



# PARKS & RECREATION COMMISSION REGULAR HYBRID MEETING AGENDA

Thursday, March 6, 2025 at 5:00 PM

## COMMISSIONERS

Chair Peter Struck  
Vice Chair Paul Burstein  
Commissioners: Jodi McCarthy, Don Cohen  
Sara Marxen, Rory Westberg, and Ashley Hay

## LOCATION

MICEC – Slater Room Council Chambers  
and via Zoom  
8236 SE 24<sup>th</sup> Street | Mercer Island, WA 98040  
Phone: 206.275.7609 | [www.mercerisland.gov](http://www.mercerisland.gov)

*We strive to create an inclusive and accessible experience. Those requiring accommodation for meetings should notify the Staff Liaison's Office 3 days prior to the meeting at 206.275.7870 or by emailing [ryan.daly@mercerisland.gov](mailto:ryan.daly@mercerisland.gov).*

The virtual meeting will be broadcast live on Zoom and recorded and saved on the City Council's [YouTube Channel](#)

**Registering to Speak:** Individuals wishing to speak live during Appearances will need to register their request with staff at **206.275.7861** and leave a message or [email](#) before 4 PM on the day of the Commission meeting. Each speaker will be allowed three (3) minutes to speak.

**Join by Telephone at 5:00 PM:** Call **253.215.8782** and enter Webinar ID **825 9108 6996** and Password **896196**.

**Join by Internet at 5:00 PM:**

- 1) Click [this link](#)
- 2) If the Zoom app is not installed on your computer, you will be prompted to download it.
- 3) If prompted for Webinar ID, enter **825 9108 6996** and Password **896196**.

**Join in person at 5:00 PM:** Mercer Island Community & Event Center - 8236 SE 24<sup>th</sup> Street, Mercer Island

## CALL TO ORDER & ROLL CALL – 5:00 PM

## APPEARANCES

This is the opportunity for anyone to speak to the Commission about issues of concern.

## STAFF LIAISON REPORT

1. Staff Liaison Report and Planning Schedule

## REGULAR BUSINESS

2. Approve the minutes of the February 6, 2025 Regular Hybrid Meeting  
**Recommended Action:** Approve minutes.
3. PRC25-03: Parks Zone Development Discussion  
**Recommended Action:** Review and provide feedback on the draft Parks Zone development regulations, draft zoning map, and draft hand-off memo.

## OTHER BUSINESS

4. Absences and Commissioner Reports

## ADJOURNMENT



**Department Report  
[Placeholder]  
Coming soon**



# PARKS & RECREATION COMMISSION

## 2025 PLANNING SCHEDULE

Items are not listed in any particular order.  
Agenda items & meeting dates are subject to change.

### REMINDER: NO MEETINGS IN AUGUST

<b>APR 3, 5:00 PM</b>		<b>STAFF WORK</b>	<b>AGENDA GO LIVE 3/27</b>
Absences:			
<b>TIME/TOPIC</b>		<b>STAFF</b>	

<b>MAY 1, 5:00 PM</b>		<b>STAFF WORK</b>	<b>AGENDA GO LIVE 4/24</b>
Absences:			
<b>TIME/TOPIC</b>		<b>STAFF</b>	
	PRC 25-XX: 2024 Recreation Division Annual Report	Ryan Daly	

<b>JUNE 5, 5:00 PM</b>		<b>STAFF WORK</b>	<b>AGENDA GO LIVE 5/29</b>
Absences:			
<b>TIME/TOPIC</b>		<b>STAFF</b>	
	PRC 25-XX: PRC Chair/Vice-Chair Elections	Ryan Daly	
	PRC 25-XX: King County Library Mercer Island Branch- Annual Update	KCLS	
	PRC 25-XX: Clarke/Groveland Planning Process		
	PRC 25-XX: Deane’s Children’s Park Engagement Plan		

<b>JULY 3, 5:00 PM</b>		<b>STAFF WORK</b>	<b>AGENDA GO LIVE 6/26</b>
Absences:			
<b>TIME/TOPIC</b>		<b>STAFF</b>	
	PRC 25-XX:		

### AUGUST CANCELED

<b>SEPTEMBER 4, 5:00 PM</b>		<b>STAFF WORK</b>	<b>AGENDA GO LIVE 8/28</b>
Absences:			
<b>TIME/TOPIC</b>		<b>STAFF</b>	
	PRC 25-XX: Athletic Field Use and Allocation Policy	Alex/Jeremy	
	PRC 25-XX: Annual Bylaws Review	Ryan Daly	

<b>OCTOBER 2, 5:00 PM</b> Absences:		<b>STAFF WORK</b>	<b>AGENDA GO LIVE 9/25</b>
<b>TIME/TOPIC</b>		<b>STAFF</b>	
	PRC 25-XX: Athletic Court Allocation/Usage Policy	Alex/Jeremy	
	PRC 25-XX: MICEC Fee Waiver Policy	Ryan Daly/Jeremy Jasman	

<b>NOVEMBER 6, 5:00 PM</b> Absences:		<b>STAFF WORK</b>	<b>AGENDA GO LIVE 10/30</b>
<b>TIME/TOPIC</b>		<b>STAFF</b>	
	PRC 25-XX: Intro to the Parks Code Update	TBD	
	PRC 25-XX: Athletic Court Allocation/Usage Policy	Jeremy Jasman	

<b>DECEMBER 4, 5:00 PM</b> Absences:		<b>STAFF WORK</b>	<b>AGENDA GO LIVE 11/27</b>
<b>TIME/TOPIC</b>		<b>STAFF</b>	
	PRC 25-XX:		

**Pending:**

Project      Proposal for Year-round programming at Luther Burbank (2026)

**ANNUAL AGENDA ITEMS**

KCLS - Mercer Island Branch Operations Update (May)

Annual PRC Chair/Vice-Chair Elections (June)

Annual Bylaws Review (June)

Recreation Division Annual Report



## PARKS & RECREATION COMMISSION REGULAR HYBRID MEETING MINUTES February 6, 2025

### CALL TO ORDER

The Parks & Recreation Commission was called to order by Chair Struck at 5:00 pm.

### ROLL CALL

Chair Peter Struck, Vice Chair Paul Burstein, and Commissioners Jodi McCarthy, Rory Westberg, Don Cohen, and Ashley Hay were present for the Parks & Recreation Commission. City Council Liaison Craig Reynolds was present.

Commissioner Sara Marxen was absent.

City Manager Jessi Bon, Management Analyst II Carson Hornsby, Recreation Manager Ryan Daly, Parks Operations Manager Sam Harb, Deputy Public Works Director Alaine Sommargren, Deputy Public Works Director Kellye Hilde, and Recreation Specialist Raven Gillis were present.

Kim Adams Pratt, outside counsel with Madrona Law, was present.

### APPEARANCES

No Public Appearances

### STAFF LIAISON REPORT

#### 1. Staff Liaison Report & Planning Schedule Update

Recreation Manager Ryan Daly reported on the following:

- Project Updates
  - Lawn/Turf Damage
  - Staff Recognition
  - Clarke & Groveland Beach Joint Planning Process
  - Playground Replacements
  - Beach Donation Program
- Good News
  - Happy Lunar New Year!
  - What's good in the garden? P-Patch Update
  - Senior Resource Fair returns March 1<sup>st</sup>!
  - Snow Response
- Parks and Recreation Commission Planning Schedule

### REGULAR BUSINESS

#### 1. Approval of Minutes

Minutes from the January 9, 2025, Special Meeting was presented.

It was moved by Westberg; seconded by Hay to:

**Approve the minutes from the January 9, 2025, Special Meeting.**

Passed: 6 – 0

**3. PRC 24-13: Parks Zone Development Discussion**

City Manager Jessi Bon and Management Analyst II Carson Hornsby presented and led the Commissioners in discussion. Commissioners engaged in discussion, asked questions, and provided feedback on the draft Parks Zone development regulations.

**Recess from 6:57pm to 7:07pm**

**OTHER BUSINESS**

**4. Absences and Commissioner Reports**

Commission Cohen reported he will not be available to attend the regular meeting in April.

Commissioner Hay thanked the Public Works Department for deicing the streets during last week's wintery weather. It was clear the team had worked early to keep the streets clear and safe, and their efforts were greatly appreciated

Chair Struck asked for a motion to excuse Commissioner Marxen's absence from tonight's meeting.

It was moved by McCarthy; seconded by Burstein to:

**Excuse Commissioner Marxen's absence from tonight's meeting**

Passed: 6 – 0

**ADJOURNMENT at 7:56 PM**



# PARKS & RECREATION COMMISSION CITY OF MERCER ISLAND

PRC 25-03  
March 6, 2025  
Regular Business

## AGENDA BILL INFORMATION

<b>TITLE:</b>	PRC 25-03: Parks Zone Development Discussion	<input checked="" type="checkbox"/> Discussion Only <input type="checkbox"/> Action Needed: <input type="checkbox"/> Motion <input type="checkbox"/> Recommendation
<b>RECOMMENDED ACTION:</b>	Review and provide feedback on the draft Parks Zone development regulations, draft zoning map, and draft hand-off memo.	

<b>STAFF:</b>	Jessi Bon, City Manager Carson Hornsby, Management Analyst II Alison Van Gorp, Deputy CPD Director Kellye Hilde, Deputy Public Works Director Ryan Daly, Recreation Manager Sam Harb, Parks Operations Manager Alaine Sommargren, Deputy Public Works Director
<b>EXHIBITS:</b>	1. Draft Parks Zone Development Regulations 2. Draft Zoning Map 3. Draft Hand-Off Memo

## 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 new 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.

- During the March 6, 2025 Parks and Recreation Commission (PRC) meeting, the PRC will review and provide feedback on the draft Parks Zone development regulations (Exhibit 1), draft Zoning Map (Exhibit 2), and draft hand-off memo (Exhibit 3).
- A summary of the discussion and direction received from the PRC during the January and February 2025 PRC meetings is provided in the background section.
- Once the PRC has concluded their work on the draft Parks Zone, the staff will coordinate next steps and prepare for the hand-off meeting with the Planning Commission (PC).
- The PC will then commence the legislative review process and the City Council will undertake review and adoption of the Parks Zone by the end of 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 the [Open Space Zone](#) on November 4, 2024, with an effective date of December 31, 2024.

Now that the PRC's first phase of work is complete on the Open Space Zone, the PRC has shifted focus to the development of the new Parks Zone with the goal of providing a recommendation to the PC in Q2 2025.

Establishment of the Parks Zone will require the following amendments to the MICC and Comprehensive Plan:

- Development Regulations – create a new subsection or subsection(s) under MICC 19.05, amend [MICC 19.01.040](#) to establish the Parks Zone, and amend [MICC 19.16.010](#) to adopt new definitions as needed.
- Zoning Map – amend the Zoning Map in the MICC to reflect where the Parks Zone applies.
- Land Use Designations – amend the Land Use Designation table in the Land Use Element of the Comprehensive Plan (if needed).

### Legislative Review Process

Once the PRC makes its recommendation to the PC, the PC will commence the formal legislative review process to gather public input and provide a recommendation to the City Council, as established in [Chapter 19.15 MICC](#).

The legislative review process includes the following steps:

- The Planning Commission holds a public hearing ([MICC 19.15.020](#)).
- The Planning Commission makes a written recommendation to the City Council following the public hearing ([MICC 19.15.260\(B\)\(2\)](#)).
- The City Council considers the Planning Commission recommendation during a public meeting, deciding to adopt, reject, or amend the recommendation ([MICC 19.15.260\(B\)\(3\)](#)).
- If the Comprehensive Plan requires an amendment for the Parks Zone, the City Council will consider the Parks Zone amendments with the City's annual comprehensive plan amendments, which are limited to once a year by the Growth Management Act ([RCW 36.70A.130\(2\)](#)).

### Parks, Recreation, and Open Space (PROS) Plan

The PROS Plan is a six-year plan that anticipates the programming and capital infrastructure investments necessary to meet the community's needs for parks, recreation, open space, trails, arts, and cultural events. The City Council adopted the [Parks, Recreation and Open Space \(PROS\) Plan](#) on March 1, 2022. The PRC served as the lead advisory board on the PROS Plan update with support provided by the Arts Council and OSCT. The 2022 PROS Plan community engagement process included two statistically significant mail-in surveys with concurrent surveys available online, virtual open houses, a dedicated project webpage, and numerous board and commission meetings.

Chapter 4 of the PROS Plan establishes goals and objectives that serve as the policy framework for the provision of parks and recreation services by the City of Mercer Island. Development of master plans, policies, code, and other work products should align with this policy framework, which includes development of the Parks Zone.



## Development Code, Parks Code, and Park Operating Policies

As the PRC provides input on the draft Parks Zone development regulations, staff recommend commissioners consider the various tools used by the City to regulate development, operations, and allowed uses and activities in parks. The City's development code, parks code, and park operating policies and procedures each have a distinct purpose and consist of specific types of rules and regulations regarding parks. Rules and regulations applicable in areas other than the proposed new zone and its associated development regulations are outside the scope of the Parks Zone project. However, the PRC may wish to provide recommendations to the City Council to address other items in future work plans. The purpose and type of regulations included in the development code, parks code, and park operating policies and procedures are summarized below.

### Development Code

The Mercer Island Development Code is established in [MICC Title 19 - Unified Land Development Code](#). Title 19 classifies land within the City into zones and regulates land uses and development permitted within each zone. Title 19 zones and regulations work together with the rest of the MICC, Parks Code, and park operating policies. For example, if the Parks Zone includes cycling as a permitted use, the City may develop traffic rules or regulations separately for speed limits or designated cycling areas. Similarly, picnic shelters may be included as a permitted use in the Parks Zone, but Title 19 would not include policies or rules regarding shelter use, rentals, or maintenance.

### Parks Code

The Mercer Island Parks Code (aka "Parks Rules") is established in [MICC Chapter 9.30 - Park Rules](#). The Parks Code is part of the Criminal Code, which is a collection of laws that define crimes and their punishments within the City's jurisdiction. The Parks Code consists of laws that apply to the City's public parks and are enforced by the Mercer Island Police Department. The Parks Code is where unlawful acts are codified, such as building fires in undesignated areas ([MICC 9.30.170](#)), posting unauthorized signs and posters ([MICC 9.30.040](#)), and riding horses in undesignated areas ([MICC 9.30.060](#)). The Parks Code is on the City's work plan to be updated in 2025-2026. Staff will assist the PRC in identifying and logging items for follow-up that are best suited for consideration as part of the Parks Code update.

### Park Operating Policies and Procedures

Operating policies and procedures are established to guide citywide operations, including the City's parks and recreation facilities and programs. Operating policies and procedures include operational processes, activities, tasks, decision-making structures, levels of delegation, and responsibilities of staff. Some operating policies and procedures are intended for internal use, such as roles and responsibilities of parks and recreation staff or equipment repair and maintenance schedules. Some operating policies and procedures are public facing, such as facility rental or recreation program policies. Examples of operating policies and procedures can be found on the [Parks Information & Policies webpage](#).

## Parks Zone Materials from Prior PRC Meetings

- [Tuesday, October 8, 2024](#)
- [Thursday, November 7, 2024](#)
- [Thursday, January 9, 2025](#)
- [Thursday, February 6, 2025](#)

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### Re-Cap of Direction Received at the January 9, 2025 PRC Meeting

The PRC reached consensus on the following topics:

- Public art is recommended to be included as a permitted use without additional development standards, based on the Arts Council's recommendation. The hand-off memo will include a recommendation to identify opportunities for collaboration between the PRC and the Arts Council.
- Island Crest Park is recommended for inclusion in the Parks Zone. The hand-off memo will include a recommendation to the City Council to consider subdividing Island Crest Park as part of a future project to include the critical and forested areas in the Open Space Zone, and the developed areas in the Parks Zone.
- Landings and street ends are not recommended for inclusion in the Parks Zone due to their primary use of utilities.

Materials from the January 9 PRC meeting are available [here](#).

### Re-Cap of Direction Received at the February 6, 2025 PRC Meeting

The PRC reached consensus on the following topics:

- Wireless communications facilities are recommended as a permitted use in the Parks Zone with language similar to the Open Space Zone. The hand-off memo will include a recommendation to the City Council to limit wireless communication facilities in parks to the extent allowed in the MICC.
- Aubrey Davis Park is not recommended for inclusion in the Parks Zone due to WSDOT's preemptive authority over I-90 ROW, which has a primary use of transportation. The hand-off memo will include a recommendation to the City Council to prioritize renegotiation of the agreements with WSDOT to ensure the continued preservation and use of Aubrey Davis Park for recreation purposes.
- The Mercer Island Community and Event Center (MICEC) is not recommended for inclusion in the Parks Zone because it is a large multi-purpose facility that serves many uses in addition to recreation.
- Setbacks are recommended at zero feet if the adjacent property is zoned PI, OS, TC, PBZ, C-O, or B, and 20 feet if the adjacent property is zoned R-8.4, R-9.6, R12, R-15, MF-2L, MF-2, or MF-3. Fences, gates, culverts, trails, landscaping, furnishings, bollards, signs, kiosks, parking areas, and utilities are recommended to be exempt from setback requirements.
- Kiosks are recommended to be limited to 22 square feet in surface area and 10 feet in height.
- Trail width is recommended to be limited to 12 feet.
- Picnic shelters are recommended to be limited to 16 feet in height and 1,200 square feet of gross floor area.
- Parking standards are recommended to address design, ingress and egress, and minimum parking requirements only if a proposed use is expected to create demand for additional parking spaces beyond existing capacity.

Materials from the February 6 PRC meeting are available [here](#).

## ISSUE/DISCUSSION

### Draft Parks Zone Development Regulations (Exhibit 1)

Staff have prepared an updated draft of the Parks Zone development regulations. Follow-up items from the February 6 PRC meeting are outlined below in addition to the proposed building standards. The PRC will be asked to provide feedback on the final revisions to the draft development regulations.

#### Signs

Signs were identified as a follow up item from the February 6 PRC meeting. Staff confirmed the largest sign in the park system is the noticeboard at Mercedale Park, which has 21.5 square feet of surface area. However, the Mercedale noticeboard is a unique sign in the park system. Staff recommend limiting the size of signs to 16 square feet of surface area, which encompasses all other existing signs in the park system. Externally lit signs are proposed to be prohibited except for park entry signs and signs required for public health, safety, or maintenance purposes.

#### Scoreboards

Staff measured the scoreboard at Island Crest Park to include the arched letters on the top of the scoreboard. Staff recommend limiting the size of scoreboards in the Parks Zone to 250 square feet of surface area. The scoreboard standard was also revised to specify that electronic scoreboards are permitted in addition to externally lit scoreboards. The scoreboard at Island Crest Park is both electronic and externally lit.

#### Buildings

Building standards are proposed to establish all existing buildings in the Parks Zone as legally conforming and not subject to the standards for new buildings. Uses established in existing buildings prior to adoption of the Parks Zone, including uses not otherwise permitted in the Parks Zone, are proposed to be allowed to continue. This provision will allow the City government uses of the Luther Burbank Administrative Building, Boiler Building, and Caretakers house to continue.

New buildings in the Parks Zone are proposed to be categorized into the following types: restrooms, park maintenance facilities, recreation facilities, and multipurpose facilities. Restrooms, park maintenance facilities, and recreation facilities are proposed to be limited to 500 square feet in gross floor area. Multipurpose facilities, which combine two or more uses, are proposed to be limited to 3,500 square feet in gross floor area. Picnic Shelters are limited to 1,200 square feet in gross floor area and 16 feet in height (approved at the February 6 meeting and subsequently moved to this section). Staff will present a photo slideshow of park buildings at the March 6 PRC meeting to provide context on these recommendations.

#### Impervious surface

A few additional exemptions from the no net new impervious surface standard were proposed at the February 6 PRC meeting including playgrounds, small park amenities, and emergency construction or maintenance. These exemptions have been added to the list. In addition, new text has been added addressing a separate process to establish amenities and impervious surface coverage at new parks should the City acquire new park land.

#### Lighting

A question was raised at the February 6 PRC meeting about the proposed exemption from the lighting standards for lighting within a public right of way (ROW) or easement for the purpose of illuminating roads, trails, or pedestrian ways. This exemption has been removed because ROW areas are regulated elsewhere in the MICC.

#### Definitions

New definitions for *Multipurpose facility*, *Playground*, and *Restroom* have been added to the draft.

### **Draft Zoning Map (Exhibit 2)**

The draft Zoning Map was prepared based on recommendations from the PRC. The draft Zoning Map lists the following parks proposed to be included 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
- Mercedale Park
- Roanoke Park
- Rotary Park
- SE 28th Street Mini Park
- Secret Park
- Slater Park
- Wildwood Park

### **Draft Hand-Off Memo (Exhibit 3)**

The draft hand-off memo to the PC was prepared based on input from the PRC and reviewed by the PRC Chair and Vice Chair. The draft hand-off memo summarizes the draft Parks Zone development regulations and draft Zoning Map, supported by references to applicable PROS Plan goals and objectives. The draft hand-off memo includes additional recommendations for consideration by the City Council.

The PRC will be asked to provide feedback on the draft hand-off memo at the March 6 PRC meeting. Staff will coordinate with the PRC Chair and Vice Chair after the meeting to review and approve final revisions to the hand-off memo.

## **NEXT STEPS**

Once the PRC has concluded their work on the Parks Zone (anticipated for this meeting or the April meeting if more time is needed), the staff will coordinate next steps and prepare for the hand-off meeting with the PC. The PC will then commence the legislative review process, and the City Council will undertake review and adoption of the Parks Zone by the end of 2025.

## **RECOMMENDED ACTION**

Review and provide feedback on the draft Parks Zone development regulations, draft zoning map, and draft hand-off memo.

## DRAFT PARKS ZONE

### MICC 19.05.XXX – Parks Zone. [New Subsection]

- A. *Purpose.* The purpose of the Parks Zone is to preserve and maintain parks which provide green space and recreational, social, and conservation opportunities.
- 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.
  3. Park maintenance facilities.
  4. Luther Burbank Administrative Building, Luther Burbank Boiler Building, and Luther Burbank Caretakers House.
  5. Public art.
  6. Trails.
  7. Habitat restoration and enhancement as authorized by [Chapter 19.07 MICC](#).
  8. Parking.
  9. Temporary uses and structures compatible with the purpose of the Parks Zone, as authorized by the City Manager or designee.
  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.

### MICC 19.05.XXX – 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, R12, 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.

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. ~~Exterior lighted~~[Externally lit](#) signs are prohibited [except for park entry signs and signs required for public health, safety, or maintenance purposes.](#)
  - c. Natural colors shall be required unless necessary 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. ~~Exterior lighted~~[Electronic and externally lit](#) scoreboards are permitted.
3. Kiosks shall not exceed 22 square feet of surface area and 10 feet in height. Surface area shall be measured as the portion of the kiosk used/usable for providing information.

D. *Trail Standards.*

1. Trails shall not exceed 12 feet in width.

E. *Buildings.*

1. Existing Buildings.

- a. As of the effective date of the ordinance adopting the Parks Zone, all existing buildings and their established uses, including uses not otherwise permitted in the Parks Zone, shall be considered legally conforming.
- b. Existing buildings shall not be subject to the standards for new buildings.

2. New Buildings.

- a. New buildings in the Parks Zone shall meet the following standards:
  - i. Restrooms shall not exceed 500 square feet in gross floor area.
  - ii. Park maintenance facilities shall not exceed 500 square feet in gross floor area.
  - iii. Recreation facilities shall not exceed 500 square feet in gross floor area.

- iv. Multipurpose facilities shall not exceed 3,500 square feet in gross floor area.
- v. Picnic shelters shall not exceed 1,200 square feet in gross floor area or 16 feet in height.

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.

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.
- c. Public trails.
- d. Playgrounds.
- e. Synthetic turf athletic fields.
- f. Small park amenities including but not limited to benches, picnic tables, signs, and trash cans.
- g. Emergency construction or maintenance.
- 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. The following lighting types are exempt from this requirement:
  - ~~a.~~ ~~Lighting within a public right of way or easement for the purpose of illuminating roads, trails, or pedestrian ways.~~
  - ~~b.~~a. Lighting fixtures existing prior to the effective date of this section and the repair of the same.
  - ~~c.~~b. Emergency lighting.
  - ~~d.~~c. Pathway and landscaping lighting fixtures producing less than 200 lumens.
  - ~~e.~~d. Temporary seasonal lighting.
  - ~~f.~~e. Lighting required by state or federal law.

1. *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.

**MICC 19.16.010 – Definitions**

[...]

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

[...]

*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 facility.* In the Parks Zone, a facility that serves two or more uses such as 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.* Park developments that serve operational or park maintenance 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.

[...]

*Recreational Amenities.* 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, electronic and manual scoreboards, and waste receptacles. Recreational Amenities also 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, playgrounds, batting cages, bullpens, skateparks, bike skills

areas, community gardens, spray parks, amphitheaters, swimming areas, docks, piers, and boat launches.

[...]

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. In the Parks Zone and Open Space Zone, a public restroom facility that provides basic amenities.

[...]

**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

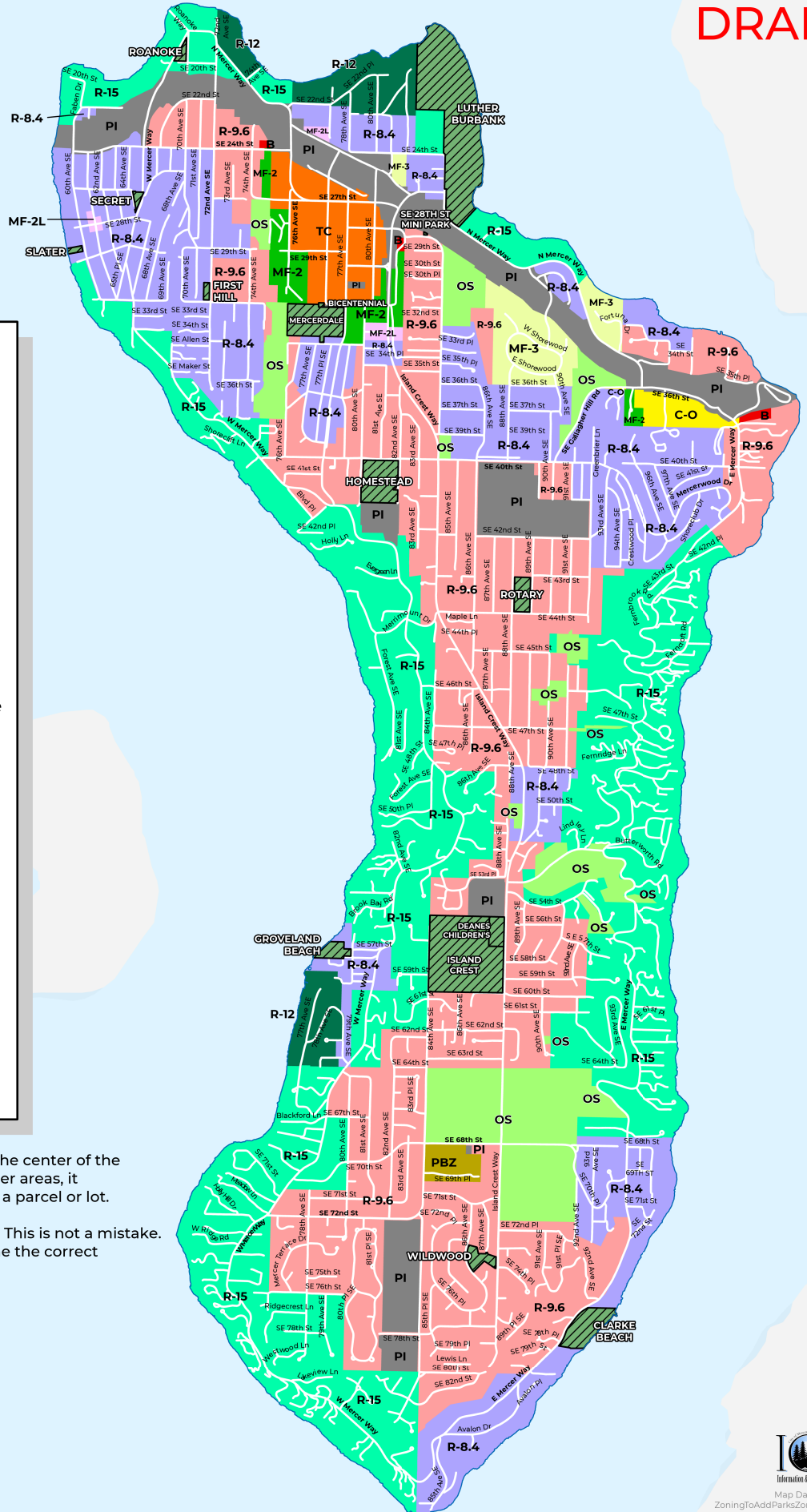
B. The location and boundaries of the various zones of the city are shown and delineated on the city of Mercer Island Zoning Map which is included in Appendix D of this development code and is incorporated herein by reference.

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.
- 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.



# DRAFT



	<b>P</b> Park
	<b>OS</b> Open Space
	<b>R-8.4</b> Residential 8,400 sq. ft. lot
	<b>R-9.6</b> Residential 9,600 sq. ft. lot
	<b>R-12</b> Residential 12,000 sq. ft. lot
	<b>R-15</b> Residential 15,000 sq. ft. lot
	<b>MF-2L</b> Multi-Family, Limited Maximum density 26 units/acre
	<b>MF-2</b> Multi-Family Maximum density 38 units/acre
	<b>MF-3</b> Multi-Family Maximum density 26 units/acre
	<b>B</b> Business
	<b>PBZ</b> Planned Business Zone
	<b>C-O</b> Commercial Offices
	<b>PI</b> Public Institution
	<b>TC</b> 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: Ord 16C-01
- DSG Director's Memo, dated 06/10/2016
- Amended: Ord 17C-24
- Amended: Ord 18C-14
- Amended: Ord 24C-15





**PARKS AND RECREATION COMMISSION  
CITY OF MERCER ISLAND, WASHINGTON**

2040 84<sup>th</sup> Ave SE | Mercer Island, WA 98040-3732  
(206) 275-7793 | [www.mercergov.org](http://www.mercergov.org)

DATE: **TBD**

TO: Planning Commission

FROM: Parks and Recreation Commission  
Peter Struck, Chair  
Paul Burstein, Vice Chair  
Sara Marxen  
Jodi McCarthy

Rory Westberg  
Don Cohen  
Ashley Hay

With Councilmember Reynolds attending as Council Liaison to the PRC.

SUBJECT: Draft Parks Zone Development Regulations and Zoning Map

**Introduction**

The Parks and Recreation Commission (PRC) is pleased to submit drafts of the Parks Zone development regulations and Zoning Map to the Planning Commission (PC) for consideration during the legislative review process. The Parks Zone is a proposed new zone that will establish specific land use regulations for most of the City’s parks with the goal of preserving and maintaining parks on Mercer Island. This recommendation was prepared in alignment with the goals and objectives in the Parks, Recreation, and Open Space (PROS) Plan.

**Background**

The City Council directed staff to develop a new Parks Zone to be included as part of the 2024 Comprehensive Plan Periodic Update. A preliminary Parks Zone draft was presented to the PRC and PC in January 2024. After receiving feedback from the commissions and the community, the City Manager directed staff to pause the legislative review process and return to the PRC for further discussion and review.

The PRC revisited the Parks Zone in March 2024 and provided a recommendation to staff to separate the Parks Zone planning work into two phases: the first phase to develop a new zone for City-owned public Open Space Lands and the second phase to develop a new zone for City-owned public park properties. The PRC, Open Space Conservancy Trust (OSCT) Board, and PC worked with staff to develop the Open Space Zone development regulations adopted alongside the 2024 Comprehensive Plan Periodic Update. The Open Space Zone was adopted by the City Council with [Ordinance No. 24C-15](#).

The PRC began developing the draft Parks Zone development regulations in November 2024 and finalized a recommendation at the **[TBD]** PRC meeting. A summary of the Parks Zone and the PRC’s recommendations are provided below.

### **What is the proposed Parks Zone?**

The Parks Zone is a proposed new zoning code that will establish land use regulations for most City-owned and managed parks and ensure the land is managed in a manner appropriate for such properties, consistent with the PROS Plan, City code, master plans, forest management plans, and similar documents. The City stewards approximately 138 acres of park land that is proposed to be included in the Parks Zone.

### **Draft Parks Zone Development Regulations (Sections A-E)**

The Mercer Island Development Code ([MICC Title 19](#)) classifies land within the City into various zones and establishes development regulations for each zone. Each zoning district has its own development regulations that specify the permitted uses and development standards in the zone. A summary of the PRC's proposed draft of the Parks Zone development regulations is provided below.

### **Purpose (Section A)**

The proposed purpose statement of the Parks Zone is to preserve and maintain parks which provide green space and recreational, social, and conservation opportunities.

### **Designation Requirements (Section B)**

The designation requirements of a zone describe the criteria the land must meet to be included in the zone. The proposed Parks Zone designation requirements specify that land in the Parks Zone must be owned, leased, or managed by the City of Mercer Island and fulfill the purpose of the Parks Zone. This language is consistent with the designation requirements of the Open Space Zone.

### **Uses Permitted (Section C)**

The proposed permitted uses in the Parks Zone include recreational uses, recreational facilities, recreational amenities, park maintenance facilities, the Luther Burbank Administrative Building, Boiler Building, and Caretakers House, public art, trails, habitat restoration and enhancement, parking, temporary uses and structures, wireless communications facilities, and utilities. The permitted uses are summarized below.

#### Recreational Uses

Recreational uses include uses related to entertainment, athletics, ecology, and leisure. This recommendation is in alignment with the following PROS Plan Goal:

- Goal 5: Provide a variety of recreation programs, services, and facilities that promote the health and well-being of residents of all ages and abilities.

#### Recreational Facilities

Recreational facilities and recreational amenities are proposed to include developments that are specifically provided for recreational uses or to supplement recreational uses. Examples of recreational facilities include athletic fields, sport courts, and playgrounds. Examples of recreational amenities include picnic tables, benches, and barbecues. This recommendation is in alignment with the following PROS Plan Objective:

- Objective 2.5: Provide amenities at parks, trails, open space areas, and facilities where appropriate and when feasible to improve the user experience and access.

#### Park Maintenance Facilities

Park maintenance facilities are proposed as a permitted use and encompass structures that serve purposes related to park maintenance, operations, and storage. Examples include buildings and sheds. This recommendation is in alignment with the following PROS Plan Objectives:

- Objective 2.1: Maintain all parks and facilities in a manner that keeps them in a safe and attractive condition.

### Luther Burbank Buildings

The Luther Burbank Administrative Building, Boiler Building, and Caretakers House are specified in the list of permitted uses because they are unique and serve City government purposes broader than just parks and recreation. The intent is to allow these buildings to continue to operate and serve their existing City government uses without being rendered nonconforming by the Parks Zone development regulations.

### Public Art

Public art is proposed as a permitted use and includes art installations in public spaces for the purpose of community enjoyment and enrichment. Public art includes examples such as sculptures and murals. This recommendation is in alignment with the following PROS Plan Objectives:

- Objective 6.2: Support the priorities of the Mercer Island Arts Council and the goals and initiatives of the Comprehensive Arts & Culture Plan.
- Objective 6.3: Identify and implement opportunities for integrating arts and culture into parks and open space, including, where feasible and appropriate, through permanent and temporary public art installations, arts performance and events, interpretive strategies, and other dynamic expressions. Collaborate with diverse groups to ensure incorporation of art in public space occurs through a lens of diversity, equity, and inclusion.

### Trails

Trails are proposed as a permitted use and include off-street paths for passive recreational uses. This recommendation is in alignment with the following PROS Plan Objectives:

- Objective 4.1: Develop and implement a trail system hierarchy to accommodate different user types and experiences.

### Habitat Restoration and Enhancement

Habitat restoration and enhancement is proposed as a permitted use for the purpose of rehabilitating and restoring park land. Examples of typical habitat restoration work include planting of native plant species, eradication of invasive plant species, and removal of toxic substances from soil and water. This recommendation is in alignment with the following PROS Plan Objectives:

- Objective 3.1: Preserve and protect open space and park land areas with significant environmental features such as wetlands, forests, steep slopes, and plant and animal habitats from development impacts.
- Objective 3.6: Actively work to improve the condition of City-owned parks, trails, and open space areas through invasive species removal, planting of native species, and restoration of urban forests, creeks, wetlands, and other habitat areas. Anticipate climate trends and foster climate-resilient landscapes in parks and open space. Seek opportunities for community education on invasive species and their safe removal to help reduce their spread on Mercer Island. Maintain an Integrated Pest Management Program that maximizes ecological benefits while minimizing environmental, social, and economic impacts.

### Parking

Parking is proposed as a permitted use in the Parks Zone. Adequate parking capacity throughout the park system is necessary to accommodate a variety of park uses and maintain park accessibility. This recommendation is in alignment with the following PROS Plan Objectives:

- Objective 1.6: Design and maintain parks and facilities to offer universal accessibility for residents of all physical capabilities, skill levels, and ages as appropriate and in compliance with the Americans with Disabilities Act (ADA) Standards for Accessible Design. Seek opportunities to eliminate barriers at existing facilities and address goals identified in the Citywide ADA Transition Plan.



### Temporary Uses and Structures

Temporary uses and structures are proposed as a permitted use to address construction projects that require short-term staging. Short-term uses may also include small group recreational, restoration, or stewardship events. This recommendation is in alignment with the following PROS Plan Objectives:

- Objective 3.14: Continue to facilitate volunteer programs that enhance park improvement and restoration efforts, promote environmental education, support ongoing maintenance efforts, and engage the community in stewardship opportunities.
- Objective 8.9: Promote volunteerism to involve individuals, groups, organizations, and businesses in the development and stewardship of the park and recreation system.

### Wireless Communications Facilities

Wireless communication facilities will be allowed only as otherwise permitted in the MICC. This item was identified as a future work item for City Council consideration, which is further described in the “recommendations” section.

### Utilities

Utilities are included as a permitted use. Parks are not typically preferred locations for utilities, however, many of the City’s parks have utility facilities because feasible alternative locations for utilities are unavailable. This recommendation is in alignment with the following PROS Plan Objectives:

- Objective 3.11: Design and restore parks, trails, and open space to naturally capture and filter stormwater to improve water quality, increase water infiltration and recharge, and promote a healthy watershed and lake environment. Where feasible, coordinate park, trail, and open space projects with stormwater and utility projects for efficiency and to reduce environmental impacts.

### **Development Standards (Section D)**

The Parks Zone development standards establish regulations for improvement projects that occur on park land such as construction or rehabilitation of recreational facilities, amenities, trails, and other infrastructure. The proposed Parks Zone development standards are summarized in the sections below.

#### Setbacks

The development regulations include proposed setbacks at twenty (20) feet if the adjacent property is zoned R-8.4, R-9.6, R-12, R-15, MF-2L, MF-2, or MF-3, and zero (0) feet if the adjacent property is zoned PI, OS, TC, PBZ, CO, or B. This language provides for setback protection focused on residential areas. Fences, gates, culverts, trails, landscaping, furnishings, bollards, signs, kiosks, parking areas, and utilities are proposed to be exempt from setback requirements.

#### Signs, Scoreboards, and Kiosks

Signs are subject to the regulations in [MICC 19.12.080](#) with a few proposed exceptions. Signs are limited to 16 square feet of surface area, externally lit signs are prohibited except for park entry signs and signs required for public health, safety, or maintenance purposes, and natural colors are required unless necessary for public health, safety, or maintenance purposes. Scoreboards are limited to 250 square feet of surface area. Electronic and externally lit scoreboards are permitted. Kiosks are permitted and limited to 22 square feet of surface area and ten feet in height. Surface area is measured as the portion of the kiosk used for providing information.

#### Trail Standards

The proposed trail standards in the Parks Zone are limited to regulating trail width, with the maximum trail width set at 12 feet. Based on staff input and recommendations, trail standards vary considerably based on the characteristics of the park (i.e. specific recreational or habitat needs) and therefore it is not possible to include more detailed trail standards in the development regulations without eliminating the flexibility needed to design



trails. Additional details on trail standards are provided in park master plans and may also be included in system-wide trail plans.

### Buildings

Building standards are proposed to establish all existing buildings in the Parks Zone as legally conforming and not subject to the standards for new buildings. Uses established in existing buildings prior to adoption of the Parks Zone, including uses not otherwise permitted in the Parks Zone, are proposed to be allowed to continue. This provision will allow the City government uses of the Luther Burbank Administrative Building, Boiler Building, and Caretakers house to continue.

New buildings in the Parks Zone are proposed to be categorized into the following types: restrooms, park maintenance facilities, recreation facilities, and multipurpose facilities. Restrooms, park maintenance facilities, and recreation facilities are proposed to be limited to 500 square feet in gross floor area. Multipurpose facilities, which combine two or more uses, are proposed to be limited to 3,500 square feet in gross floor area. For reference, the multipurpose building at Island Crest Park is just under 3,500 square feet. Picnic Shelters are proposed to be limited to 1,200 square feet in gross floor area and 16 feet in height.

### Parking

Parking areas in the Parks Zone are subject to the parking design standards in the City's development code. The parking standards are proposed to address ingress and egress in the interest of traffic control, public safety, and general welfare of park users. Parking proposals must demonstrate that the number of parking spaces proposed will accommodate the projected parking created by the proposed use.

### Impervious Surface

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. If the City acquires new park land, a separate process is proposed to determine the amenities and impervious surface coverage of the new park land. Proposed exemptions from the impervious surface standard include emergency vehicle lanes, ADA parking, public trails, playgrounds, synthetic turf athletic fields, small park amenities such as benches and picnic tables, emergency construction and maintenance, and utilities.

### Lighting

Lighting standards are proposed to 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, specific lighting standards for outdoor performance, sport and recreation facilities, and play fields are proposed to meet the Illuminating Engineering Society of North America's (IESNA) published standards, specific shielding and angling requirements, and require that lights remain off when not in use.

### **Definitions (Section E)**

Definitions for key terms in the Mercer Island Unified Land Development Code are provided in [MICC 19.16.010](#). The proposed new definitions for key terms used in the Parks Zone are provided in the draft Parks Zone development regulations. The terms include athletic field, community garden, furnishings, light trespass, multipurpose facility, park, park maintenance, park maintenance facilities, playground, public art, recreational amenities, recreational facilities, recreational uses, and restroom.

### **Draft Zoning Map**

The Zoning Map in [MICC Title 19 Appendix D](#) shows how land within the City is divided into zones with specific uses. The new draft Zoning Map includes the proposed Parks Zone and the park properties that are recommended for inclusion in the new zone including Bicentennial Park, Clarke Beach Park, Deane's Children's Park, First Hill Park, Groveland Beach Park, Homestead Park, Island Crest Park, Luther Burbank Park, Mercedale Park, Roanoke Park, Rotary Park, SE 28th Street Mini Park, Secret Park, Slater Park, and Wildwood Park.

The properties that were considered but are not recommended for inclusion in the Parks Zone are summarized below.

#### Aubrey Davis Park

Aubrey Davis Park was considered for inclusion in the Parks Zone. However, Aubrey Davis Park is owned by the Washington State Department of Transportation (WSDOT) and located in I-90 right-of-way (ROW). The City does not have the authority to impose development regulations on I-90 ROW due to WSDOT's preemptive authority over the state highway system. The I-90 ROW is zoned Public Institution, which does not include any development regulations that apply to I-90 ROW. Land is zoned based on its primary use, which in this case is transportation. With these considerations in mind, the Public Institution Zone is a suitable zone for the I-90 corridor.

The City's use of Aubrey Davis Park is regulated by several turnback agreements and airspace leases between WSDOT and the City, some of which are nearing their sunset date. Additionally, the [Aubrey Davis Park Master Plan](#) provides a long-term plan for park amenities and operations. The agreements and park master plan are the result of collaborative efforts between WSDOT and the City. A unilateral decision by the City to rezone the I-90 corridor may contradict this collaborative approach and may affect future negotiations regarding turnback agreements and airspace leases. For these reasons, Aubrey Davis Park is not recommended for inclusion in the Parks Zone. A recommendation to prioritize renegotiation of the agreements with WSDOT is provided in the "additional recommendations" section below.

#### Landings and Street Ends

The landings and street ends are properties located in ROW areas that have a primary purpose of utilities and a secondary purpose of passive recreation. The landings and street ends have vital utility facilities that are part of the water, wastewater, and stormwater systems that serve Mercer Island. The PRC considered the landings and street ends for inclusion in the Parks Zone. However, it is a best practice to zone land based on its primary use, and the primary use of landings and street ends is utilities. Application of Parks Zone development regulations to landings and street ends may restrict the ability of staff and utility agencies to operate, maintain, and upgrade utility infrastructure on these properties. For these reasons, the landings and street ends are not recommended for inclusion in the Parks Zone.

#### Mercer Island Community and Event Center (MICEC)

The MICEC serves a variety of recreational and non-recreational programs, activities, and events. The MICEC serves as the home of the City's emergency operations center, emergency shelter, and emergency warming and cooling center, and provides a physical location for City Council, Board, and Commission meetings. The facility also provides citywide office and meeting space and leased space for childcare services. The MICEC is not recommended for inclusion in the Parks Zone because it is a large multi-purpose facility that serves many City government uses in addition to recreation.

**Additional Recommendations**

The PRC identified several additional recommendations for consideration by the City Council:

- The PRC is interested in exploring new opportunities for collaboration with the Arts Council and being involved in the review process for public art installations in parks. The PRC understands public art falls under the authority of the Arts Council and City Council, but would appreciate opportunities to provide input on new public art installations in the park system.
- The City Council should consider a subdivision of Island Crest Park, separating the forested and critical areas (e.g. Open Space areas) from the active use areas of the park. Upon completion of the subdivision, the Open Space areas of Island Crest Park should be re-zoned as Open Space.
- Similar to the Open Space Zone, siting of wireless communications facilities in parks should be limited to the extent allowed in the MICC.
- The WSDOT airspace leases that regulate the City's use of Aubrey Davis Park will expire in 2034. The City should prioritize renegotiation of these agreements with WSDOT and any other governing documents to preserve Aubrey Davis Park for years to come.

**Conclusion**

Parks increase the quality of life on Mercer Island by preserving green spaces and providing recreational, social, and conservation opportunities. The City's parks warrant special zoning protections consistent with the proposed purpose of the Parks Zone and the goals and objectives identified in the PROS Plan. The PRC supports the proposed draft of the Parks Zone and looks forward to further discussion with the Planning Commission.