from the building size standards.
16	Thompson	Amendment to MICC 19.05 – Parks Zone Development Standards Section F. <i>Parking</i> Add Section 4: “Parking in the Parks Zone shall be limited to park-related uses.”	See Log 11. This amendment would make existing parking for non-park uses (for example at Luther Burbank Park) non-conforming.
17	Thompson	Amendment to MICC 19.05 – Parks Zone Development Standards Section G. <i>Impervious Surface</i> . c. Public Trails. Amend to read: “Existing public trails.”	See Log 5. If the intent of this amendment is to remove new trails from the impervious surface exemptions, staff recommend instead removing “public trails” from the exemptions.
18	Thompson	Amendment to MICC 19.05 – Parks Zone Development Standards Section G. <i>Impervious Surface</i> . Delete e. “synthetic turf athletic fields.”	See Log 5.

19	Thompson	Amendment to MICC 19.01.040 A. Zones – Amend proposed City of Mercer Island Zoning Map to change Aubrey Davis Park from “PI Zone” to “Parks Zone.”	<p>Staff recommend reviewing the “Aubrey Davis Park Background Information” exhibit included in <a href="#">PRC25-02</a>.</p> <p>Zoning designation is based on the primary land use, which is highway transportation in the case of WSDOT ROW. The PI Zone is ideal for the I-90 corridor because it does not contain any development regulations specific to WSDOT ROW. Rezoning WSDOT ROW to Parks Zone would not have any effect on how the park is managed or developed based on the current agreements between the City and WSDOT and the Aubrey Davis Park Master Plan. However, due to <a href="#">RCW 47.12.120</a>, which was signed into law during the span of the City’s current agreements with WSDOT, new leases of surplus state land and airspace are subject to the provisions and requirements of zoning ordinances of political subdivisions of government. If WSDOT ROW is rezoned, the requirements of this RCW may affect negotiations to renew the City’s surplus airspace lease to maintain and operate Aubrey Davis Park, which expires in 2034.</p>
20	Thompson	Amendment to MICC 19.01.040 Zone Establishment. F. Add language at the end of the section: “To change the zoning of any park in the Parks Zone shall require five (5) votes of the council.”	Staff do not recommend making this amendment. <a href="#">RCW 35A.13.170</a> makes <a href="#">RCW 35A.12.120</a> applicable to Council/Manager forms of government. RCW 35A.12.120 preempts a Council adopted rule: “The passage of any ordinance, grant or revocation of franchise or license, and any resolution for the payment of money shall require the affirmative vote of at least a majority of the whole membership of the council.” This means the City Council does not have the authority to impose a super majority for amending the Parks Zone.
21	Perez	MICC 19.05.XXX Parks Zone, Section C, please amend adding a new items under “Recreational Facilities and Amenities” as follows: ...Examples of recreational facilities include athletic fields, sport courts, playgrounds, various scale performance spaces and covered seating. Examples of recreational amenities include picnic tables, benches, and barbecues. This recommendation is in alignment complementing the Comprehensive Plan Objective: 12 Public Realm: Have inviting, accessible outdoor spaces with seating, greenery, water features, and art that offer settings for outdoor entertainment and special events as well as for quiet contemplation. (“adding...with year-round consideration”).	Staff do not recommend making this amendment. Proposed definitions for the terms “recreational facilities” and “recreational amenities” are included in the definitions section of the draft code amendment (MICC 19.16.010) and include very similar lists of examples.
22	Perez	Amendment to MICC 19.05 – Parks Zone C. 5. <i>Public Art</i> . Add: “All public art in the Parks Zone shall be approved by the Parks and Recreation Commission as to size and material durability.”	See Log 10.
23	Perez	Amendment to MICC 19.05 – Parks Zone Development Standards (Section D) <i>Lighting</i> : Lighting standards are recommended to	See Log 9.

		<p>minimize glare, sky glow, and light trespass onto neighboring properties, and require shielding of light fixtures with a few exemptions for specific types of lighting. In addition, outdoor recreation and social facilities are proposed to meet the widely US adopted IDS published standards, specific shielding and angling requirements, and require that lights remain off when not in use. (Following Commissioner Nazim Salmon friendly lighting notation)</p> <p>3. Where applicable at or near gathering and covered seating, new lighting shall adhere to Dark Sky Protection principles to minimize ecological disruption.</p> <p>a. Remove nonessential lighting to reduce ambient light pollution.</p> <p>b. Ensure fixtures are shielded and positioned to prevent direct illumination of adjacent surfaces.</p> <p>c. Incorporate timers and motion sensors to activate lighting only when necessary.</p> <p>d. Adjust light intensity to the lowest functional level necessary.</p> <p>e. Use fixtures with warm color temperatures (3000K or less) to minimize the detrimental blue light.</p>	
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## DRAFT PARKS ZONE DEVELOPMENT REGULATIONS

### MICC 19.05.050 – Parks Zone. [New Subsection]

- A. *Purpose.* The purpose of the Parks Zone is to preserve and maintain parks which provide green space, shoreline access, [Minor Amendments - Log 1] conservation opportunities and recreational, social, and conservation opportunities spaces for individuals and gatherings. [Minor Amendments - Log 6]
- B. *Parks Zone Designation Requirements.* In addition to the requirements established in [MICC 19.15.240](#), Parks must be owned, leased, or managed by the City of Mercer Island and fulfill the purpose provided in subsection (A) above to qualify for classification as Parks Zone.
- C. *Uses Permitted.* The following land uses are permitted in the Parks Zone. A use not permitted by this section is prohibited.
1. Recreational uses.
  2. Recreational facilities and recreational amenities. Examples of recreational facilities include athletic fields, sport courts, playgrounds, various scale performance spaces and covered seating. Examples of recreational amenities include picnic tables, benches, and barbecues. [Major Amendments - Log 21]
  3. Park maintenance facilities.
  4. City government services in the Luther Burbank Administrative Building, Luther Burbank Boiler Building, and Luther Burbank Caretakers House.
  5. Public art and arts amenities. [Minor Amendments - Log 2] All public art in the Parks Zone shall be approved by the Parks and Recreation Commission as to size [Major Amendments - Log 10] and material durability. [Major Amendments - Log 22]
  6. Trails.
  7. Habitat restoration and enhancement as authorized by [Chapter 19.07 MICC](#).
  8. Parking for park-related uses. [Major Amendments - Log 11]
  9. Temporary uses and structures compatible with the purpose of the Parks Zone, as authorized by the City Manager or designee.

Temporary uses shall conform to the regulatory limits of the Parks Zone. [Minor Amendments - Log 5]

Temporary uses shall conform to the development standards in MICC 19.05.060. [Minor Amendments - Log 5, staff alternative]



10. Wireless communications facilities. (Only if otherwise permitted by [MICC 19.06.040](#) – Wireless communications or [MICC 19.06.070](#) – Small wireless facilities deployment, and subject to [MICC 19.06.075](#) – Small wireless facility deployments design and concealment standards).
11. Utilities.
12. Multipurpose Facilities. **[Major Amendments - Log 1]**

#### **MICC 19.05.060 – Parks Zone Development Standards. [New Subsection]**

- A. *Applicability.* The provisions of this section shall apply to all development proposals in the Parks zoning designation.
- B. *Setbacks.*
  1. The following minimum setbacks apply:
    - a. Zero (0) feet if adjacent property is zoned PI, OS, TC, PBZ, C-O, or B; and
    - b. Twenty (20) feet if adjacent property is zoned R-8.4, R-9.6, R-12, R-15, MF-2L, MF-2, or MF-3.
  2. Setbacks are measured from the adjacent property line or the edge of adjacent public rights-of-way.
  3. The following developments are exempt from setback requirements: fences, gates, culverts, trails, landscaping, furnishings, bollards, signs, kiosks, parking areas, and utilities. Except as follows:
    - a. Parking areas located adjacent to property that is zoned R-8.4; R-9.6; R-8.12; or R.15 require a 20-foot setback. **[Major Amendments - Log 12, staff alternative]**
  4. Parking adjacent to property that is zoned R-8.4; R-9.6; R-8.12; and R.15 shall have a 20ft setback. **[Major Amendments - Log 12]**
- C. *Signs and Kiosks.*
  1. Signs shall be governed by [MICC 19.12.080](#), except as follows:
    - a. Signs shall not exceed 16 square feet of surface area. Surface area shall be measured as the part of the sign used to display information.
    - b. Externally lit signs are prohibited except for park entry signs and signs required for public health, safety, or maintenance purposes.
  2. Scoreboards shall not exceed 250 square feet of surface area. Surface area shall be measured as the side of the scoreboard that displays the score. Electronic and externally lit scoreboards are permitted.

3. Kiosks shall not exceed 22 square feet of surface area per side and 10 feet in height. Surface area shall be measured as the portion of the kiosk used/usable for providing information. [Minor Amendments - Log 3]

**D. Trail Standards.**

1. Trails shall not exceed 12 feet in width including shoulders. [Major Amendments - Log 13]
2. The minimal operational width of any shared use trail, excluding shoulders, is 10 feet.
3. Shoulders are required for any shared use path.
4. Any obstruction placed in a shared use trail, such as islands or bollards must not reduce the clear width of any portion of the pedestrian path to less than 4 feet. [Major Amendments - Log 2]

**E. Building Size.**

1. Unless exempted by subsection €(3), the following standards shall apply to buildings in the Parks Zone:

Building Type	Gross Floor Area Limit	Height Limit
Restrooms	500 square feet	20 feet
Park Maintenance Facilities	500 square feet	20 feet
Recreational Facilities	500 square feet	20 feet
<u>Concession Stand</u>	<u>500 square feet</u>	<u>20 feet</u>
Multipurpose Facilities	<u>3,500 square feet Gross floor area limit for multi-purpose facilities shall be the combined gross floor area limit for each building type in the building.</u> [Major Amendments - Log 14]	20 feet
Picnic Shelters	1,200 square feet	16 feet
Luther Burbank Pergola	2,000 square feet	16 feet

1. For the purposes of this document, the Recycling Center at Mercedale Park is a multi-purpose building. [Major Amendments - Log 2, alternative 1]
2. Flagpoles, antennas, chimneys, mechanical equipment, and rooftop appurtenances do not count toward building height in the Parks Zone.
3. The following buildings in the Parks Zone shall be exempt from the standards in subsection (E)(1):
  - a. Luther Burbank Administrative Building.
  - b. Luther Burbank Boiler Building.
  - c. Luther Burbank Caretakers House.
  - d. Emergency well buildings.
  - e. Recycling Center at Mercedale Park [Major Amendments - Log 2, alternative 2]
  - f. Multi-purpose facility in Island Park [Major Amendments - Log 15]

F. *Parking.* The following parking requirements apply to all land uses in the Parks Zone.

1. *Design.* Parking lot design must conform to the diagrams included in [Appendix A](#) of this development code, unless alternative design standards are approved by the City Engineer.
2. *Ingress and egress.* The City Engineer shall have the authority to condition future development permit approvals to fix the location and width of vehicular ingress or egress to and from the subject property and alter existing ingress and egress as may be required to control street traffic in the interest of public safety and general welfare.
3. *Minimum parking requirements.* Parking proposals must demonstrate to the satisfaction of the City Engineer that the number of parking spaces proposed will accommodate the projected parking created by the proposed use. The City Engineer may condition approval to require a minimum number of parking spaces if the proposed use is expected to create demand for additional parking spaces beyond existing and proposed onsite parking facilities.
4. Parking in the Parks Zone shall be limited to park-related uses. [Major Amendments - Log 16]

G. *Impervious Surface.*

1. No net new impervious surface in the parks system is permitted unless it has been included in an adopted Park Master Plan (or similar planning document that includes a public process and City Council approval), the City of Mercer Island Americans with Disabilities Act (ADA) Plan, or specifically exempted by this section, and stormwater and other applicable requirements are met. If the City acquires new park land, a separate planning process will take place to determine the amenities and impervious surface coverage of the new park land. The following uses are exempt:
  - a. Emergency vehicle lanes not available for public use.
  - b. ADA parking and accessibility improvements.
  - c. ~~Public trails.~~ [Major Amendments - Log 5] Existing public trails. [Major Amendments - Log 17]
  - d. Required surfaces for playground equipment.
  - e. ~~Synthetic turf athletic fields.~~ [Major Amendments - Log 5 and Log 18]
  - f. Small park amenities 100 square feet or less in gross floor area, including but not limited to benches, picnic tables, signs, and trash cans.
  - g. Emergency maintenance and repairs.
  - h. Utilities.

H. *Lighting.*

1. All exterior lighting shall be designed to minimize glare, sky glow, and light trespass onto neighboring properties. Fixtures must be fully shielded and installed in a manner that prevents light trespass beyond the property line of the property on which they are located. Fully shielded means a light fixture constructed and installed in such a manner that all light emitted, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the fixture, is projected below the horizontal plane through the fixture's lowest light-emitting part.

2. Where applicable at or near the shoreline, new lighting shall adhere to salmon-friendly principles to minimize ecological disruption.
    - a. Remove nonessential lighting to reduce ambient light pollution.
    - b. Ensure fixtures are shielded and positioned to prevent direct illumination of water surfaces.
    - c. Incorporate timers and motion sensors to activate lighting only when necessary.
    - d. Adjust light intensity to the lowest functional level necessary.
    - e. Use fixtures with warm color temperatures (3000K or less) to minimize the detrimental blue light that penetrates deeper into lake waters. [Major Amendments - Log 9]
  3. Where applicable at or near gathering and covered seating, new lighting shall adhere to Dark Sky Protection principles to minimize ecological disruption.
    - a. Remove nonessential lighting to reduce ambient light pollution.
    - b. Ensure fixtures are shielded and positioned to prevent direct illumination of adjacent surfaces.
    - c. Incorporate timers and motion sensors to activate lighting only when necessary.
    - d. Adjust light intensity to the lowest functional level necessary.
    - e. Use fixtures with warm color temperatures (3000K or less) to minimize the detrimental blue light. [Major Amendments - Log 23]
  4. The following lighting types are exempt from this requirement:
    - a. Lighting fixtures existing prior to the effective date of this section and the repair of the same.
    - b. Emergency lighting.
    - c. Pathway and landscaping lighting fixtures producing less than 200 lumens.
    - d. Temporary seasonal lighting.
    - e. Lighting required by state or federal law.
- I. *Lighting for Outdoor Performance, Sport and Recreation Facilities, and Play Fields.*
1. Lighting levels for outdoor performance areas, sport and recreation facilities, and play fields shall not exceed by more than five percent the Illuminating Engineering Society of North America (IESNA) published standards for the proposed activity.
  2. Where playing fields or other special activity areas are to be illuminated, lighting fixtures shall be mounted, aimed, and shielded so that their beams fall within the primary playing area and immediate surroundings, and so that no direct illumination is directed off the site.
  3. Lighting shall be turned off as soon as possible after the conclusion of an event and shall not remain on for more than 30 minutes following its end.
  4. All lighting shall be equipped with timers to automatically extinguish lights, ensuring that facilities are not illuminated when not in use.

J. Shoreline Recreation

1. Shoreline Parks include, Luther Burbank Park, Clarke Beach Park, Groveland Park, Slater Park, and Garfield Landing.
2. Planning and design for Shoreline Parks shall include all reasonable ingress and egress improvements and features to improve accessibility.
3. Up to one marina facility and one boathouse each will be allowed among all Shoreline Parks.
4. Lighting at Shoreline Parks will be turned off within one hour of dusk.
5. A maximum of one Concession Stand type building is allowed at each Shoreline Recreation Park. [Major Amendments - Log 6]

#### **MICC 19.16.010 – Definitions**

[...]

*Athletic Field.* A developed field for organized sports, including but not limited to baseball, softball, soccer, lacrosse, and football.

[...]

*City Government Services.* Services provided by, or on behalf of, the City of Mercer Island including, but not limited to, fire protection, police and public safety activities, courts, administrative offices, and equipment maintenance facilities.

[...]

*Community Garden.* A shared plot of land where individuals or groups collectively grow fruits, vegetables, flowers, and plants.

[...]

*Furnishings.* In the Parks Zone or Open Space Zone, small amenities including but not limited to picnic tables, benches, bike racks, trash cans, signs, and pet waste stations.

[...]

*Light Trespass.* Light that falls beyond the property it is located on.

[...]

*Multipurpose Facilities.* In the Parks Zone, facilities that serve two or more uses including, but not limited to, restrooms, maintenance facilities, recreation facilities, support facilities for recreational uses, storage, and concessions.

[...]

*Park.* Public land that is available for recreational, ecological, educational, or cultural uses. Parks are accessible to the public and typically feature natural landscapes, open spaces, and facilities designed to support leisure, community gatherings, conservation, and outdoor activities.

[...]

Park Maintenance. Activities performed to ensure parks are clean, safe, and operational. Park maintenance includes, but is not limited to infrastructure repair, cleaning, landscaping, and litter removal.

[...]

Park Maintenance Facilities. Structures that serve park maintenance or operations purposes, including but not limited to buildings and sheds.

[...]

Playground. An outdoor recreational facility provided as a play area for children.

[...]

Public Art. Art that is installed in public spaces for the purpose of community enjoyment and enrichment. Public Art is visually and physically accessible to the public and embodies public or universal concepts rather than commercial, partisan, or personal interests. Public art can be implemented in standalone art installations or incorporated into other structures. [Minor Amendments - Log 2, staff alternative]

[...]

Recreational Amenities. Structures, furnishings, or developments that are provided to supplement recreational uses or enhance recreational facilities, including but not limited to picnic tables, benches, bleachers, barbecues, fencing, outdoor exercise equipment, lighting, scoreboards, and waste receptacles. Recreational Amenities include all amenities addressed by the definition of Passive Recreational Amenities.

[...]

Recreational Facilities. Buildings, structures, or developments that are provided specifically for recreational uses, including but not limited to restrooms, playgrounds, picnic shelters, concession stands, athletic fields, sport courts, batting cages, bullpens, skateparks, bike skills areas, community gardens, spray parks, amphitheaters, swimming areas, docks, piers, boathouses and boat launches. [Major Amendments - Log 7]

[...]

Recreational Uses. In the Parks Zone, land uses that provide opportunities for entertainment, athletic, ecological, and/or other leisure activities. Recreational uses include but are not limited to sports, cycling, skating, swimming, and use of community gardens, play equipment, and exercise equipment. Recreational uses include all uses addressed by the definition of Passive Recreational Uses.

[...]

Restroom. A public restroom facility that provides basic amenities including but not limited to toilets and sinks.

[...]

Shoreline Park. A park on the shoreline of Lake Washington that has public access for water-dependent recreation. [Major Amendments - Log 8]

[...]

#### **MICC 19.01.040 – Zone Establishment**

##### **A. Zones.**

Zone	Symbol
Single-Family	R-8.4
Single-Family	R-9.6
Single-Family	R-12
Single-Family	R-15
Multiple-Family	MF-2L
Multiple-Family	MF-2
Multiple-Family	MF-3
Business	B
Planned Business	PBZ
Commercial Offices	C-O
Public Institution	PI
<u>Parks</u>	<u>P</u>
Open Space	OS
Town Center	TC

- B. The location and boundaries of the various zones of the city are shown and delineated on the city of Mercer Island Zoning Map which is included in Appendix D of this development code and is incorporated herein by reference.
- C. The location and boundaries of the various zones as hereafter determined by the city council shall be shown and delineated on zone maps covering portions of the city, each of which shall be a part of this Code either by adoption as a part hereof or by amendment hereto.
- D. Each zone map and all notations and other information shown therein shall become part of this Code.
- E. A zone map may be divided into parts and each part may, for purposes of identification, be subdivided into units. Such parts may be separately and successively adopted by means of an amendment of this Code and, as adopted, such zone map, or its parts, shall become a part of this Code.

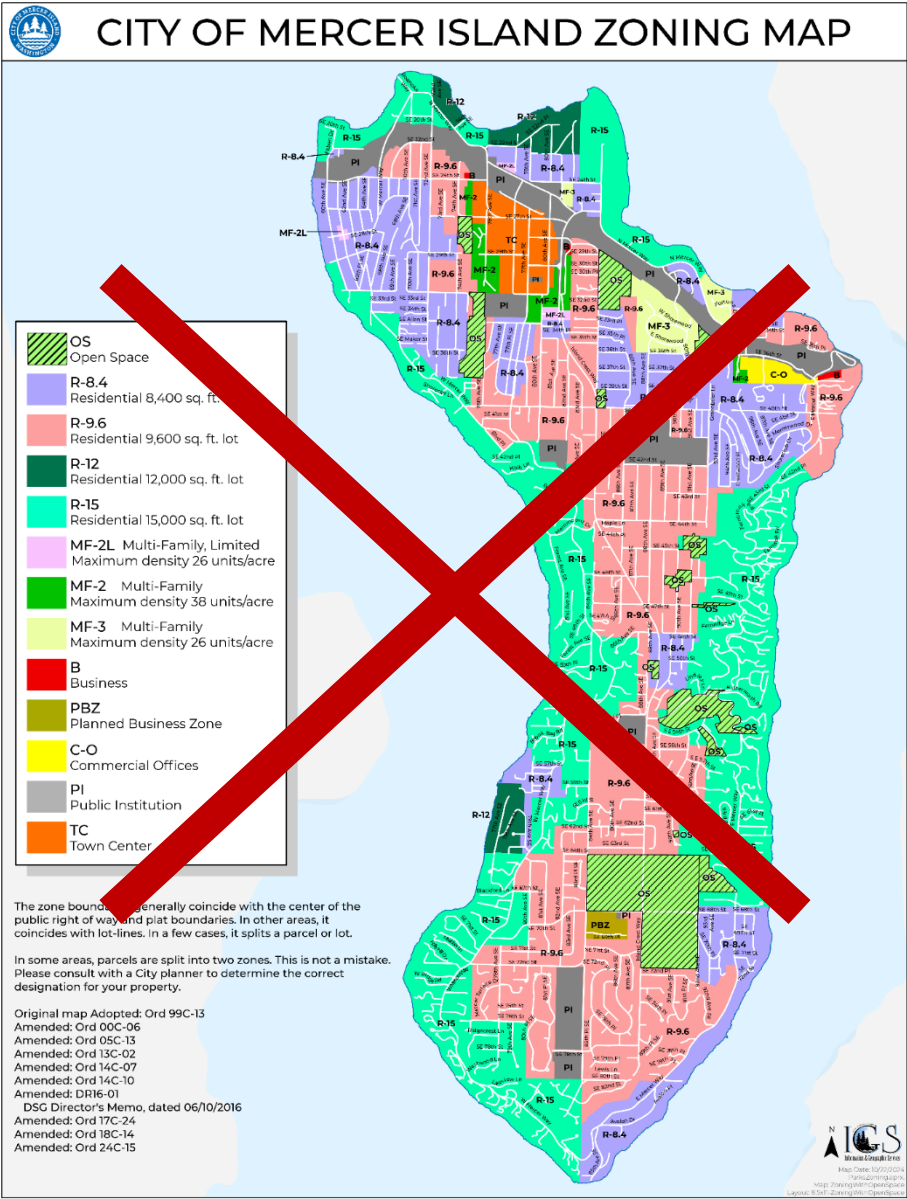
- F. Changes in the boundaries of a zone shall be made by ordinance adopting an amended map, or part of said zone map. To change the zoning of any park in the Parks Zone shall require five (5) votes of the council. [Major Amendments - Log 20]
- G. When uncertainty exists as to the boundaries of any zones shown on any zone map, the following rules shall apply:
1. Boundaries shown on a map as approximately following street lines or lot lines shall be construed as actually following such lines.
  2. Where a boundary between zones divides a lot into two or more pieces, the entire lot shall be deemed to be located in the first zone on the following list in which any part of the lot is located: R-15, R-12, R-9.6, R-8.4, MF-2L, MF-3, MF-2, P, OS, PI, PBZ, C-O, TC, and B. The location of the zone boundary shall be determined by use of the scale appearing on the zone map unless the location of the boundary is indicated by dimensions.
  3. Where property abuts Lake Washington, the land use classification of the upland property extends waterward across the abutting shorelands and beds to the line of navigability/inner harbor line as established in 1984 by the board of natural resources by Resolution No. 461.
  4. In case any uncertainty exists, the planning commission shall recommend and the city council shall determine the location of boundaries.
  5. Where a public street is officially vacated or abandoned, the land use classification applicable to the abutting property shall apply to such vacated or abandoned street. If a vacated street forms the boundary between two or more zones, the land use classifications of each abutting zone shall extend to the mid-point of the vacated street unless the planning commission recommends and the city council decides otherwise.
- H. Except as hereinafter provided:
1. No land, building, structure or premises shall be used for any purpose or in any manner other than a use listed in this Code, or amendments thereto, for the zone in which such land, building, structure or premises is located.
  2. No building or structure shall be erected nor shall any building or structure be moved, altered, enlarged or rebuilt, nor shall any open spaces surrounding any building or structure be encroached upon or reduced in any manner, except in conformity with the requirements of this development code or amendments thereto.
  3. No yard or other open spaces provided about any building or structure, for the purpose of complying with the regulations of this Code or amendments thereto shall be considered as providing a yard or open space for any other building or structure.

[...]

#### **MICC Title 19 – Appendix D – Zoning Map**



View city of Mercer Island Zoning Map.





# CITY OF MERCER ISLAND ZONING MAP

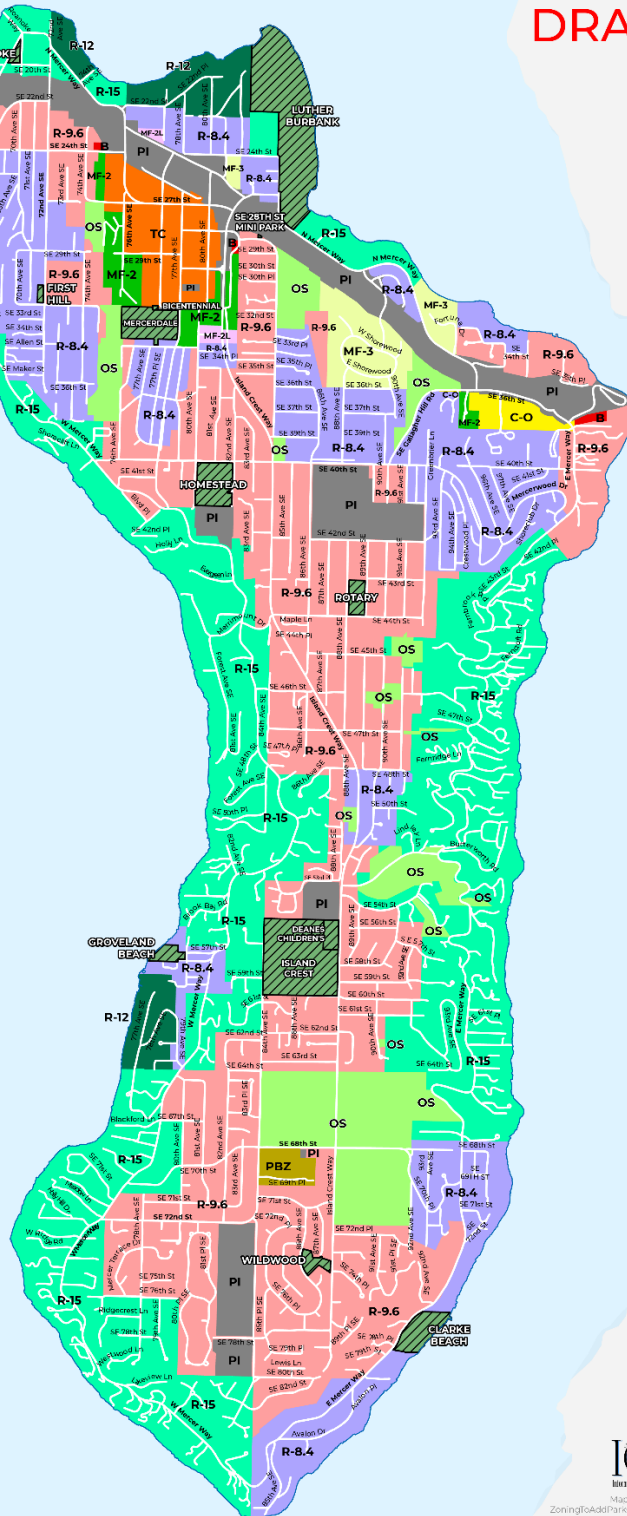
**DRAFT**

	P	Park
	OS	Open Space
	R-8.4	Residential 8,400 sq. ft. lot
	R-9.6	Residential 9,600 sq. ft. lot
	R-12	Residential 12,000 sq. ft. lot
	R-15	Residential 15,000 sq. ft. lot
	MF-2L	Multi-Family, Limited Maximum density 26 units/acre
	MF-2	Multi-Family Maximum density 38 units/acre
	MF-3	Multi-Family Maximum density 26 units/acre
	B	Business
	PBZ	Planned Business Zone
	C-O	Commercial Offices
	PI	Public Institution
	TC	Town Center

The zone boundaries generally coincide with the center of the public right of way and plat boundaries. In other areas, it coincides with lot-lines. In a few cases, it splits a parcel or lot.

In some areas, parcels are split into two zones. This is not a mistake. Please consult with a City planner to determine the correct designation for your property.

Original map Adopted: Ord 99C-13  
 Amended: Ord 00C-06  
 Amended: Ord 05C-13  
 Amended: Ord 13C-02  
 Amended: Ord 14C-07  
 Amended: Ord 14C-10  
 Amended: DR16-01  
 DSG Director's Memo, dated 06/10/2016  
 Amended: Ord 17C-24  
 Amended: Ord 18C-14  
 Amended: Ord 24C-15



Map Date: 2/12/2025  
 Zoning\Road\Parcels\Zone2025.aprx  
 Map: ZoningWithParcels25  
 Layout: 8.5x11 ZoningWithParcels25



PLANNING COMMISSION  
CITY OF MERCER ISLAND

PCB 25-10  
May 28, 2025  
Public Hearing

AGENDA BILL INFORMATION

<b>TITLE:</b>	PCB 25-10: Public Hearing: Parks Zone Comprehensive Plan Amendment	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Recommendation
<b>RECOMMENDED ACTION:</b>	Approve a recommendation regarding the Parks Zone Comprehensive Plan Amendment.	

<b>STAFF:</b>	Carson Hornsby, Management Analyst II Alison Van Gorp, Deputy Director of Community Planning and Development
<b>EXHIBITS:</b>	1. Comprehensive Plan Amendment Matrix 2. Draft Parks Zone Comprehensive Plan Amendment

EXECUTIVE SUMMARY

The Parks Zone is a proposed new zone that will establish development regulations for most City-owned and/or managed parks. The purpose of the Parks Zone is to ensure park lands are preserved and managed appropriately, in alignment with the Parks, Recreation, and Open Space (PROS) Plan, City code, master plans, and similar guiding documents.

- Creation of a new zone requires amendments to Title 19 of the Mercer Island City Code (MICC), the Zoning Map in MICC Title 19 Appendix D, and the Land Use Designation Table and Land Use Map in the Comprehensive Plan.
- The Parks and Recreation Commission (PRC) began working on the Parks Zone in October 2024 and finalized their recommendation to the City Council and Planning Commission (PC) in April 2025.
- At the April 15 City Council meeting, the PRC Chair and Vice Chair presented the PRC’s Parks Zone recommendation to the City Council. The City Council approved a motion directing the PC to complete legislative review of the Parks Zone by June 2025.
- At the April 23 PC meeting, the PRC Chair and Vice Chair presented the PRC’s Parks Zone recommendation to the PC.
- The PC will hold a public hearing for the Parks Zone Comprehensive Plan Amendment on May 28, 2025, and consider approving a recommendation to the City Council. The City Council is scheduled to review the PC’s Parks Zone Comprehensive Plan Amendment in July 2025.

BACKGROUND

Parks Zone/Open Space Zone Background

The scope of work for the 2024 Comprehensive Plan Periodic Update, adopted by the City Council in 2022 with [Resolution No. 1621](#), included the creation of a new Parks Zone and development regulations for the new zone. In January 2024, a preliminary draft of the Parks Zone development regulations was presented to the PRC and PC. Following community and commission feedback, the legislative review was paused, and the draft was returned to the PRC for further review. In March 2024, the PRC recommended dividing the Parks Zone planning into two phases: creating a zone for City-owned open space lands and another for public park properties.

The PRC and Open Space Conservancy Trust (OSCT) held several joint meetings to develop legislation for the Open Space Zone. On May 8, 2024, PRC and OSCT Chairs presented a joint recommendation to the PC, which completed its review in June 2024 as part of the Comprehensive Plan Update. On September 25, 2024, the PC approved a recommendation for the Open Space Zone code amendment. The City Council adopted [Ordinance No. 24C-15](#) establishing the Open Space Zone on November 4, 2024 with an effective date of December 31, 2024.

After the adoption of the Open Space Zone, the PRC shifted focus to development of the Parks Zone in October 2024. The PRC finalized their Parks Zone recommendation on April 9, 2025. The PRC Chair and Vice Chair presented the PRC's Parks Zone recommendation to the City Council on April 15, 2025, and the City Council passed a motion directing the PC to complete legislative review of the Parks Zone by June 2025. The PRC Chair and Vice Chair presented the PRC's Parks Zone recommendation to the PC at the April 23, 2025 PC meeting. The PC asked the PRC Chair, Vice-Chair, and staff questions related to the recommendation. Staff requested that Planning Commissioners provide comments, amendments, and questions and established a deadline for these materials to be submitted prior to the May 28, 2025 public hearing.

Adoption of the Parks Zone will require amendments to the Development Code and Comprehensive Plan. This PCB (PCB25-10) pertains to the amendments to the Comprehensive Plan and PCB25-09 pertains to the Development Code amendments.

## ISSUE/DISCUSSION

### **Draft Parks Zone Comprehensive Plan Amendment**

Adoption of a new zone requires amendments to the Land Use Designation Table and Land Use Map in the Comprehensive Plan. The draft Parks Zone Comprehensive Plan Amendment (see Exhibit 2) includes drafts of the Land Use Designation Table and Land Use Map.

#### Draft Land Use Designation Table

The Land Use Designation Table in the Comprehensive Plan provides a summary of the City's land use designations. The draft Land Use Designation Table includes the following amendments:

- Updated description of the "Park" land use designation
- Parks Zone added to the implementing zoning designations for the Park, Linear Park, Open Space, and Public Facility land use designations

#### Draft Land Use Map

The Land Use Map in the Comprehensive Plan provides a visual representation of the City's land use designations. The draft Land Use Map includes the following amendments related to the adoption of the Parks Zone:

- SE 28th St. Mini Park changed from Single Family Residential to Park
- Rotary Park changed from Open Space to Park

With these changes, the park properties designated "Park" in the Land Use Map will be consistent with the park properties included in the Parks Zone on the Zoning Map. The draft Land Use Map also includes a number of small formatting and style changes unrelated to the adoption of the Parks Zone.

### **Planning Commission Proposed Amendments**

Following the presentation of the PRC's recommendation on April 23, 2025, Planning Commissioners provided proposed amendments to the draft Comprehensive Plan amendment; one amendment was proposed and is included in Exhibit 1. Also included in Exhibit 1 is a proposed recommendation that is not related to an

amendment. This proposal recommends that the City Council draft a letter to WSDOT regarding the zoning for Aubrey Davis Park; more details are included in Exhibit 1.

The draft comprehensive plan amendment is provided in Exhibit 2, which includes the recommendations of the PRC along with the additional amendment proposed by the PC, as noted in brackets with green highlights that reference the log numbers in Exhibit 1.

During the May 28, 2025 meeting, staff will discuss the proposed amendment and additional recommendations, and time will be available for questions and discussion. Staff will also provide an overview of the process for approving amendments and finalizing the PC recommendation, including proposed motions, which are detailed in the Recommended Action section below.

The PC can finalize its recommendation on this matter at the May 28 meeting, or if the PC requires an additional meeting to finalize their recommendation, deliberations can be extended to the special meeting scheduled for June 10. If deliberations are to continue at the June 10 meeting, the PC may direct staff to prepare updated amendment language for consideration at that meeting, rather than making motions with specific wording changes during the May 28 meeting. This is a good option if drafting revisions to some amendments becomes too complex to resolve during the meeting.

## NEXT STEPS

After holding the public hearing on May 28, the PC will begin deliberations on the Parks Zone Comprehensive Plan amendment. The Planning Commission should finalize its recommendation by mid-June. The City Council is scheduled to review the PC's Parks Zone recommendations in July 2025.

## RECOMMENDED ACTION

Hold a public hearing and approve a recommendation regarding the Parks Zone Comprehensive Plan Amendment and any additional recommendations.

Staff recommend the following motions:

**Main Motion:** "Move to recommend that the City Council adopt the proposed amendments to the Comprehensive Plan Land Use Designation Table and Land Use Map"

**Note:** once the main motion has been made and seconded, the Planning Commission can begin making amendments by motion as it sees fit.

**Secondary Motion:** "Move to approve the proposed amendment and amend the draft materials as presented in PCB 25-10."

**Note:** this motion would make the amendment outlined in Exhibit 1.

**Tertiary Motion – Changes to an amendment:** "Move to amend the proposed amendment as follows: [provide the proposed amendment]."

**Optional Additional Main Motion:** "Move to recommend that the City Council write to WSDOT and explain the allowed uses and regulatory limits under the PI Zone and proposed Parks Zone and ask whether WSDOT has any objection to Aubrey Davis Park being placed in the Parks Zone. If WSDOT has no objection, Aubrey Davis Park should be added to the Parks Zone."

Major Amendments – Comprehensive Plan

Log #	Received From	Amendment	Staff Response
1	Thompson	Amendment to MICC 19.01.040(A) Zones – Amend City of Mercer Island Land Use Map to change Aubrey Davis Park from “Linear Park” to “Park.”	See Log 19 (Major Amendments – Development Regulations & Zoning Map)

Additional Recommendations

Log #	Received From	Amendment	Staff Response
1	Thompson	Add additional recommendation to Parks and Recreation Commission’s recommendations to Council to state: “The council should write to WSDOT and explain the allowed uses and regulatory limits under the PI Zone and proposed Parks Zone and ask whether WSDOT has any objection to Aubrey Davis Park being placed in the Parks Zone. If WSDOT has no objection, Aubrey Davis Park should be added to the Parks Zone.	The PC may approve this as an additional recommendation accompanying the recommended development code and comprehensive plan amendments.

MERCER ISLAND COMPREHENSIVE PLAN  
2 - LAND USE ELEMENT  
VII. LAND USE DESIGNATIONS

### VII. LAND USE DESIGNATIONS

Land Use Designation	Implementing Zoning Designations	Description
Park	P PI R-8.4 R-9.6 R-12 R-15 OS	The park land use designation represents public land within the City that is intended for public use consistent with the adopted Parks, Recreation and Open Space Plan.
Linear Park (I-90)	P PI OS	The linear park (I-90) land use designation primarily contains the Interstate 90 right-of-way. The land use designation is also improved with parks and recreational facilities (e.g., Aubrey Davis park, I-90 Outdoor Sculpture Gallery, etc.) adjacent to and on the lid above the Interstate 90 freeway.
Open Space	P PI R-8.4 R-9.6 R-12 R-15 OS	The open space use designation represents land within the City that should remain as predominantly unimproved open space consistent with the adopted Parks and Recreation Plan.
Commercial Office	C-O B	The commercial office land use designation represents commercial areas within Mercer Island, located outside of the Town Center, where the land use will be predominantly commercial office. Complementary land uses (e.g., healthcare uses, schools, places of worship, etc.) are also generally supported within this land use designation.

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Neighborhood Business	PBZ	The neighborhood business land use designation represents commercial areas within Mercer Island, located outside of the Town Center, where the land uses will be predominantly a mix of small scale, neighborhood oriented business, office, service, public and residential uses.
Single Family Residential (R)	R-8.4 R-9.6 R-12 R-15	The single family residential land use designation (R) represents areas within Mercer Island where development will be predominantly single family residential neighborhoods. Complementary land uses (e.g., private recreation areas, schools, home businesses, public parks, etc.) are generally supported within this land use designation.
Multifamily Residential (MF)	MF-2 MF-2L MF-3	The multifamily residential land use (MF) represents areas within Mercer Island where the land use will be predominantly multifamily residential development. Complementary land uses (e.g., private recreation areas, schools, home businesses, public parks, etc.) are generally supported within this land use designation.
Town Center (TC)	TC	The Town Center land use designation represents the area where land uses consistent with the small town character and the heart of Mercer Island will be located. This land use designation supports a mix of uses including outdoor pedestrian spaces, residential, retail, commercial, mixed-use and office-oriented businesses.
Public Facility	C-O P PI R-8.4 R-9.6 R-15 TC OS	The public facility land use designation represents land within the City that is intended for public uses, including but not limited to schools, community centers, City Hall, and municipal services.



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(Ord. No. 21-26 , § 1(Att. A), 1-4-2022)

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