



PARKS & RECREATION COMMISSION REGULAR HYBRID MEETING AGENDA

Thursday, March 7, 2024 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 24th Street | Mercer Island, WA 98040
Phone: 206.275.7600 | 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.

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 the staff liaison at **206.275.7861** or [email](#) and leave a message 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 24th Street, Mercer Island

CALL TO ORDER & ROLL CALL, 5 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. Parks and Recreation Commission Meeting Minutes:
 - A. January 4, 2024, Regular Meeting
 - B. February 8, 2024, Special Joint Meeting with the Planning Commission**Recommended Action:** Approve minutes.
3. PRC 24-03: Park Zone Discussion
Recommended Action: None; discussion only.

OTHER BUSINESS

4. Absences and Commissioner Reports

ADJOURNMENT



City of Mercer Island Parks and Recreation Commission

Department Report March 7, 2024



Island Crest Park Athletic Fields Turf Replacement



- After many weather delays, FieldTurf is nearing the finish line!
- Yesterday two crews worked nonstop to finish gluing the turf and begin applying infill, which will wrap up today.
- Once staff inspect the field and FieldTurf clears the construction site, the facility will reopen for use.
- We continue to stay in daily contact with the School District and the Booster Club.
- Thank you to the Parks Operations and Recreation staff who worked quickly over the last two weeks to provide alternative space for baseball practice and to assist FieldTurf in drying out the field to make it possible to finish construction.
- The first Varsity home game is Monday, March 11! Hope to see you all there!



Bike Skills Area

- Last month, a crew from American Ramp Company worked on site to dig and pour reinforced concrete footings to increase stability of anchors for all of the wooden features.
- The Parks Operations team closed the facility while the ARC crew completed their work.
- The BSA reopened on Monday, February 26, and all trails are fully operational.
- Staff and representatives from WCIA also met last month to inspect the BSA and discuss additional measures to increase trail sharing in the ICP trail system.
- Additional signage will be installed within the trail system to alert bike riders of the upcoming road crossings near all the trailheads that exit onto 84th Ave SE.



Parks and Natural Resources Updates

- Continue to pilot and test out several models of electric leaf blowers
- Seasonal hiring has started for maintenance and natural resources crews
- South Mercer Playfields-added some light pole padding for added safety
- February volunteer events- 5 volunteer and 1 outreach event, 71 participants for 143 hours, finishing up planting for the season
- This planting season 1,348 trees and shrubs planted in 7 parks and open spaces



Luther Burbank Park Sport Courts Renovation (Pickleball)

- We are almost ready to submit for permits.
- Design of the construction access road held us up, but that has been resolved.
- We are awaiting the final plan sheets for the electrical plan for conduit and junction boxes.
- Staff anticipate submitting for permits next week and will update Let's Talk accordingly.



Playground Replacements

- The **Roanoke Park** playground replacement has progressed into permitting, starting with a pre-app meeting with CPD.
- The new play equipment will be ordered soon to get ahead of long lead times.
- Staff and the consultant have shifted to design work for the playground replacement at **First Hill Park**.
- Public engagement for First Hill Park will start later this month with a Let's Talk page and community survey.



Roanoke Park

Information can be found at:
<https://letstalk.mercergov.org/playground-replacements>





Senior Resource Fair Success!



- The Recreation Team and YFS welcomed approximately 400 visitors to the MICEC on Saturday, March 2nd for the Senior Resource Fair!
- The fair showcased over 40 businesses and vendors:
 - Parks and Recreation Offerings
 - Youth and Family Service Support
 - Police/Emergency Management Support
 - Volunteer Opportunities
 - Local Providers & Resources
- **Special thank you to our sponsors Aegis Living, Belle Harbour, and Aljoia!**



Drop-In Pickleball is a SMASH!!

The Mercer Island Community Center expands drop-in programming!

New exclusive MI Resident Pickleball!

- ▶ Currently average 50-60 players per pickleball session with a high of 85!
 - 24 players on court at one time
 - 26-36 sitting and waiting for an available court
 - 60% of all pickleball players are non-resident
- ▶ Prioritizing access & opportunities to Mercer Island pickleballers.
 - Less sitting and waiting...more playing!



Item 1.



MICEC in partnership with MISD Pathways Program

- ▶ The Recreation Division continues to collaborate with MISD and their Pathways program to offer work experience for their students.
- ▶ The enthusiasm these students exude to help and work every Tuesday, Wednesday and Thursday at the Center is appreciated!
- ▶ Pictured here on the right: Kevin, Ben, and their job coach Carmen starting their day of work at the MICEC!



Parks & Recreation Commission

2024 Planning Schedule

1st Thursday of Month- Regular Meetings

Updated 3/1/2024



Date	Meeting Type	Agenda Item
4-Jan	Regular	Recreation Sponsorship Policy Park Zone
1-Feb	Regular	**Canceled**
8-Feb	Joint w/ PC (6pm)	Park Zone
7-Mar	Regular	Park Zone
21-Mar	Special	Park Zone
4-Apr	Regular	Park Zone Recreation Division Annual Report
18-Apr	Special	Park Zone
2-May	Regular	Mercer Island Library- Annual Update Park Zone
8-May	Joint w/ PC (6pm)	
6-Jun	Regular	Chair/Vice-Chair Elections Bylaws Review
11-Jul	SPECIAL	
August		No Meetings Summer Break
5-Sep	Regular	
Oct. TBD	SPECIAL	
7-Nov	Regular	
5-Dec	Regular	Work Plan Progress and CIP Progress Update Recreation Policy Implementation Update

Item Type	Items to be scheduled



Thank You



Parks & Recreation Commission

2024 Planning Schedule

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		Park Zone
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8-Feb	Joint w/ PC (6pm)	Park Zone
7-Mar	Regular	Park Zone
21-Mar	Special	Park Zone
		Park Zone
4-Apr	Regular	Recreation Division Annual Report
18-Apr	Special	Park Zone
2-May	Regular	Mercer Island Library- Annual Update
		Park Zone
8-May	Joint w/ PC (6pm)	
6-Jun	Regular	Chair/Vice-Chair Elections
		Bylaws Review
11-Jul	SPECIAL	
August		No Meetings Summer Break
5-Sep	Regular	
Oct. TBD	SPECIAL	
7-Nov	Regular	
5-Dec	Regular	Work Plan Progress and CIP Progress Update
		Recreation Policy Implementation Update

Item Type	Items to be scheduled

Code	Groveland/Clarke Planning- Public Engagement	
Project	Deane's Playground Kick-off	
Code	Draft Park Code Update	
Policy	Recreation Service Scholarship	
Project	Mercerdale Master Plan	
Project	Luther Docks Project (<i>Periodic touch points</i>)	
Project	Aubrey Davis Trail Safety Project (<i>Periodic touch points</i>)	
July Agenda Items		
KCLS- Mercer Island Branch Operations Update (May)		
Annual PRC Chair/Vice-Chair Elections (June)		
Annual Bylaws Review (June)		
Various CIP Recommendations (TBD)		
Recreation Division Annual Report		



PARKS & RECREATION COMMISSION REGULAR MEETING MINUTES January 4, 2024

CALL TO ORDER

Chair Struck called the meeting to order at 5:00pm via Zoom Online meeting.

ROLL CALL

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

Chief of Operations Jason Kintner, Recreation Manager Ryan Daly, Recreation Supervisor Katie Herzog, Community Planning & Development Deputy Director Alison Van Gorp, Community Planning and Development Senior Planner Adam Zack, and Recreation Specialist Raven Gillis were present.

APPEARANCES

No public Appearances

DEPARTMENT REPORT

1. Recreation Manager Ryan Daly reported on the following items:

- Park Maintenance Updates
- MICEC Winter Maintenance
- Roanoke Park Playground Replacement
- Island Lanterns
- Watch Party & Family Movie Night
- That's a Wrap for Illuminate MI 2023
- Happy New Year!

REGULAR BUSINESS

2. Approval of Minutes

Minutes from the December 4, 2023 Special Meeting were presented.

It was moved by McCarthy; seconded by Westberg to:

Approve the minutes from the December 4, 2023 Special Meeting

Passed: 7 – 0

3. 2024 Comprehensive Plan Periodic Update Draft Parks Zone Regulations

Senior Planner Adam Zack presented. Commissioners received the report and provided the following input to the Planning Commission's questions:

Q1. Are there modifications suggested for the purpose statement of the Parks Zone?

- Consider strengthening the statements regarding recreation to include active and passive recreation.
- The Parks Zone should be differentiated from other zones by an emphasis on recreation and
- Consider separating recreation from the other concepts in #3.

Q2. Are there permitted land uses for the Parks Zone that should be added, removed, or modified?

- Consider adding conditions to recreational uses/facilities to clarify what constitutes that use. Possibly drop 'private' from the definition of recreational facilities.
- Consider narrowing government offices and services to only 'park-related'.
- Consider revising public parking to simply state "public parking" and linking parking with recreational uses.
- The PRC is concerned about transit stops in public parks. Consider limiting transit stops to only temporary stops.
- Consider limiting allowed signs to only those related to recreational uses.
- The PRC was concerned about allowing large wireless communications facilities (WCFs). Consider only allowing the WCFs required by law.
- Consider adding "Natural systems improvements, habitat restoration, open space, and passive recreation" to the list of allowed uses.

Q3. Are there development standards for the Parks Zone that should be added, removed, or modified?

- Consider reducing the maximum building height.
- Find a process to add flexibility to the maximum impervious surfaces standard while maintaining a high bar for increasing total impervious surfaces. Possibly require Council approval for any increase to impervious surfaces.
- Consider ways to reduce the impact of lighting on site.
- Consider adding design standards to the Parks zone.
- Consider establishing a maximum amount of development allowed such as a maximum developable area per lot/park.
- Consider how this zone relates to the Open Space Conservancy Trust.

Recess from 7:26pm to 7:36pm

4. Review of Recreation Sponsorship Policy

Recreation Manager Ryan Daly and Recreation Supervisor Katie Herzog presented. Commissioners engaged in discussion and asked questions.

It was moved by Westberg; seconded by Hay to:

Recommend the draft Recreation Sponsorship Policy to the City Council for consideration

Passed: 7 – 0

OTHER BUSINESS

5. 2023 Planning Schedule Update

Recreation Manager Ryan Daly provided an update.

6. Commissioner Reports / Work Plan Update

ADJOURNMENT at 7:54 PM



JOINT PLANNING/PARKS & RECREATION COMMISSIONS SPECIAL HYBRID MEETING MINUTES

Thursday, February 8, 2024

Item 2.

CALL TO ORDER

The Joint Meeting of the Planning and Parks and Recreation Commissions was called to order by Chair Murphy at 6:02 pm.

Planning Commission: Chair Michael Murphy and Commissioners Kate Akyuz, Carolyn Boatsman, Chris Goelz, Victor Raisys, and Adam Ragheb were present remotely.

Commissioner Angela Battazzo was absent.

Parks and Recreation Commission: Chair Peter Struck and Commissioners Jodi McCarthy, Don Cohen, Sara Marxen, and Ashley Hay were present remotely.

Vice Chair Paul Burstein and Rory Westberg were absent.

Staff Participation: Jessi Bon, City Manager and Deb Estrada, Deputy City Clerk

APPEARANCES

- Meg Lippert, Mercer Island, addressed the Commissions regarding the proposed Park Zone.
- Gary Robinson, Mercer Island, addressed the Commissions regarding the proposed Park Zone.

SPECIAL BUSINESS

1. PCB24-02: Update on Parks Zoning Code Development Process

Jessi Bon, City Manager, met with the Parks and Recreation Commission (PRC) and Planning Commission (PC) to discuss the revised review process for development of the new Parks Zone. Bon's presentation addressed the following:

- Facilities Overview and Update:
 - Permanent Closure of City Hall
 - Long Range Facility Planning
 - Public Works Building
 - Facilities Planning – Next Steps
 - Parks are Not Under Consideration for a new City Hall
- 2024 Comprehensive Plan Update
 - Comprehensive Plan/Parks Zone Background
 - Technical Reports
 - Comp Plan Updates related to Parks and Recreation
 - Parks Zone Legislative Review Paused
- Overview of 2022 PROS Plan
 - Parks, Recreation & Open Space Plan
 - PROS Plan – Goals and Future Initiatives
 - Other Parks and Recreation Plans
 - Is the PROS Plan policy or operational?
- Future Parks Zone

- Drafting Code Examples:
 - Parking
 - Luther Burbank Park – Master Planned, Ownership, and Other Codes
 - Street Ends & Landings
- PRC and PC Coordination (Timeline)
 - Parks Zone Development Timeline
 - PRC and PC Coordination/Hand-Off

ADJOURNED - The meeting adjourned at 7:29 pm

Deborah Estrada, MMC, Deputy City Clerk

DRAFT



PARKS & RECREATION COMMISSION CITY OF MERCER ISLAND

PRC 24-03
March 7, 2024
Regular Business

AGENDA BILL INFORMATION

TITLE:	PRC 24-001: Parks Zone Discussion	<input checked="" type="checkbox"/> Discussion Only <input type="checkbox"/> Action Needed: <input type="checkbox"/> Motion <input type="checkbox"/> Recommendation
RECOMMENDED ACTION:	None; discussion only.	

STAFF:	Jessi Bon, City Manager Carson Hornsby, Management Analyst Ryan Daly, Recreation Manager Merrill Thomas-Schadt, Senior Management Analyst
EXHIBITS:	1. Inventory of City Parks 2. Zoning Map 3. Parks Zone Commissioner Comment Matrix 4. Parks Zone Commissioner Q/A Matrix

EXECUTIVE SUMMARY

- The City of Mercer Island is updating its Comprehensive Plan as part of the periodic review required by the Washington Growth Management Act (GMA). The City Council added the creation of a new Parks Zone to the 2024 Comprehensive Plan Periodic Update scope of work with Resolution No. 1621.
- A preliminary draft of the new Parks Zone was presented to the Parks and Recreation Commission on January 4, 2024, and to the Planning Commission on January 24, 2024.
- After receiving extensive feedback from both commissions and the community, the City Manager has directed staff to pause the legislative review process and return the draft Parks Zone to the Parks and Recreation Commission for review, comment, and revision.
- The goals of tonight’s meeting are to review questions on the project, establish the framework to re-approach the creation of the Parks Zone, identify areas requiring more research and follow-up, and discuss key issues, areas of consensus, and public engagement opportunities.
- The Parks and Recreation Commission will help shape the Parks Zone draft and provide a recommendation to the Planning Commission and the City Council.
- The Parks Zone project is still intended to be completed this year and included as part of the 2024 Comprehensive Plan update as directed by the City Council.

BACKGROUND

PROS Plan Background

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. As directed by the City Council in September 2019, City staff, in collaboration with the Parks & Recreation Commission, began the process of updating the PROS Plan. The prior PROS Plan expired in 2019 and the decision was made to undertake a wholesale rewrite of the plan. Work was suspended on the PROS Plan update in April 2020 due to the COVID-19 Pandemic and then resumed at the end of 2020.

After nearly three years of work, the City Council adopted the new [Parks, Recreation and Open Space \(PROS\) Plan](#) on March 1, 2022.

PROS Plan Community Engagement

The Parks & Recreation Commission served as the lead advisory board on the PROS Plan update process with support provided by the Arts Council and the Open Space Conservancy Trust. The 2022 PROS Plan included an extensive community engagement process, some of the highlights are summarized below:

- Two statistically significant mail-in surveys were sent to Mercer Island residents with concurrent versions available to the public online (February 2020 and August 2021).
- Two virtual open houses were held that included project presentations, live polling, and facilitated discussions in breakout groups (March 2021 and September 2021).
- A project webpage was maintained throughout the planning process to provide access to key dates and milestones, background data, and draft materials.
- Numerous meetings of the Parks & Recreation Commission, Arts Council, and the Open Space Conservancy Trust Board were held, dedicated to the development of the PROS Plan.

PROS Plan Guiding Policies Related to Park Preservation

Listed below are some of the 2022 PROS Plan objectives related to stewardship of public park land and open space areas:

- Objective 1.1 (see page 20): Retain publicly owned parks and open spaces in perpetuity. Actively pursue options to permanently protect parks and open space through conservation easements, zoning changes, or other strategies. Evaluate the transfer of some or all open space to the Open Space Conservancy Trust
- Objective 1.4 (see page 20): Identify and prioritize the need for master plans to guide all significant park development projects, achieve cohesive designs, and ensure project phasing is efficient and in alignment with community needs and priorities. Utilize management plans or other adopted strategies to guide the stewardship and maintenance of parks, open space, and trails.
- Objective 1.8 (see page 20): Pursue and implement strategies to maximize use of existing park and recreation assets.
- Objective 3.1 (see page 23): 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 3.5 (see page 23): Continue to support the Open Space Conservancy Trust and the planning, development, and management of Pioneer Park and Engstrom Open Space. Promote Pioneer Park as a demonstration site for best practices in forest management and environmental education.
- Objective 3.12 (see page 24): Steward waterfront and shoreline properties with the goal of protecting and enhancing critical shoreline habitat while preserving safe water access for recreational use.

Taken together, all the goals and objectives included in Chapter 4 of the PROS Plan serve as the policy framework for the provision of parks and recreation services in Mercer Island. Development of master plans, policies, codes, and other work products should align with this policy framework.

2024 Comprehensive Plan Update

The City of Mercer Island is currently in the process of updating its Comprehensive Plan as part of the periodic review required by the Washington Growth Management Act (GMA). The City Council added creation of a new Parks Zone to the 2024 Comprehensive Plan Periodic Update scope of work with [Resolution No. 1621](#).

In addition, City Staff are recommending that the 2022 PROS Plan be incorporated into the 2024 Comprehensive Plan substantially by reference through the adoption of a Parks, Recreation, and Open Space Element, see City Council approved [Resolution No. 1621](#), Subtask Number PRO-1.

The 2024 Comprehensive Plan Update, including the new Parks Zone and the Parks, Recreation, and Open Space Element, is expected to be adopted before the GMA deadline at the end of 2024.

New Parks Zone

The Parks Zone would be a new zoning classification in the City. This zone would establish specific land use regulations for development within the zone. The intent of regulating land use in these designated parks is to ensure that parks are developed and operated in a manner consistent with City plans, including the Parks, Recreation, and Open Space (PROS) Plan, and City code.

The proposed Parks Zone development regulations would perform several important functions. The Parks Zone purpose would articulate why the zone is being established. The zoning designation criteria would determine what conditions are required for land to be included within the Parks Zone. The land use regulations would detail which uses are allowed within the Parks Zone. Development standards would guide development within the parks zone. Finally, definitions will describe the key terms used in the zoning regulations.

See the Inventory of City Parks (Exhibit 1) and the Zoning Map (Exhibit 2) for more information about park properties and boundaries.

Zoning Code and Legislative Review Process

Zoning is a method in which land is divided into “zones,” each of which has a set of regulations describing allowable uses. For Mercer Island, specific zones are established in [Title 19.01.040 Mercer Island City Code \(MICC\)](#). Any amendment of Title 19 MICC must proceed through the legislative process established in [Chapter 19.15 MICC](#). This means that the legislative review, gathering of public input, and making a recommendation to the City Council regarding the parks zone follows a formal process facilitated by the Planning Commission.

The legislative process outlined in Chapter 19.15 MICC directs the following steps:

- An open record pre-decision hearing with the Planning Commission ([MICC 19.15.020](#)).
- The Planning Commission makes a written recommendation to the City Council following the public hearing ([MICC 19.15.260\(B\)\(2\)](#)); and
- The City Council considers the Planning Commission recommendation during a public meeting, deciding to adopt, reject, or amend the recommendation ([MICC 19.15.260\(B\)\(3\)](#)).

City Manager Pausing Planning Commission Legislative Review Process

A preliminary draft of the Parks Zone was presented to the Parks and Recreation Commission on [January 4, 2024](#), and to the Planning Commission on [January 24, 2024](#).

After receiving extensive feedback from both commissions and the community, the City Manager directed staff to pause the legislative review process and return the draft Parks Zone to the Parks and Recreation Commission for review, comment, and revision. A Joint Meeting was held with the Parks and Recreation Commission and the Planning Commission on [February 8, 2024](#) to discuss the change in direction.

Aubrey Davis Park, I-90 Right of Way, and the Public Institution Zone

Aubrey Davis Park (formerly "The Lid Park") was built in 1992 to mitigate impacts from reconstruction of Interstate 90. Today, it encompasses 90+ acres and a 2.8-mile long recreation and transportation corridor. The park includes the Park on the Lid, the Mountains to Sound Trail, the Boat Launch, and the Greta Hackett Outdoor Sculpture Gallery.

Aubrey Davis Park is extremely unique in comparison to Mercer Island's other parks because it is located within airspace of I-90 right of way owned by the Washington State Department of Transportation (WSDOT). The City of Mercer Island and WSDOT executed a series of turnback and landscape maintenance agreements in the late 1980s to permit the construction and use of recreational facilities within WSDOT right of way and transfer maintenance responsibilities of the premises, including Aubrey Davis Park, over to the City. As a result of the turnback agreements, WSDOT and the City executed airspace leases of I-90 right of way with a 40-year term in the early 1990s to permit specific uses of the lid and the east channel boat launch. The permitted uses of the premises under these agreements include landscaping and maintenance, approved concessions, special events, waterfront access, and use of sports and recreation facilities.

The I-90 corridor, which includes Aubrey Davis Park, is currently zoned as "Public Institution" ([MICC 19.05.010](#)). The Public Institution land use classification is a special purpose zone that permits land use for government services, public schools, public parks, transit facilities, hazardous waste treatment and storage facilities, and wireless communications facilities. The current I-90 corridor was unclassified in the zoning code until 1987, when the City zoned the land as Public Institution with a series of ordinances amending the comprehensive plan and zoning code shortly before the construction of the "new" I-90.

The City must comply with the numerous prior agreements with WSDOT memorialized within the turnback and landscape maintenance agreements and airspace leases with WSDOT that permit the City to maintain Aubrey Davis Park and other recreational facilities within WSDOT right of way. Considering the complex overlay of the various agreements between WSDOT and the City governing the use and maintenance of Aubrey Davis Park, it is not desirable to include Aubrey Davis Park within the Parks Zone.

Telecommunications Code and Infrastructure

In previous discussions of the proposed Parks Zone, concerns were raised regarding limiting or restricting the use of parks from housing wireless communication facilities (such as antennas). As an initial matter, regulation of such facilities is addressed City wide within [MICC 19.06.040](#) for macro wireless facilities and [MICC 19.06.070](#) for small wireless facilities. Local zoning regulation of wireless communication facilities is severely constrained by an intricate set of limitations contained both within federal and state law and by regulations and orders promulgated by the Federal Communications Commission (FCC).

Any changes to how Mercer Island regulates wireless communications facilities should be addressed as a separate and holistic City-wide project, due to the many complexities involved with regulating wireless communications facilities. Any change to the City's existing regulatory scheme with respect to wireless facility siting will require lengthy legal review and analysis, to ensure both that any such regulations do not conflict with federal law/regulations and do not create any unintended consequences, such as creation of legal nonconforming uses for existing facilities.

Codes and Regulations that Apply to City Parks

In addition to the zoning and telecommunications codes, there are several other City-wide codes and regulations that apply to parks. These codes and regulations are important to note in order to avoid creating conflicts with other codes or duplicating regulations within the new Parks Zone. A summary of the codes and regulations that apply to parks is listed below:

- [Stormwater Management Program \(MICC 15.09\)](#): Establishes regulations for the City’s surface and storm water management system including outlining responsibilities for planning; requirements for new development and redevelopment; design, construction, maintenance, administration, operation, and improvement of the storm and surface water system; as well as establishing standards for design, construction, and maintenance of improvements and related activities on public and private property where these may affect storm and surface water and/or water quality.
- [Tree Code \(MICC 19.10\)](#): Establishes building and site design standards and procedures, a tree removal permit system, and a tree replacement requirement to regulate tree removal and prioritize the retention of trees on Mercer Island.
- [Shoreline Master Program \(MICC 19.13\)](#): Establishes land-use policies and regulations that guide uses, activities, and development along the shoreline of the City. The program achieves Washington State mandates outlined in [RCW 90.58](#) and adopts property development standards within the shorelands to protect the health, safety, welfare, values, and property interests of the city of Mercer Island and its residents.
- [Construction Code \(MICC 17.01\)](#): Establishes minimum performance standards and requirements for construction and construction materials, consistent with accepted modern standards of engineering, fire, and life safety.
- [Environment \(Critical Areas Code\) \(MICC 19.07\)](#): Establishes regulations to implement goals of the Growth Management Act, maintain critical areas and enhance the quality of habitat to support the sustenance of native plants and animals, maintain and improve the ecological health of wetlands and watercourses, protect fish and wildlife habitat conservation areas, and minimize negative impacts from the built environment.

Feedback and Engagement

City staff have compiled comments and questions from Planning Commission and Parks and Recreation Commission members (see Exhibits 3 and 4). Staff have provided responses to questions and will keep comments and feedback on record for reference. These documents are intended to be “living documents,” with questions and responses added and shared during the draft and review process.

The City is maintaining a [Let’s Talk page](#) to provide background information, project materials including draft documents, maps and other visuals, and a clear timeline of the process. This page is a resource for the public to ask questions and for City staff to provide answers. The Let’s Talk page will be maintained for the duration of the project. Community members are invited to provide public comment at Parks and Recreation Commission meetings either virtually or in person at the MICEC.

Open Space Conservancy Trust

The Mercer Island Open Space Conservancy Trust (OSCT) is a board of volunteer citizens appointed by the City Council to oversee open space properties placed in the trust as passive, low-impact recreational open space. The OSCT, which was established in 1992, manages open space properties to protect, maintain, and preserve them as natural, scenic, and recreational resources. Currently the Trust owns and oversees the management of Pioneer Park and Engstrom Open Space.

Two members of the OSCT will participate in the PRC Parks Zone deliberation process. This team-oriented approach will allow the PRC to draw upon the knowledge and expertise of the OSCT regarding open space properties and incorporate their feedback into the recommendation to the Planning Commission.

ISSUE/DISCUSSION

The goal for tonight's meeting is to share background information, review questions on the project to date, and establish the framework to re-approach the creation of the Parks Zone. City staff will lead a discussion about key issues, identify areas of consensus and topics requiring more research and follow-up, and discuss public engagement opportunities.

Suggested topics to facilitate the PRC discussion:

- Review background information and address questions the PRC has about the materials presented.
- Review staff report exhibits:
 - Inventory of City Parks (Exhibit 1): information about each park including name, address, PROS Plan classification, ownership, current zoning, primary purpose, and notes.
 - Comprehensive Plan Land Use Map (Exhibit 2): boundaries and zoning of all parks.
 - Commissioner Comment Matrix (Exhibit 3): record of commissioner comments.
 - Commissioner Q/A Matrix (Exhibit 4): staff responses to commissioner questions.
- Review the components of a zoning code and discuss the preferred approach to developing each component:
 - Purpose Statement
 - Conditions required for land to be included within the zone
 - Regulations that detail which uses are allowed within the zone
 - Development standards to guide development within the zone
 - Definitions that describe the key terms used in the zoning regulations
- Discuss community outreach opportunities.
- Review and discuss objectives for the March 21, 2024 PRC meeting.

NEXT STEPS

The Parks Zone project is intended to be completed this year and included as part of the 2024 Comprehensive Plan update as directed by the City Council. The preliminary calendar for the PRC review of the Parks Zone is as follows, and is subject to change based on PRC feedback:

- PRC Meeting – March 21: Deliberate and review the revised draft of the Parks Zone code and identify areas of consensus and items needing further research and revision.
- PRC Meeting – April 4: Deliberate and review the revised draft of the Parks Zone code.
- PRC Meeting – April 18: Finalize PRC recommendation and memo to the Planning Commission.
- PRC Meeting – May 2: Meeting reserved for follow-up work if necessary.
- PRC/PC Joint Meeting – May 8: PRC will present their recommended draft of the Parks Zone code to the Planning Commission.

Staff will engage with the Chairs of the Parks and Recreation Commission and the Planning Commission over the next several months and will adjust the schedule as needed.

RECOMMENDED ACTION

None; discussion only.

Park Property Name	Address	PROS Plan Classification	Ownership	Current Zoning	Primary Purpose	Notes
Aubrey Davis Park	72 nd Ave SE & SE 22 nd	Regional	WSDOT	PI	Recreation, regional trail, freeway infrastructure, boat launch	WSDOT owned, maint. agreement with City
Bicentennial Park	77 th Ave SE & SE 32 nd St	Mini Park	City	PI	Recreation	
Clarke Beach Park	EMW & SE 77 th PI	Community Park	City	R-8.4	Recreation (swimming, picnicking, walking trails)	
Deane’s Children Park	5500 Island Crest Way	Neighborhood Park	City	R-9.6	Recreation (playground, Bike Skills Area)	
First Hill Park	SE 32 nd & 72 nd SE	Neighborhood Park	City	R-8.4	Recreation (playground)	
Groveland Beach Park	SE 58 th & 80 th Ave SE	Community Park	City	R-8.4	Recreation (swimming, picnicking, walking trails)	
Homestead Park	SE 40 th & 82 nd	Community Park	City	R-9.6	Recreation (sports fields, playground, sport courts)	
Island Crest Park	5500 Island Crest Way	Community Park	City	R-9.6	Recreation (sports fields, tennis courts, forest trails)	
Luther Burbank Park	72 nd SE & SE 22 nd	Regional Park	City	R-15	Recreation (walking trails, swimming, docks, sport courts, playground), Administrative Facility	
Mercerdale Park	SE 32 nd St & 78 th Ave SE	Community Park	City	PI	Recreation (walking trails, playground, skate park, plaza)	
Roanoke Park	70 th Ave SE & WMW	Neighborhood Park	City	R-15	Recreation (playground, tennis court)	
Rotary Park	88 th SE & SE 44 th	Neighborhood Park	City	R-9.6	Recreation (passive), infrastructure (reservoirs and emergency well)	
SE 28th St Mini Park	SE 28 th St	Mini Park	City	R-8.4	Recreation (passive)	

Park Property Name	Address	PROS Plan Classification	Ownership	Current Zoning	Primary Purpose	Notes
Secret Park	SE 27 th & WMW	Mini Park	City	R-8.4	Recreation (playground)	
Slater Park	2835 60 th PI SE	Mini Park	City	R-8.4	Recreation (passive), waterfront	
South Mercer Playfields	SE 78 th & 84 th SE	School Fields/Park	MISD	PI	Recreation (sports fields, track, playground)	MISD owned, maint. agreement with City.
Wildwood Park	7400 86 th Ave SE	Neighborhood Park	City	R-9.6	Recreation (passive), off-leash dog area	
Cayhill Open Space	5400 East Mercer Way	Open Space	City	R-15	Green space	No amenities.
Clise Park	SE 40 th & ICW	Open Space	City	R-8.4	Recreation (trails), green space	
Ellis Pond Park	90 th Ave SE	Open Space	City	R-9.6	Recreation (trails), green space	
Engstrom Open Space	E Mercer Way	Open Space	City	R-15	Recreation (trails), green space	Owned by Open Space Conservancy Trust, managed by City.
Gallagher Hill Open Space	3701 SE Gallagher Hill Rd	Open Space	City	MF-3	Recreation (trails), green space	
Hollerbach Open Space	SE 45 th St & 91 st Ave SE	Open Space	City	R-15	Green space	Easement at SE 45 th St. entrance. No amenities.
Mercerdale Hillside Open Space	7415 SE 27 th St	Open Space	City	R-9.6	Recreation (trails), green space	
N Mercerdale Hillside Open Space	7415 SE 27 th St	Open Space	City	R-9.6	Recreation (trails), green space	
Parkwood Ridge Open Space	9165 Parkwood Ridge Rd	Open Space	City	R-15	Recreation (trails), green space	
Pioneer Park	Island Crest Way & 68 th St	Open Space	City	R-9.6	Recreation (trails), green space	Owned by Open Space Conservancy Trust, managed by City.

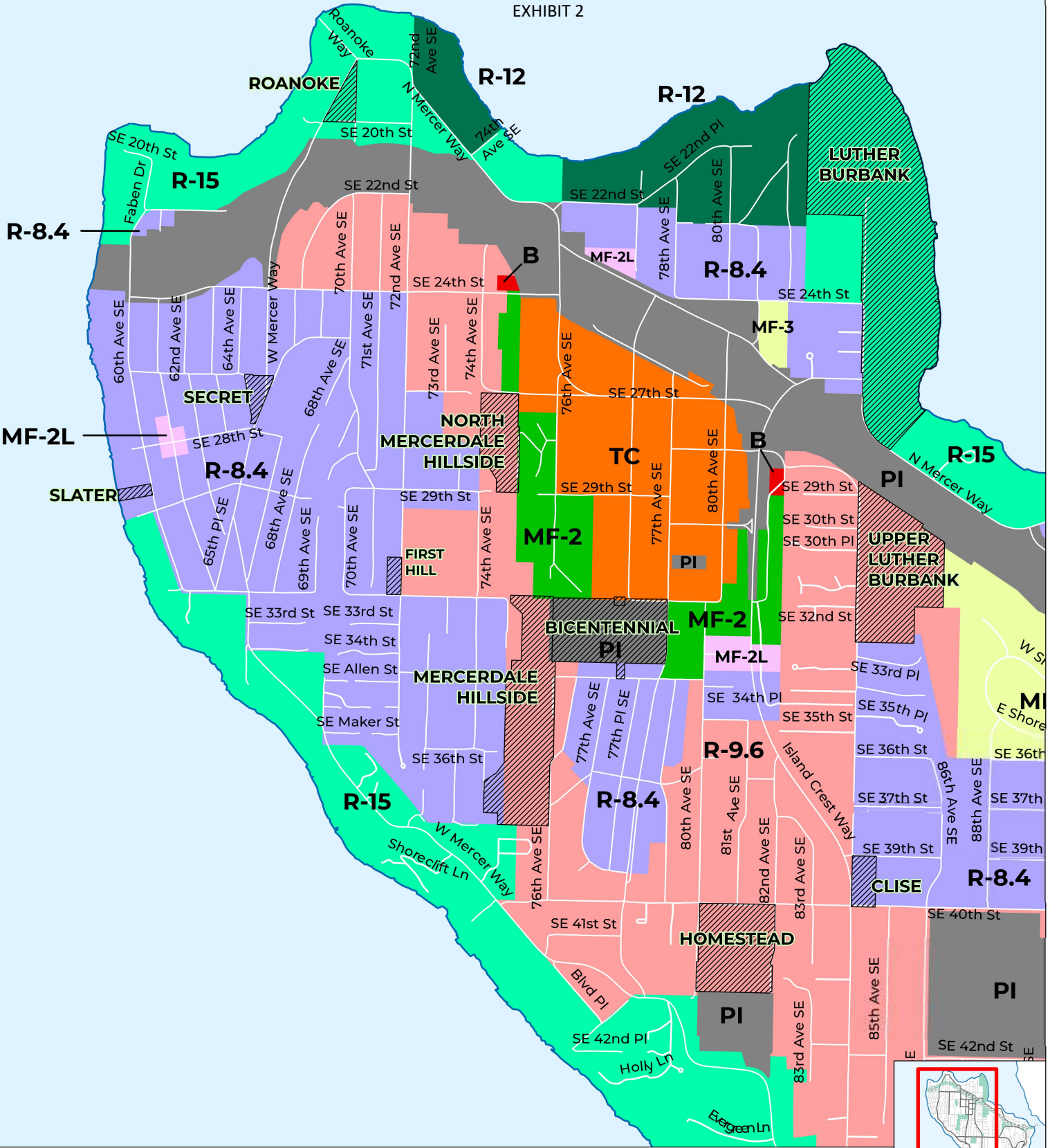
Park Property Name	Address	PROS Plan Classification	Ownership	Current Zoning	Primary Purpose	Notes
Salem Woods Open Space	6300 90 th Ave SE	Open Space	City	R-9.6	Green space	No amenities.
SE 47th St Open Space	4701 E Mercer Way	Open Space	City	R-15	Green space	No amenities.
SE 50th St Open Space	SE 50 th St & ICW	Open Space	City	R-8.4	Green space	No amenities.
SE 53rd St Open Space	9100 SE 53 rd Pl	Open Space	City	R-15	Recreation (trails), green space	
Upper Luther Burbank Park	84 th Ave SE & SE 33 rd St	Open Space	City	R-9.6	Recreation (trails), green space	



CITY OF MERCER ISLAND ZONING

(NW, Item 3.)

EXHIBIT 2



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

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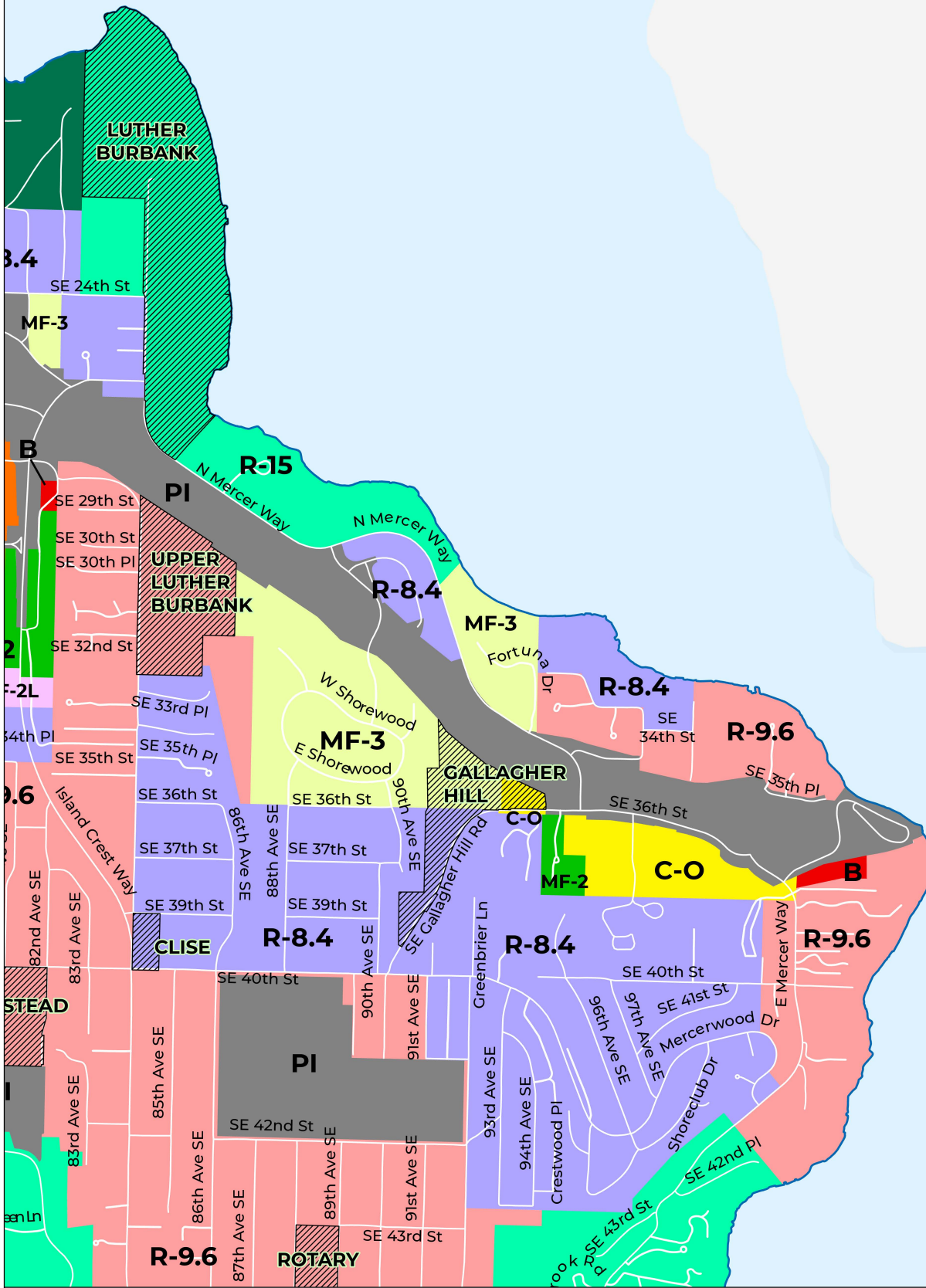
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Information & Geographic Services

Date: 2/23/2024
ParksZoning.aprx, Park Zoning NW



CITY OF MERCER ISLAND ZONING

(NE, Item 3.)



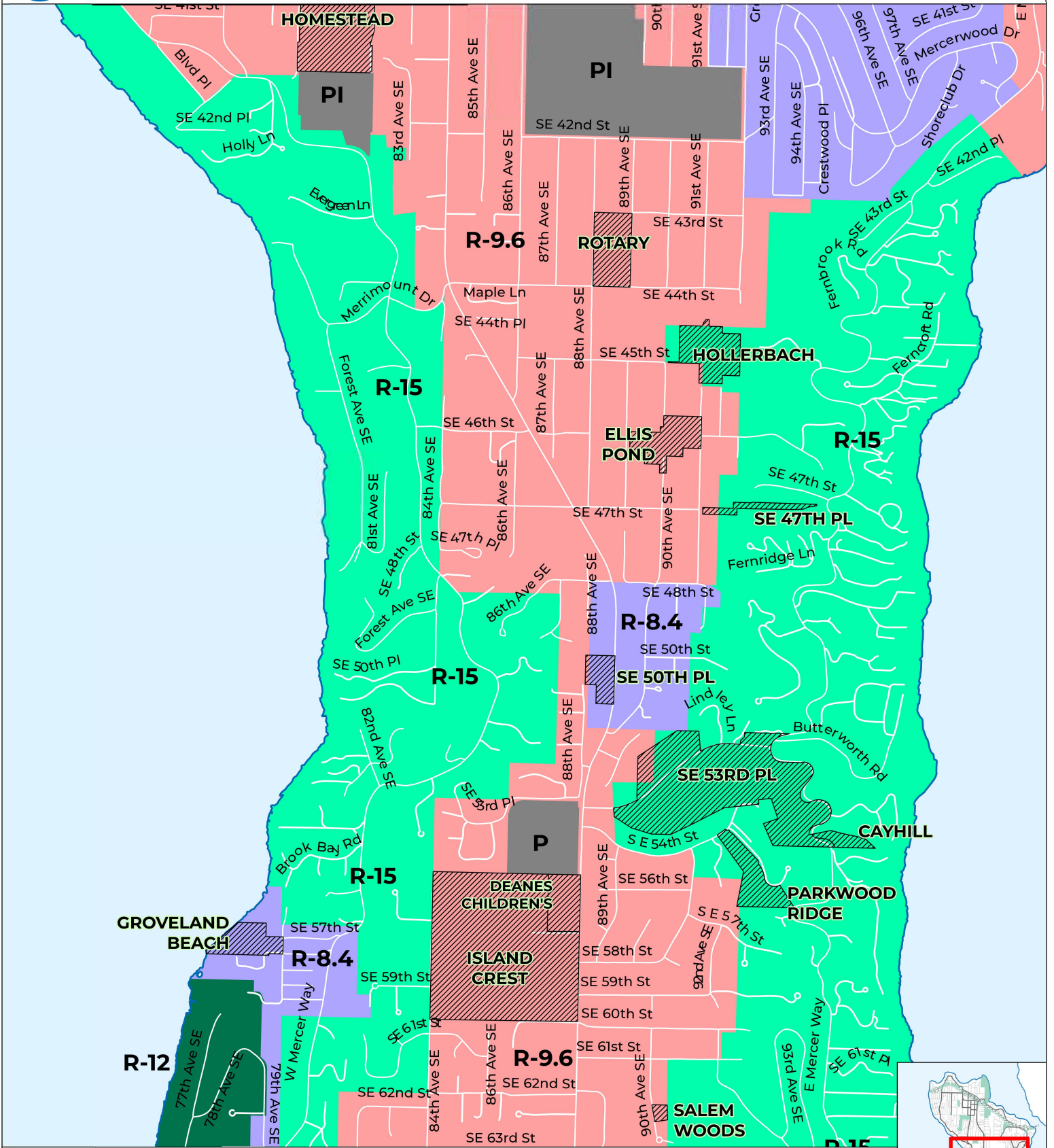
	P Park (DRAFT)		R-8.4 Residential 8,400 sq. ft. lot		MF-2 Multi-Family Maximum density 38 units/acre
	B Business		R-9.6 Residential 9,600 sq. ft. lot		MF-2L Multi-Family Maximum density 26 units/acre
	C-O Commercial Offices		R-12 Residential 12,000 sq. ft. lot		MF-3 Multi-Family Maximum density 26 units/acre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






Information & Geographic Services





Date: 2/23/2024
ParksZoning.aprx, Park Zoning NE
ParksZoning.aprx, Park Zoning NE







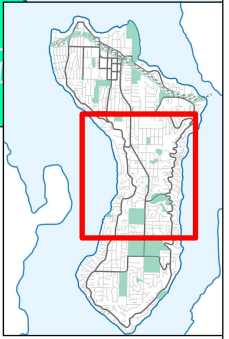
CITY OF MERCER ISLAND ZONING (MID-ISLAND, Item 3.)



-  P Park (DRAFT)
-  B Business
-  C-O Commercial Offices
-  PBZ Planned Business Zone
-  PI Public Insitution

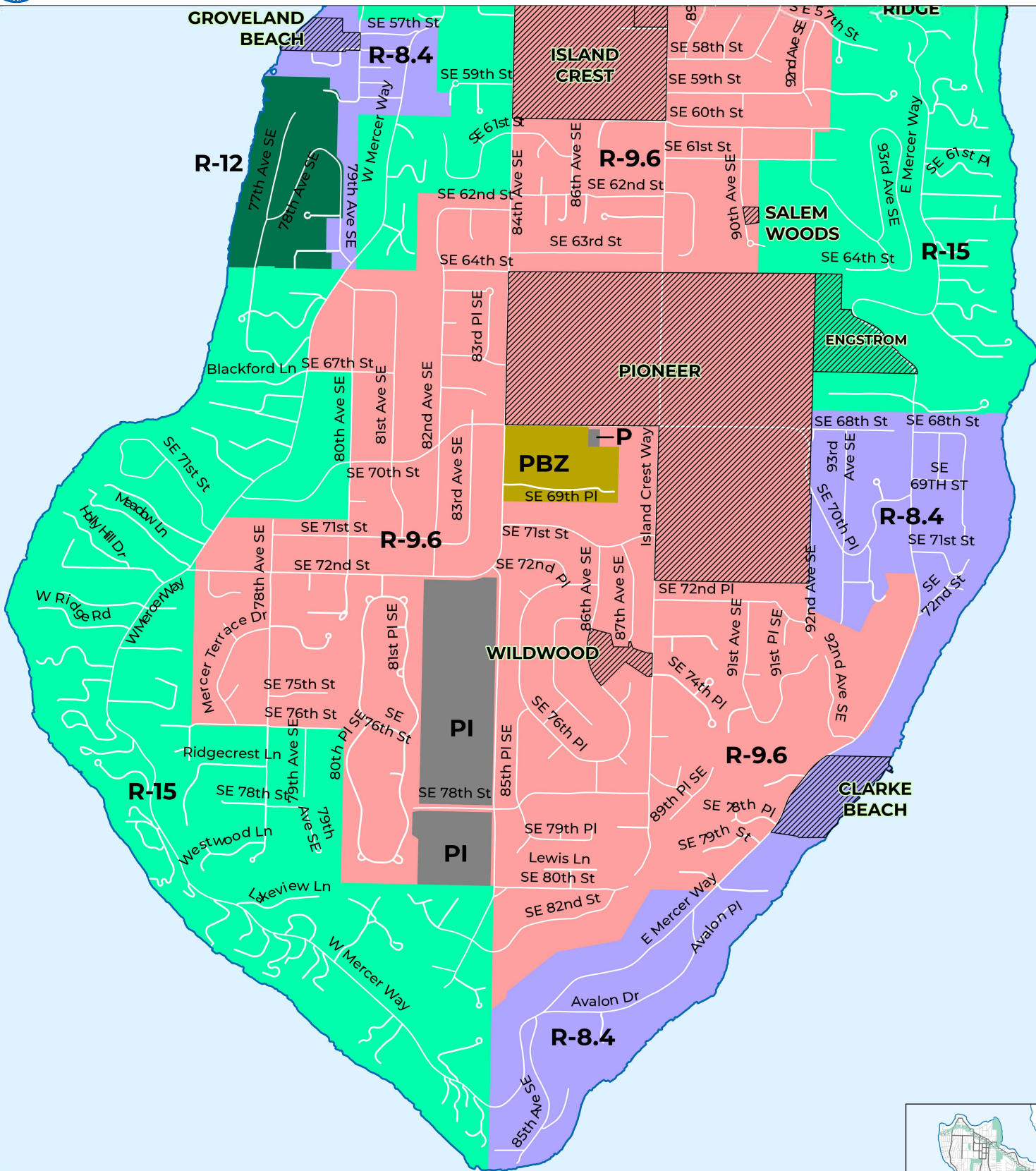
-  R-8.4 Residential 8,400 sq. ft. lot
-  R-9.6 Residential 9,600 sq. ft. lot
-  R-12 Residential 12,000 sq. ft. lot
-  R-15 Residential 15,000 sq. ft. lot

-  MF-2 Multi-Family Maximum density 38 units/acre
-  MF-2L Multi-Family Maximum density 26 units/acre
-  MF-3 Multi-Family Maximum density 26 units/acre
-  TC Town Center





CITY OF MERCER ISLAND ZONING (SOUTH-END, Item 3.)



	P Park (DRAFT)
	B Business
	C-O Commercial Offices
	PBZ Planned Business Zone
	PI Public Institution

	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-2 Multi-Family Maximum density 38 units/acre
	MF-2L Multi-Family Maximum density 26 units/acre
	MF-3 Multi-Family Maximum density 26 units/acre
	TC Town Center

N

IGS
Information & Geographic Services
ParksZoning.aprx, Park Zoning S-End

Date: 2/23/2024

Log #	Received From	Comment
1	Adam Ragheb	On page 12, the legend reads "P" for both the proposed Park zone and Public Institution zone
2	Adam Ragheb	The area bordering SE 53rd PI and ICW, north of Deane's Childrens and Island Crest Parks I believe is incorrectly labeled as "P" - I believe it should be PI
3	Adam Ragheb	The south end Fire Station north of the PBZ I believe should be labeled as "PI" not "P"
4	Adam Ragheb	As regards [PRC Comment Matrix Log item #2] – I am in favor of this comment and based on Log item #4, think we should discuss emphasizing public recreation. Also, since we’re opening up the Purpose section, my understanding of the intent and public desire for this zone is to preserve our parks in order to support public recreation; for that reason plus thinking of some previous Commission discussions, I’d also suggest we expand upon section A (3) and add “maintain or expand tree canopy” after “Preserve urban forests,”
5	Adam Ragheb	[PRC Comment Matrix Log item #4] – I am confused by the Notes in response to it. If we’re defining it as part of adding this zone then I am assuming (1) the term is not already defined, and (2) it is not used anywhere else in the development code. Are either of these assumptions incorrect? Pending clarification, I am in support of dropping “private” per PRC Log #4
6	Adam Ragheb	[PRC Comment Matrix Log item #6] – I cannot reconcile the last sentence of the Notes with the definition above. Parking Structure and Underground Parking are additional definitions beyond Parking. Despite my short time on Mercer Island, I am aware that there were plans, once again thankfully that never materialized, to build a parking garage in the park near MICEC. The residents I spoke with were livid that this is even being brought up again under the pretenses of preserving our parks. My suggestion: change C (5) to read “Street level” or “At-grade” “public parking directly supporting park use”
7	Adam Ragheb	[PRC Comment Matrix Log item #7] – Transit stops, as well as Signs and Utilities are not allowed uses in 19.02.010 single family or 19.03.010 multifamily, yet they exist as needed. Signs are also not listed as an allowed use in the PI zone (19.05.010) but there are signs in our parks. I think that 7, 9, and 11 should be removed – they’ll exist as needed I am sure but listing them as a use does nothing to protect our parks in my opinion and actually works against that goal.
8	Adam Ragheb	[PRC Comment Matrix Log item #8] – We already have habitat restoration signs in our parks, which are zoned PI, but signs are not an allowed use called out in the code. Once again, I think that is reason to not list it as a use in our Parks zone. We have signs in residential warning us of invasive knotweed but signs are not listed as an approved use. More reasons not to list them in Parks Zone.

Log #	Received From	Comment
9	Adam Ragheb	PRC Comment Matrix Log item #9] – Based on my reading of 19.06.070, small wireless facilities already “are permitted in all zoning designations.” Listing WCFs as a Park Zone allowed use therefore implies to me that we would allow large WCFs as is the case (to the best of my understanding) in the PBZ (likely among other zones). Again, based on my understanding so far, C(10) WCFs should be removed as small ones will already be allowed and adding large WCFs to our Parks is not in my opinion consistent with preserving parks.
10	Adam Ragheb	I’d love to breach the Aubrey Davis park topic, but understand if that needs to be held off until February. I did see the explanation in the packet near the bottom of page 4, noting that the city manages the park area. Lands managed by the city are included per B (2) so I see no barrier there. Also, it is my understanding that the entire I-90 corridor, covered and uncovered, are zoned PI, and I see a short list of “Uses permitted” there (19.05.010 [A]) that does not include highway and no mention of WSDOT, so I (1) presume the superseding of local zoning by WSDOT requirements need not be officially called out in the code and (2) already see our City code establishing permitted uses on WSDOT ROWs – for those two reasons I would appreciate more info backing up the City’s position that we should exclude Aubrey Davis Park from the new Parks Zone.
11	Adam Ragheb	[Draft Parks Zone pg. 2 line 41] insert "protect," between "preserve" and "and" See goal 3.1 on PROS p.27 for justification of protect.
12	Adam Ragheb	[Draft Parks Zone pg. 2 line 43] after "City" and before ";" insert "to preserve them for current and future generations and protect them from development"
13	Adam Ragheb	[Draft Parks Zone pg. 2 line 45-46] Revise to ", maintain access to recreational opportunities, and maintain or expand tree canopy." (adds maintain or expand tree canopy to the zone's purpose)
14	Adam Ragheb	[Draft Parks Zone pg. 3 line 18] Placing a pointer here to Definitions section where removal of animal production is suggested as an edit
15	Adam Ragheb	[Draft Parks Zone pg. 3 line 20] Remove and replace with "Existing City uses (e.g. MIYFS and MICEC Luther Burbank Park, (Thrift Shop [only if we include in Park Zone]), and park-related maintenance, operations, & support facilities.)
16	Adam Ragheb	[Draft Parks Zone pg. 3 line 22] Revise to "street level public parking directly supporting approved park use" or "at-grade public parking directly supporting approved park use." Protecting our parks does not include repurposing them to handle transit and/or Town Center overflow. The larger the amount of parking, the more 6PPD-Quinone will be brought into our parks which will eventually drain into Lake Washington and harm salmon, likely among other aquatic life. A public comment received on the topic reads exactly "We are not Seattle so don’t become one. Don’t need parks on TOP IF lots."

Log #	Received From	Comment
17	Adam Ragheb	[Draft Parks Zone pg. 3 line 24, comment 1] Revise to "Temporary Park Structures and uses," for consistency, see also in Definitions section where I propose changing Temporary Structures to Temporary Park Structures
18	Adam Ragheb	[Draft Parks Zone pg. 3 line 24, comment 2] Remove Farmer's Market from clarification of Uses Permitted - no public or City Council request for this and weekly foot traffic would destroy Mercedale's grass field
19	Adam Ragheb	[Draft Parks Zone pg. 3 line 27] Remove as these exist in the ROW and per overwhelming public comment. Additionally, moving transt into our parks from the ROW will bring more 6PPD-Quinone from bus tires into our parks which will eventually drain into Lake Washington and harm salmon, likely among other aquatic life.
20	Adam Ragheb	[Draft Parks Zone pg. 3 line 31] Remove as these already exist in other zones and parks without specific "Uses Permitted" callouts
21	Adam Ragheb	[Draft Parks Zone pg. 3 line 33] Remove as 19.06.070 already allows small wireless facilities in all zones. Including this under Uses Permitted encourages the constructions of large WCFs in our parks and does not protect them.
22	Adam Ragheb	[Draft Parks Zone pg. 3 line 35] Remove as 19.02.010 and 19.03.01-0 single and multifamily do not call out Utilities as a permitted use, yet utilities exist as needed. Adding it will encourage our parks to become utility corridors.
23	Adam Ragheb	[Draft Parks Zone pg. 3 line 46] Seems low but I am not knowledgeable enough to suggest an alternative - hoping the rest of the Commission or City can propose something else
24	Adam Ragheb	[Draft Parks Zone pg. 4 line 8] Remove parking areas from setback exemptions list - this appears inconsistent with Section E (3) later on this page (lines 35 through 40) which calls out screening requirements for parking areas
25	Adam Ragheb	[Draft Parks Zone pg. 4, line 10] Revise to eighteen (18) - I understand that MF-2L is max height of 24 feet and is currently the lowest max height zone on MI. 18 was suggested via public comment and I believe it will signal that we value and want to protect our parks. Existing buildings over this height limit can be renovated but cannot get taller (i.e., more nonconforming in height).
26	Adam Ragheb	[Draft Parks Zone pg. 4, line 11, comment 1] Suggest removing antennas and replacing with "athletic field lighting" Rationale: athletic field lighting is usually well over 18 feet in height, and without large WCFs in the Park Zone anymore, there is no need for tall towers (and of course we cannot restrict small WCFs).

Log #	Received From	Comment
27	Adam Ragheb	[Draft Parks Zone pg. 4, line 11, comment 2] I believe we will need to add " excluding stacks." after "feet in height" if Aubrey Davis Park is included. I assume that the exclusion of stacks in the PI zone is to account for the (9?) vent stacks for the I-90 tunnel to the northwest of the intersection of 72nd Ave SE and SE 22nd St.
28	Adam Ragheb	[Draft Parks Zone pg. 4, line 16] Add new sentence: "No impervious surface credit may be realized from the removal of the Dairy Barn Ruins and related paving." Rationale: this is a large impervious area in the north end of Luther Burbank Park and if it were ever to be removed, would grant a lot of impervious surface credit that may be ripe for using to build a large building in the park. Name is pulled from google maps; I am of course receptive to alternate text that conveys the same intent
29	Adam Ragheb	[Draft Parks Zone pg. 4, line 23] Remove bullet point #3 - I'm not seeing where on the Island we could add new turf fields and I have seen no public comment requesting more turf. Additionally, turf fields present health hazards to users when dogs inevitably use them, can heat up more than natural fields, are expensive, and their materials may present health hazards.
30	Adam Ragheb	[Draft Parks Zone pg. 5, line 3] strike the highlighted text ("which is half-way between perpendicular and parallel to the adjacent grade") - this is geometrically incorrect on sloped ground
31	Adam Ragheb	[Draft Parks Zone pg. 5, line 5] replace 2x bulb in this row with "lighting element" to allow for flexibility of lighting medium (e.g. LED)
32	Adam Ragheb	[Draft Parks Zone pg. 5, line 20] Add new section G to read "Heightened Standard for Reclassification (Rezone) from Park Zone. In addition to the requirements of MICC 19.15.240 and 19.15.260, a majority vote where at least 66% of the registered voters in the City of Mercer Island vote in favor of a reclassification (rezoning) is required to reclassify (rezone) land that is currently zoned Park Zone to any other zone." Rationale: Proposition 1 passed in 2022 with 64.27% and our state constitution requires 60% for a tax levy, so a heightened voting standard beyond a simple majority already exists and the number is reasonable. Public comment has overwhelmingly been in favor of "Not allowing a future re-zone of a park without a community vote"
33	Adam Ragheb	[Draft Parks Zone pg. 5, line 26, Comment 1] Suggest inserting "not-for-profit" before "production of plants"
34	Adam Ragheb	[Draft Parks Zone pg. 5, line 26, Comment 2] Remove animals from our definition of Agricultural Activities. My intent is to allow for community gardens / pea patches to remain, and not to impede the City's ability to perform plant nursery activities in support of our parks, but to prevent the noise and smell issues, along with structures, associated with animal production.

Log #	Received From	Comment
35	Adam Ragheb	[Draft Parks Zone pg. 5, line 29] Remove Farmer's Market from definitions - no public or City Council request for this and foot traffic would destroy Mercedale's grass field
36	Adam Ragheb	[Draft Parks Zone pg. 5, line 44] Remove "private" from definition of Recreational Facility
37	Adam Ragheb	[Draft Parks Zone pg. 6, line 2] Reduce this to 14 calendar days - from what I recall of the 1/24 meeting, the 180 is the maximum number of days a structure can be temporary before becoming permanent per other sections of City Code. Revise term to read "Temporary Park Structures" so as to not impose this shortened time period on other zones. I would be open to lengthening the period from 14 days if examples of reasonable past Mercer Island Park temporary uses over 14 days can be listed.
38	Adam Ragheb	[Draft Parks Zone pg. 6, line 6] Remove as definition will no longer be needed once Section C (7) is removed
39	Chris Goelz	Parks Zone C(1): I would like us to state here that the paramount purposes of our parks are conservation and recreation. I think that may be implicit in A3, but I think it gets lost.
39	Chris Goelz	Parks Zone C(4): I'd limit this to building related to park purposes. If the City decides it wants to build something else, it should have to go through the rezone process.
40	Chris Goelz	Parks Zone C(5): I'd limit surface parking to park purposes and underground facilities to public parking (which I think is what's in the draft).
41	Chris Goelz	Parks Zone C(9): Signs should be park-related or placed by the City.
42	Chris Goelz	Development Standards C: Two tiers here – 36 feet for Luther Burbank and no more than 24 feet everywhere else.
43	Chris Goelz	Development Standards D: I'm concerned that the "no net new impervious surface" standard is too inflexible. I'd suggest a low cap on allowed impervious surfaces, but would like data on the current level of impervious surfaces at our existing parks. We would probably want a tiered approach here.
44	Chris Goelz	Parks Zone C(2): I'd limit this to Public recreational facilities.
45	Chris Goelz	Cell towers – I know most people don't want them in their neighborhoods but want great cell service. If we're not willing to have one next door, I think it may be necessary to keep parks as an option.

Log #	Received From	Comment
46	Chris Goelz	Public parking underground – I hate to take that off the table re Mercerdale. I think there's a world in which underground parking allows Town Center to become the walkable village many people would like to see. I'm not sure it's a good idea, but I'd hate to take it off the table.
47	Chris Goelz	Transit stops – I see these as having a low impact on parks. I don't think cars should be given better park access than transit. For many reasons, I'd find that to be perverse.
48	Chris Goelz	In general – I think we need to find a balance that protects the parks but allows sufficient flexibility to deal with a future we cannot know. We have carefully taken care of the dozen big trees on our lot, but would not be inclined to impose a conservation easement on ourselves. You just never know.
49	Angie Battazzo	<p>[Draft Parks Zone pg. 3, line 10] Recommend applying a tiered approach to the parks zone that allows for different park spaces to be maintained for different priority uses. For example, Pioneer Park is very much an urban forest park with trails and little to no development. A tier of parks that allows uses that preserve and conserve the park for those uses, and prohibit other uses in those zones, would be preferential. See PROS plan for support on how best to tier parks and allocate uses.</p> <p>I would like to ensure that existing structures are allowed to be maintained or improved, consistent with the PROS plan, and in a manner that ensures the City of Mercer Island can perform essential functions and services to people-- which includes government offices, if needed.</p>
50	Angie Battazzo	Draft Parks Zone pg. 3, line 31] Can we specify this further to indicate code signage, and other signage that directly supports wayfinding, educational, and essential park uses?
51	Victor Raisys	Exhibit 1 , New Section, page 3, Item C4, Line 20: I am opposed to the broadly worded, open ended, language that allows MI park land for government offices and government services. Not only does it not map to the purpose of the parks zone (Exhibit 1, New Section, page 2, Item A1-3, Lines 38-46), it is, in my opinion, opposed by the community (and has been repeatedly previously opposed by the community for decades). My understanding, based on the language here, is that NEW government offices and government services could be built in any of our parks (even parks that do not have existing government offices/services). If the intent here is to plan for the eventual replacement of existing non-conforming government buildings in our parks, tightly worded language specifying that plan would be more appropriate rather than a broadly worded, open ended proposal that enables (new and larger) government buildings in our parks (even ones without existing buildings)

Log #	Received From	Comment
52	Victor Raisys	Exhibit 1 , New Section, page 3, Item C5, Line 22: I am opposed to the language “parking structures and underground parking”. In my opinion, these structures are not desired by the community nor are they financially feasible for our community. I propose changing the language to “at grade/street level/surface level” parking as was suggested in the Parks Commission meeting.
53	Victor Raisys	Exhibit 1 , New Section, page 3, Item C7, Line 27: I am opposed to the inclusion of transit stops as a permitted use within our parks and, in my opinion, so is the community. Please specify the potential locations of these potential transit stops (i.e. locations within the boundaries of a park, that have an existing road that will accommodate a transit vehicle, that are not currently served by a nearby transit stop).
54	Victor Raisys	Exhibit 1 , New Section, page 3, Item C10, Line 33: I am opposed to the inclusion of wireless communications facilities beyond what is currently required by state and local law. It is unclear why we would call this out here since it is already mandated. If the intent is to go beyond what the law currently mandates/requires, it is unclear why we are doing so in our parks. This is unsupported by the purpose of the parks zone (Exhibit 1, New Section, page 2, Item A1-3, Lines 38-46)
55	Victor Raisys	Exhibit 1 , New Section, page 4, Item C, Lines 10-12: I am opposed to this section. See comments above regarding government buildings. My read of this section is that a 35 foot building could be placed in any of our parks (regardless of whether a building of that height is currently there or whether there is any building currently there).
56	Victor Raisys	Exhibit 1 , New Section, page 4, Item E, Lines 42-47: See comment above regarding parking structures and underground parking. Add language here for at grade/street level/surface level parking
	Carolyn Boatsman	I recommend consideration of the creation of two zones, “Parks”, and “Open Space”, in lieu of a “tiered system”. Reasoning: The main divide in park types and the one that creates the most angst, is between active parks and open spaces. Enough specificity could be provided by dividing existing parks into two zones, each with appropriate use and development standards. I think that a “tiered system” might be unnecessarily confusing and difficult to administer.
	Carolyn Boatsman	Add large natural areas in major parks (Mercerdale Hillside, Island Park, Clarke, Luther Burbank, etc.) to the Open Space Conservancy Trust (and hopefully, an Open Space Zone).

Log #	Received From	Comment
	Carolyn Boatsman	<p>I rescind my recommendation at the February 8 joint Parks and Planning Commissions meeting to phase in three Parks Commission members to the Open Space Conservancy Board, based upon a similar historical arrangement. After further thought, I believe that the Parks Commission should focus on the more developed parks and the OSCB should preside over open spaces. The issues considered by these two groups are different enough to make discussion of key issues by one to be somewhat irrelevant for the other. In practice, the result is that the Open Space Conservancy Board is not very active in policy development, yet they should be in regards to open space. The Open Space Conservancy Board has so much to offer in its own right, a role that should be expanded, including restoration policy and planning, public education and involvement, and other topics. Whether an Open Space Zone is created or not, I recommend that the OSCB role be expanded in regards to the conservancy and appreciation of our open space natural areas. I realize that Commission and Board roles are not enshrined in zoning regulations, but I think it is timely to consider respective roles in oversight of active parks and open spaces, the latter of which should be expanded.</p>
	Carolyn Boatsman	<p>Update the Comp Plan parks and open space policies. These policies are under inappropriate or no heading at present. The great level of work that went into PROS would likely cause a re-evaluation of the Comp Plan policies to be needed, in an iterative process. Were the parks and open space policies in the Comp Plan updated, the PROS could truly be adopted as a “functional plan” guiding operations and capital projects, consistent with the overall goals and policies in the Comp Plan.</p>
	Carolyn Boatsman	<p>Restrictions on removing lands from a Parks Zone:</p> <p>The Mercer Island City Council has a good track record of voting to keep land in parks rather than converting it for other uses, even though, from time to time, discussions of such uses comes up, resulting in public outcry. Even so, the process of vetting candidates and electing them to the Council to make decisions is the essence of democracy. The Council makes careful decisions following a methodical process with public input in a stable working environment. I am more comfortable with our Council making land use decisions than I am with voters in that role. We should also consider that a citizen vote is not a guarantee when it comes to protection of parks and open spaces.</p> <p>The extra protection provided by placing park lands in trust is a good option and the Open Space Conservancy Board is a model. A vote to recommend to Council to remove lands from the Open Space Conservancy Trust has to have 5 in agreement on the Open Space Conservancy Board, which constitutes more than a simple majority. The Council must meet the same standard to remove the land. Were additional open spaces added to the trust, we would achieve extra protection from conversion of park lands to other uses.</p>
		<p>Draft Zoning Regulation Uses:</p>

Log #	Received From	Comment
	Carolyn Boatsman	<ol style="list-style-type: none"> 1. Don't allow future City offices to be located in parks. Structures should be necessary to park functions. 2. Parking should be limited to what is needed for park use. 3. Don't allow transit stops. 4. Allow information kiosks. <p>If we can get away with it in relation to federal regulations, we should not allow large wireless facilities in the parks. If we can get away with it, we should not allow small wireless, but my understanding is that small wireless must be allowed in all zones.</p>
	Carolyn Boatsman	Exemptions from setback requirements: add utilities to the list.
	Carolyn Boatsman	Building height: Should be very low profile. I think 30 feet, which is allowed in the residential zones, is too high.
	Carolyn Boatsman	<p>Many citizens have requested that new impervious surfaces be prohibited as a way to prohibit development. I don't support that idea and think it would result in unintended consequences. I thought the draft ordinance hit the right balance in prohibiting new impervious surface unless authorized by an adopted Park Master Plan. Exemptions were also listed to allow necessary flexibility.</p> <p>There should be an exemption for very small impervious surface additions (such as the slab that a kiosk might be placed upon, or a bench, or picnic table, or garbage cans, and what not).</p>
		<p>Lighting: The first draft ordinance proposes shielded and directed lighting in parks, which is very good. It's consistent with Comprehensive Plan, Land Use Element, Parks and Open Space Policies, Goal 19, Policy 19.14 which states: "Promote awareness and implementation of the International Dark-Sky Associations' methods to reduce the excess lighting of the night sky that negatively affects wildlife, particularly birds." The IDA methods are lighting that is useful, targeted, only as bright as needed, only on when needed, and warmer colored lights when possible – here's a link: https://darksky.org/resources/guides-and-how-tos/lighting-principles/</p>

Log #	Received From	Comment
	Carolyn Boatsman	
	Carolyn Boatsman	<p>I think that we can implement this Comp Plan policy more effectively if some of the exemptions proposed in the draft ordinance are deleted. As examples, the following were proposed for exemption (which I recommend against):</p> <ol style="list-style-type: none"> 1. Lighting for roads, trails, and pathways – but shouldn’t these types of lighting be shielded and directed? Is there a purpose to having the light shine up and into the eyes of passing drivers and walkers? Or into the living rooms of neighboring homes? Need it shine up into the trees where wildlife rests? Or into the night where birds are migrating over? A 45 degree angle above straight down, as proposed, would seem excellent for parks and the exemption should not be needed. 2. Seasonal lighting – but aren’t parks for a higher use than “seasonal lighting”? Don’t we have enough seasonal lighting in the Town Center and in residential areas? There needs to be a place for people and wildlife that is protected from light pollution. “Seasonal lighting” tends to be bright, white, and is around for quite a while, sometimes becoming synonymous with the “season” of winter instead of just a holiday. It is by definition not shaded or directed. 3. Lighting installed prior to the regulation when it needs to be repaired – but isn’t the time that the lighting needs to be repaired the appropriate time to obtain the bulb that is opaque, as needed, to comply with the standard? 4. I agree with exempting emergency lighting or lighting required by state or federal law.
	Carolyn Boatsman	<p>The problem of existing structures primarily in Luther Burbank Park:</p> <p>Would it be possible to subdivide the park and place the buildings on a separate parcel, not zoned park (maybe a wild idea)?</p> <p>Could a conditional use permit be created for the existing uses?</p>
	Carolyn Boatsman	<p>Impervious surface regulation exemptions: It might be a good idea to ask staff to give this more thought. What are some of the possible and very reasonable additions of impervious surface that should be exempt from the standard?</p>

Log #	Received From	Comment

Log #	Received From	Question	Staff Response
1	Adam Ragheb	As regards the north part of Ellis Pond park, why does the north-south road at first appear to be fully within the proposed Park zone and then transition to only extending to the center of the road about 2/3 of the way through the first residential lot?	Zone boundaries can be imprecise when viewed on GIS maps because they are drawn from the GIS park layer information. Where a zone abuts a right of way, the adjacent zone is typically shown as extending to the middle of the right of way.
2	Adam Ragheb	Is it correct that the entire I-90 corridor will remain PI-zoned? Is there anything preventing us from considering the lidded part to be Park-zoned?	<p>The primary purpose of the property known as Aubrey Davis Park is transportation. The secondary purpose is a park facility. It is preferable that zoning be in alignment with the primary purpose of the property.</p> <p>The City must comply with the numerous prior agreements with WSDOT memorialized within the turnback and landscape maintenance agreements and airspace leases with WSDOT that permit the City to maintain the Aubrey Davis Park and other recreational facilities within WSDOT right of way. Considering the complex overlay of the various agreements between WSDOT and the City governing the use and maintenance of Aubrey Davis Park (which is airspace to the I-90 ROW owned by WSDOT), staff do not recommend including Aubrey Davis Park within the Parks Zone.</p>
3	Adam Ragheb	Looking at the south part of Mercerdale Park, I understand the 7 residential lots on the west part between SE 34th and the south edge of the park - why is what appears to be most of the parking lot and the Thrift Shop not currently included in the Park zone?	The City owns the property that includes the Thrift Shop and a portion of the adjacent parking lot. The property is currently zoned R-8.4. The Thrift Shop is not operated as a park and recreation facility and not proposed to be included in the Parks Zone.

Log #	Received From	Question	Staff Response
4	Adam Ragheb	[PRC Comment Matrix Log item #5] – I learned today about past attempts to site City Hall in Mercedale Park, and I was previously aware of thankfully scuttled plans to site MICA in Mercedale Park. The people I talked to today told me their understanding was this zone was meant to protect our parks. Why does govt offices/facilities even exist as a permitted use? To address MICEC and LBAB, why do we not just clarify that existing City operations are allowed? We could spell out MICEC and LBAB to remove any ambiguity. On the topic of MICEC, why would that not fall under the definition of Recreational facility?	Existing facilities are intended to continue to be used for City operations and will need to be addressed in the Parks Zone. The method for addressing the existing buildings has not yet been determined.
5	Adam Ragheb	[PRC Comment Matrix Log item #11] – Why should we even talk about building new buildings in the Park Zone that are 3 stories high? That is not preserving our parks in my opinion. To address concerns about existing structures being made nonconforming, can we exclude preexisting buildings, stacks which are excluded in 19.05.010 for the PI zone (is this for the Luther Burbank boilers down by the dock and/or the vent stacks for the I-90 tunnel?)	<p>There are no plans to develop new buildings in parks. There are, however, existing buildings that should be reflected in the new Parks Zone to allow for repair and replacement (if/when needed). Note, if a building replacement is needed it is envisioned that the building would not exceed the current footprint of the existing building and language confirming these restrictions should be included in the Parks Zone language.</p> <p>The method for addressing the existing buildings in the Parks Zone has not yet been determined. Provisions will be considered to clarify that new buildings are not allowed.</p>
6	January 24 PC Meeting	How much existing lighting conforms to the proposed standards? What would it take to make that lighting conforming?	There is currently no standard for lighting in the park system or related records, so staff cannot prepare this analysis. The lighting standard in the initial draft of the Parks Zone is adapted from the International Dark Sky Association recommended standards. This language will be reviewed in subsequent version of the Parks Zone draft.

Log #	Received From	Question	Staff Response
7	January 24 PC Meeting	What are the pros and cons of including landings and street ends in the Parks Zone?	<p>The primary purpose of most street ends and landings is utilities – mainly sewer and stormwater. The secondary purpose is parks. Staff do not recommend including utility infrastructure in the Park Zone. Zoning should align with the primary purpose of the property. Staff propose using other tools such as the PROS Plan to guide operations and use of the parks component of these facilities.</p>
8	January 24 PC Meeting	Can the City Council remove the Open Space Conservancy Trust (OSCT)?	<p>The OSCT was established by Ordinance B-93 on February 10, 1992. Ordinance B-93 was amended by Ordinance 06-002 on May 6, 1996. Section 1, Article VIII of Ordinance 06-002 outlines the conditions under which the trust may be terminated or dissolved. This article states:</p> <p style="text-align: center;">“ARTICLE VIII</p> <p style="text-align: center;">Termination/Dissolution of the Trust</p> <p>This Trust shall continue in perpetuity, but, if for any reason, the Trust, or any portion of the Trust, becomes illegal, or impossible to enforce, or any of the Trust properties no longer qualify for inclusion in the Trust, this Trust may be terminated in whole, or in part, or any of the Trust properties reconveyed to the City, by a vote in favor of termination or reconveyance by at least five (5) of the Trustees and a vote in favor of termination or reconveyance by at least five (5) members of the City Council. Thereupon the Trust properties affected shall be reconveyed to the City. Upon final distribution of all trust properties the powers, duties, and authority of the Trustees shall cease. If the Trustees and Council do not effect termination by dissolution as provided above in the event of impossibility or illegality of enforcement in whole or in part, the Trustees shall take appropriate action to maintain the Trust in as similar a form as</p>

Log #	Received From	Question	Staff Response
			<p>possible. The Trustees shall make a proper and timely application, petition, or action at equity to a court of competent jurisdiction for the application of the doctrine of Cy Pres. The application, petition, or action shall seek to appropriately modify the purposes and terms of this Trust so as to continue management of the open space properties then held by the Trust in as similar a manner as stated herein as possible without offending the law. If the court fails to so suitably modify the Trust, the Trust shall terminate and the Trust corpus affected will be distributed to the City of Mercer Island.”</p>
9	January 24 PC Meeting	<p>Can City parks be rented for private events? Approximately how much revenue do those types of rentals generate?</p>	<p>Yes, City parks are frequently rented for private events and activities such as weddings, picnics, company parties, reunions, and a variety of private sporting events subject to City Code and Parks and Recreation policies. In 2023, rentals of park space generated approximately \$380k of which \$330k was tied to athletic fields.</p>

<p>10</p>	<p>January 24 PC Meeting</p>	<p>Please provide clarification of MICC 19.01.050(B)(1).</p>	<p>First, a couple of definitions will help with the understanding of MICC 19.01.050. Legal nonconforming structures are defined in MICC 19.16.010 as, “A structure that lawfully existed prior to September 26, 1960, or conformed to the applicable code requirements in effect at the time it was constructed but no longer conforms to the current regulations of the zone in which it is situated due to subsequent changes in code requirements.” Legal nonconforming uses are defined as, “Nonconforming use, legal: The use of a structure, site or of land that lawfully existed prior to September 26, 1960, or conformed to the applicable code requirements in effect at the time it was commenced but no longer conforms to the current regulations of the zone in which it is situated due to subsequent changes in code requirements.”</p> <p>MICC 19.01.050(B)(1) states:</p> <p>“Ordinary repairs and maintenance. Ordinary repairs and maintenance of a legally nonconforming structure are permitted. In no event may any repair or maintenance result in the expansion of any existing nonconformity or the creation of any new nonconformity.”</p> <p>This section authorizes legally nonconforming structures to be maintained and repaired provided the maintenance and repair do not increase or generate new nonconformity. The full text of MICC 19.01.050 would apply to nonconforming uses and structures and should be considered. For example, though MICC 19.01.050(B)(1) allows ordinary repair and maintenance, MICC 19.01.050(D)(3)(b) states:</p> <p>“D. Exterior alteration or enlargement of nonconforming structures. [...]</p> <p>3. Nonconforming structures other than single-family or in Town Center. [...]</p>
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			<p>b. <i>Intentional exterior alteration or enlargement.</i> Legal nonconforming status of any legally nonconforming structure not covered under subsection (D)(1) or (2) of this section is lost, and the structure and site shall be required to come into conformance with all current code requirements, including design review, if there is an intentional exterior alteration or enlargement of the structure over any three-year period that incurs construction costs in excess of 50 percent of the structure's current King County assessed value as of the time the initial application for such work is submitted; provided, application of this subsection shall not be construed to require an existing structure to be demolished or relocated, or any portion of an existing structure that is otherwise not being worked on as part of the construction to be altered or modified. If there is no current King County assessed value for a structure, a current appraisal of the structure, which shall be provided by the applicant and acceptable to the code official, shall be used as the value point of reference. No structure may be altered or enlarged so as to increase the degree of nonconformity or create any new nonconformance.”</p> <p>It is likely that MICC 19.01.050(D)(3)(b) would make many larger improvements to nonconforming structures such as seismic retrofitting or Americans with Disabilities Act (ADA) Compliance improvements significantly more challenging because the dollar amount of those improvements can reasonably be expected exceed 50 percent of the assessed value of the building. For reference, according to the King County Assessor’s website the total assessed improvement value at Luther Burbank Park, which includes several structures, is \$380,100. It is likely that many improvements to those buildings would exceed 50 percent of the improvement value, triggering the requirement in MICC 19.01.050(D)(3)(b), requiring the structure to be made conforming. In most cases this would necessitate a complete replacement of the structure.</p>
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Log #	Received From	Question	Staff Response
			<p>Nonconforming uses have different limitations established in MICC 19.01.050(H), which states:</p> <p><i>“H. Nonconforming uses.</i></p> <ol style="list-style-type: none"> <i>1. Change of use.</i> Any change from a legal nonconforming use shall be to a conforming use only; provided, the continuation of the same or similar use by the same or different owner will not result in loss of legal nonconforming status. <i>2. Additional uses prohibited.</i> While a legal nonconforming use exists on any lot, no separate or new use may be established thereon, even though such additional use would be a conforming one. <i>3. Expansion of legal nonconforming use.</i> Legal nonconforming uses shall not be expanded or enlarged; however, if the code official determines that expansion or enlargement of the use or an accessory use (including parking) or other site modifications would make the use more conforming to current code standards or is required by city ordinance, state law, or federal law and no new nonconformity is created it may be allowed. Expansion includes increasing the size of the structure in which the use occurs or enlarging the scope, volume, area or intensity of the use in a significant way. <i>4. Nonconforming use associated with structure that suffers catastrophic loss.</i> In the event of catastrophic loss to a structure, the legal nonconforming status of any use contained in the structure shall not be lost, provided a complete building application to rebuild the structure and reestablish the nonconforming use is submitted within 12 months of the loss.

Log #	Received From	Question	Staff Response
11	January 24 PC Meeting	<p>Where else is stormwater addressed?</p> <p>A.) How might the Planning Commission otherwise address stormwater runoff?</p> <p>B.) What data do we have on the amount of stormwater runoff generated in/by City parks?</p> <p>C.) What PROS Plan policies address stormwater and/or impervious surfaces?</p>	<p>Stormwater regulations are contained within MICC 15.09 and address on a City wide basis and would continue to apply to properties that would be included within a new Parks Zone. Any construction on a project or "land disturbing activity" requires a storm water permit from the City.</p> <p>The City does not have data related to the stormwater runoff generated by City Parks.</p> <p>The PROS Plan Chapter 4 (Goals) and Chapter 9 (Open Space/Future Initiatives) address stormwater in a general sense. Impervious surfaces are addressed in regards to specific facility planning/replacement planning (ie reducing when possible during improvements).</p>
12	Victor Raisys	<p>How are changes made to the Parks Zone or Park Zone uses. Given the fact that the Parks Zone proposal came out of an effort to better protect our parks, it seems like there should be a discussion of the mechanism necessary to make future changes to the Park Zone and/or Park Zone uses. What are those mechanisms? Why aren't they included?</p>	<p>Zoning code amendments are made through ordinances passed by the City Council. That process and its components are set forth in MICC Ch. 19.15.</p>
13	Victor Raisys	<p>Why is Aubrey Davis Park not included in the parks proposal? Seems that there should be a discussion as to why/why not one of our larger parks on the island is not included in the Park Zone proposal.</p>	<p>See response to Log Item #2 above.</p>



Parks Zone Development Process



Agenda

- The Deliverable: A New Parks Zone
- 2024 Comprehensive Plan Update
- Overview of 2022 PROS Plan
- Park Properties
- Zoning Code Components
- PRC Review Timeline/Next Steps
- Discussion



The Deliverable: A New Parks Zone



New Parks Zone: Code and Comp Plan Amendments

- The City Council has directed staff to develop a new Parks Zone as part of the Comprehensive Plan Update process.
- Development of a new Parks Zone requires amendments to the **Mercer Island City Code (MICC)** and the **Mercer Island Comprehensive Plan**:
 - **Development Regulations** – MICC 19.01.040 amended to establish the new zone and MICC 19.16.010 amended to establish new definitions.
 - **Zoning Map** – amends the zoning map in MICC to show where the new Parks Zone applies. (Exhibit 2)
 - **Land Use Map** – amends the Land Use Map, which is part of the Land Use Element of the Comprehensive Plan. The Comprehensive Plan provides the basis for zoning.

Zoning Code Components

Examples: [MICC Title 19 – Unified Land Development Code](#).

1. Purpose Statement

- What is the intention or goal of the zoning code?

2. Conditions required for land to be included within the zone

- What qualifies for a property to be included in the parks zone?

3. Regulations that detail which uses are allowed within the zone

- What are the permitted uses in the zone?

4. Development standards to guide development within the zone

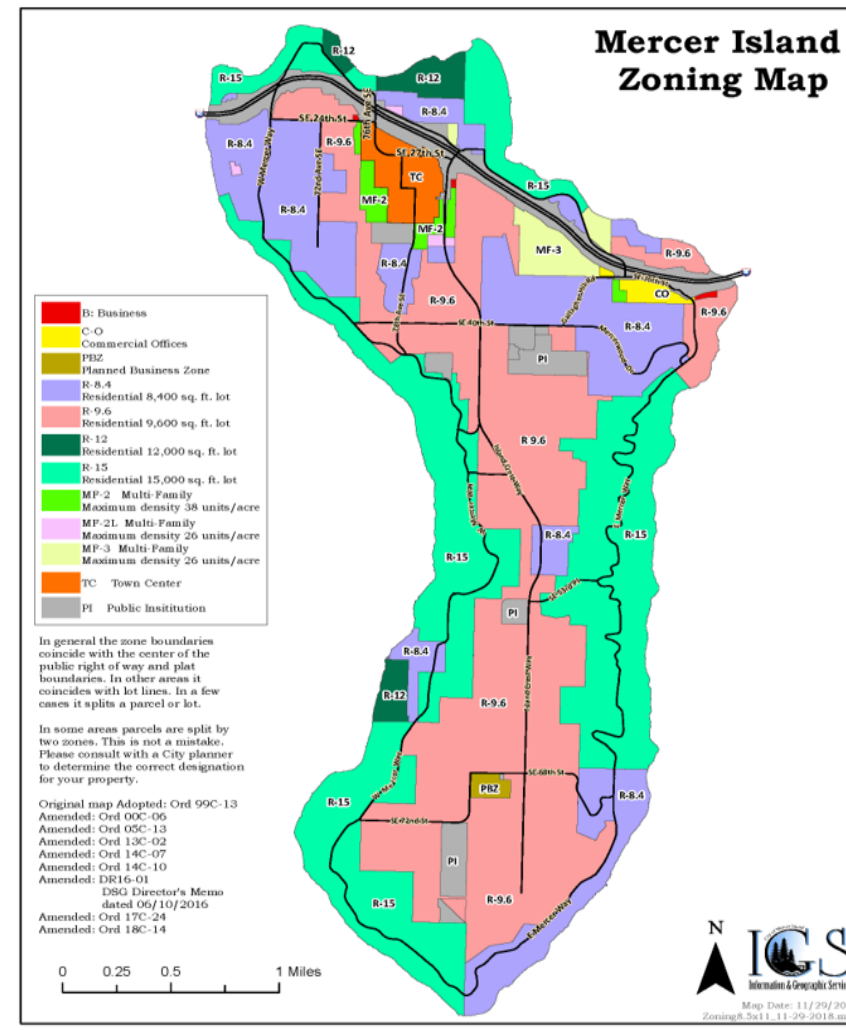
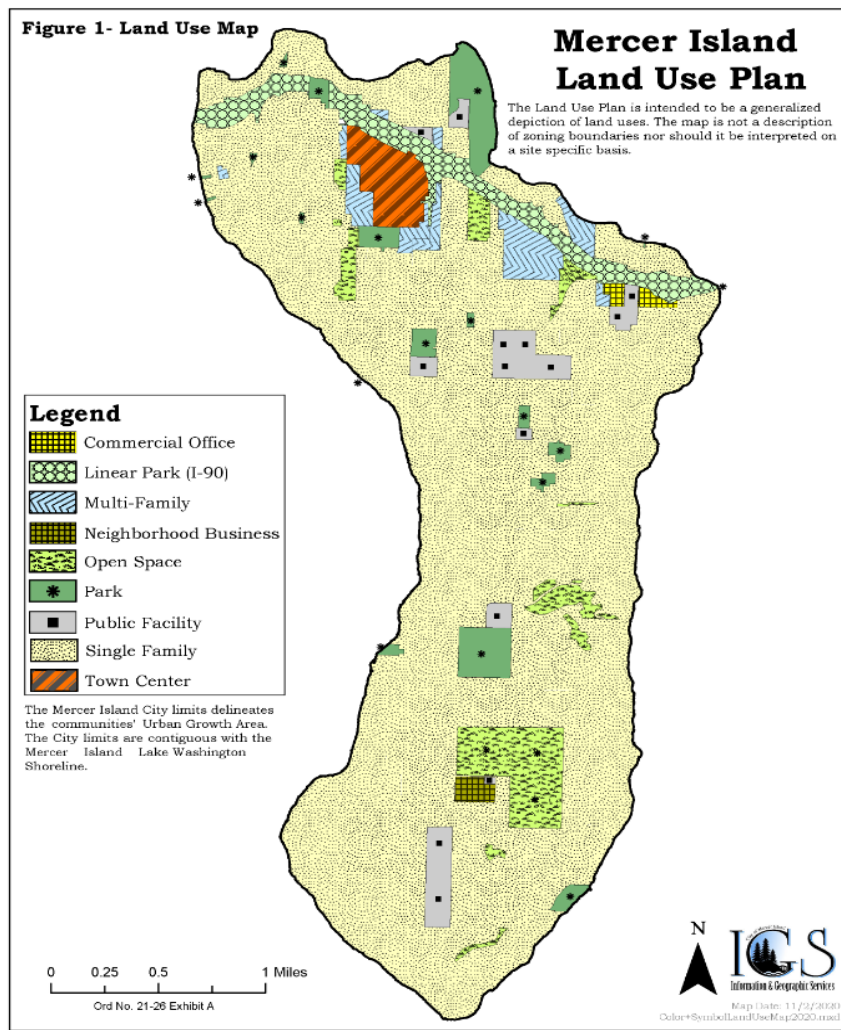
- What are the regulations for physical modification and structures?

5. Definitions for key terms used in the zoning regulations

- What is the exact meaning of the key terms in the zoning code?



Land Use Map vs. Zoning Map

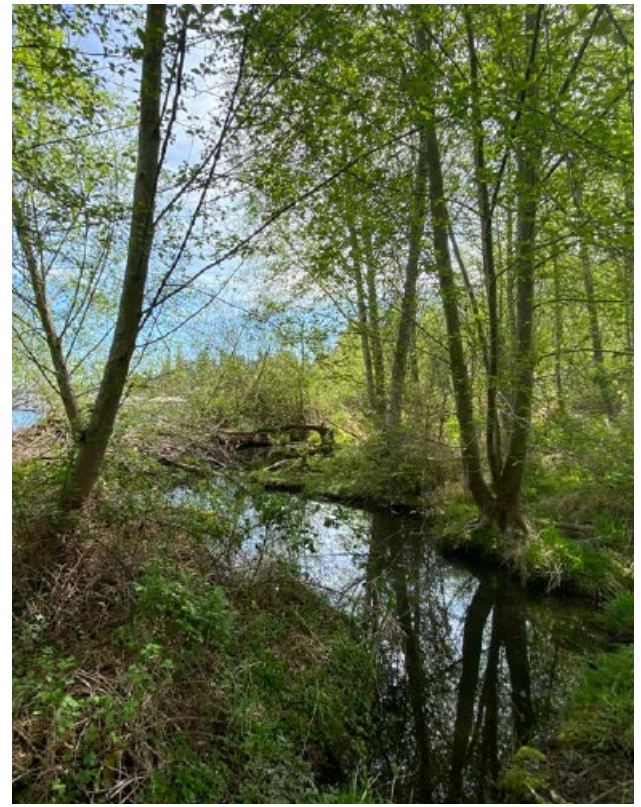


Other Tools to Protect Parks

- Although not in the scope of this assignment, there are other tools available to “protect” parks properties.
- PROS Plan Objective 1.1 (see Chapter 4, page 20) includes the following:

Retain publicly owned parks and open spaces in perpetuity. Actively pursue options to permanently protect parks and open space through conservation easements, zoning changes, or other strategies. Evaluate the transfer of some or all open space to the Open Space Conservancy Trust.

- The Parks and Recreation Commission/OSCT may wish to recommend to the City Council the pursuit of these other tools as part of a future work plan.



Parks Zone Legislative Review Paused

- A preliminary draft of the new Parks Zone was presented to the Parks and Recreation Commission on January 4 and to the Planning Commission on January 24.
- After receiving extensive feedback from both commissions and the community, the City Manager directed staff to **pause the legislative review process** and return the draft Parks Zone to the Parks and Recreation Commission for review, comment, and revision.
- Upon completion of their work, the Parks and Recreation Commission will hand off their recommendation to the Planning Commission on May 8 **and the legislative review process will resume.**



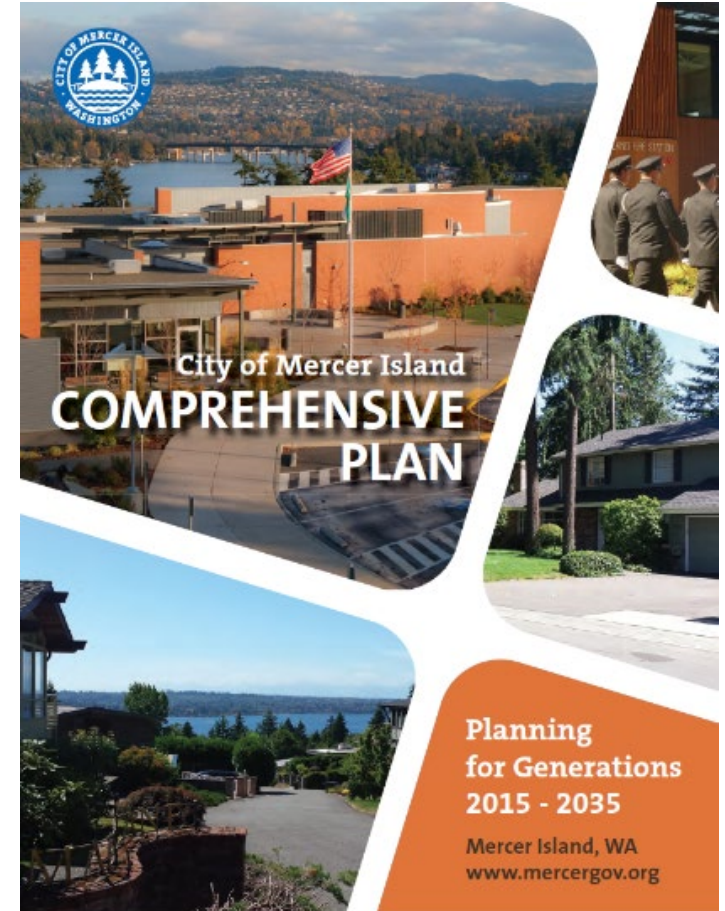


2024 Comprehensive Plan Update



Comprehensive Plan/Parks Zone - Background

- The Growth Management Act requires cities in King County to complete the comprehensive plan periodic review (aka as the “update”) by December 31, 2024.
- City's statement of vision, goals, and policies for managing growth in a twenty-year timeframe (2024-2044).



Comp Plan Updates related to Parks and Recreation

- The scope of work for the Comp Plan was set by the City Council in 2022 and supplemented in 2023 ([Resolution No. 1621](#) and [Resolution No. 1646](#)).
- The scope of work for the Comp Plan Update includes development of a **new Parks and Recreation Element** and a **new Parks Zone**.
- “Elements” are chapters or sections of the Comprehensive Plan.
- The Parks and Recreation Element will incorporate the 2022 PROS Plan, substantially by reference, into the Comprehensive Plan.
- The Parks Zone will be adopted in Title 19 Mercer Island City Code (MICC), which requires a specific legislative review process.
- New parks zone requires amendments to the comp plan and City code.



DATA ANALYSES

REGIONAL PLANNING DOCUMENTS

INVENTORIES

12
Item 3.



HOUSING AND EMPLOYMENT NEEDS

GROWTH PROJECTIONS

PUBLIC FACILITY AND INFRASTRUCTURE NEEDS

TECHNICAL REPORTS



**Comprehensive Plan
Technical Reports:
Inform Goal and Policy
Decisions**



Comprehensive Plan
Elements
Vision
Goals
Policies



IMPLEMENTATION

TECHNICAL REPORTS

**Comprehensive Plan
Implementation:
Making Goals and
Policies Real**



Comprehensive Plan
Elements
Vision
Goals
Policies

IMPLEMENTATION

OTHER PLANNING ACTIVITIES

REGULATIONS

CAPITAL BUDGET DECISIONS

PLANS & PROGRAMS

DEVELOPMENT PERMITS

CAPITAL PROJECTS



2022 PROS Plan



Parks, Recreation & Open Space Plan

- The prior PROS Plan expired in 2019 and the decision was made to undertake a wholesale rewrite of the plan. Work on the new plan began in 2019.
- The PROS Plan work was paused in early 2020 due to the Pandemic and then resumed later that year.
- Extensive community engagement process, spanning two+ years – two surveys, open houses, and meetings the Arts Council and the Open Space Conservancy Trust.
- **The PROS Plan was adopted in March 2022.**



Parks, Recreation & Open Space Plan

- The PROS Plan established goals and objectives (Chapter 4), which serve as the policy framework for the provision of parks and recreation services on Mercer Island.
- PROS Plan Objective 1.1 (see Chapter 4, page 20) includes the following:

*Retain publicly owned parks and open spaces in perpetuity. Actively pursue options to permanently protect parks and open space through conservation easements, **zoning changes**, or other strategies. Evaluate the transfer of some or all open space to the Open Space Conservancy Trust.*



PROS Plan – Goals (Chapter 4)

- 1. Planning, Acquisition & Access:** Provide a high quality, welcoming, and inclusive parks and recreation system that meets community needs now and in the future.
- 2. Maintenance & Operations:** Provide the Mercer Island community with safe, well-maintained parks and recreation facilities.
- 3. Environment & Sustainability:** Provide a high quality, diversified open space system that preserves and enhances urban forests, critical habitat, and other environmental resources. Incorporate sustainability practices into operations, maintenance, and planning.
- 4. Trails:** Develop and promote an interconnected community through safe, accessible, and attractive trails and pathways easily accessed by a variety of trail users.
- 5. Recreation Facilities & Programming:** Provide a variety of recreation programs, services, and facilities that promote the health and wellbeing of residents of all ages and abilities.
- 6. Arts & Culture:** Facilitate and promote comprehensive and engaging arts and culture experiences.
- 7. Community Engagement & Partnerships:** Encourage and support community engagement and pursue collaborative partnerships to strengthen and grow parks and recreation programs and services.
- 8. Administration & Fiscal Sustainability:** Provide leadership and sufficient resources to maintain and operate a welcoming, efficient, safe, and sustainable parks and recreation system.

PROS Plan – Future Initiatives

- Many of the PROS Plan chapters include a section called “Future Initiatives.” Example to the right is from the Open Space Chapter (Chapter 9).
- These are work items that align with the goals and objectives in Chapter 4.

Determine the most effective strategy for protecting open space lands in perpetuity. Explore various mechanisms for such protection, **including zoning changes**, conservation easements, deed restrictions, and transfer of these lands to the Open Space Conservancy Trust’s governance.

FUTURE INITIATIVES

A number of future initiatives were identified and recommended for incorporation into the City’s work plan over the next six to ten years and are summarized below.

Land Conservation

- Develop a Land Acquisition Strategy to proactively acquire high-quality natural areas and parklands, to expand the existing network of parks, trails, and open space systems.
- Determine the most effective strategy for protecting open space lands in perpetuity. Explore various mechanisms for such protection, including zoning changes, conservation easements, deed restrictions, and transfer of these lands to the Open Space Conservancy Trust’s governance.

Open Space Studies and Management Plans

- Continue studies of open space health, collecting vegetation data that can be used to illustrate restoration progress and guide adjustments to management plans.
- Develop a citywide urban forest management plan to define goals for local forested ecosystems and outline the best management tactics to sustain forest canopy. This plan could include a citywide tree inventory, tree preservation and protection code amendments, and considerations for climate resiliency. A more broadly defined urban forestry plan can also be a means to engage the community in tree-related activities and facilitate community conversations about the overall health and diversity of Mercer Island’s urban forest.

Habitat Restoration

- Continue restoration work in open space to ensure that progress to date is not lost and ecosystems remain healthy, diverse, and functional.
- Practice adaptive management by regularly evaluating the successes and failures of restoration activities and modify practices accordingly.
- Stay current with evolving best management practices in the field of restoration ecology.
- Collaborate with regional partners to share resources and knowledge. Participate in regional research opportunities.
- Pursue opportunities to contract grow or purchase plants from southern seed zones.

Community Partnerships & Volunteers

- Foster new partnerships that support the conservation and restoration of Mercer Island’s open space properties.

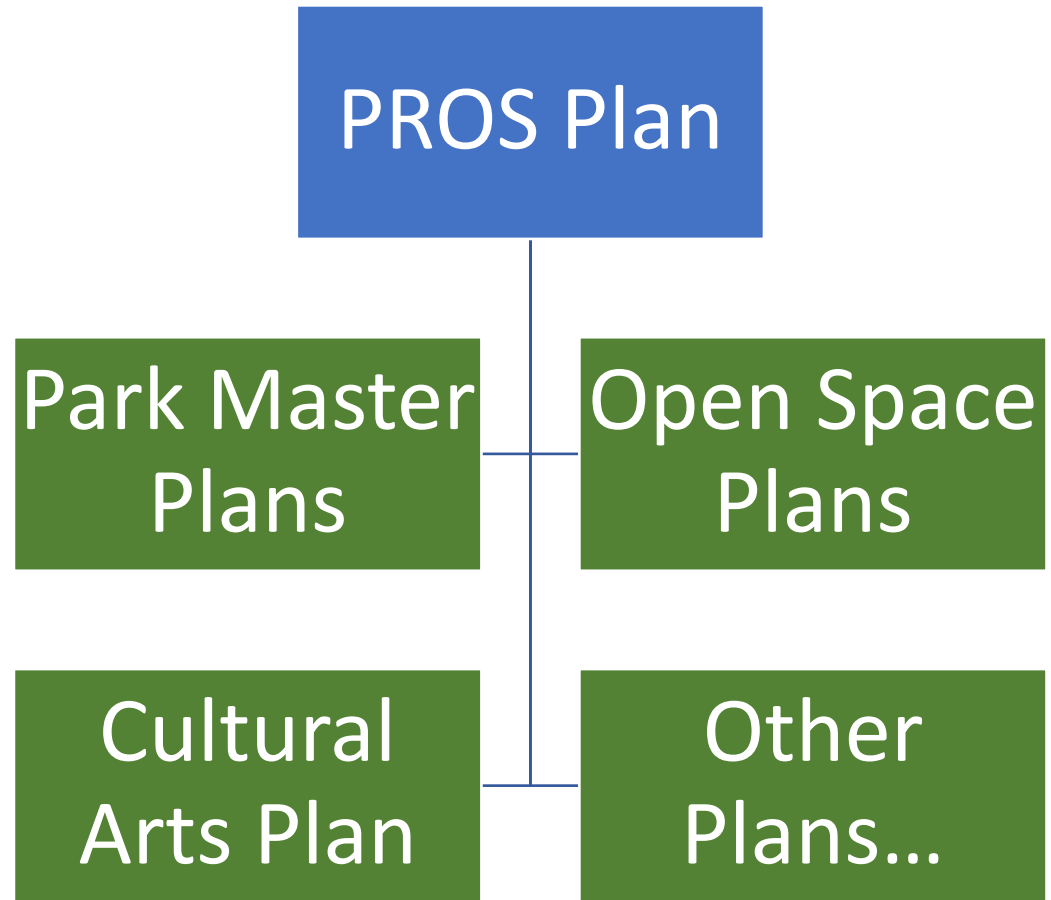
Sustainable Stewardship Practices

- Explore the use of non-gas-powered landscape equipment to reduce emissions.
- Continue to adjust landscape maintenance practices in favor of techniques that contribute to the health of the land and lake environments.



Other Parks and Recreation Plans

- The 2022 PROS Plan is intended to align with and incorporate all other parks and recreation related plans.
- Example: Pioneer Park
 - 2022 PROS Plan
 - Pioneer Park Forest Management Plan
 - Forest Health Survey
 - Urban Tree Canopy Assessment
 - Open Space Vegetation Management Plan
 - Pioneer Park Master Plan



Is the PROS Plan policy or operational?

- Both.
- The PROS Plan provides a foundation to guide decisions related to planning, acquiring, developing, and maintaining parks, open space, trails, and recreation facilities.
- It also identifies priorities for recreation programs, special events, arts and cultural activities.
- **Development of master plans, policies, codes, and other work products should align with this policy framework.**





Park Properties

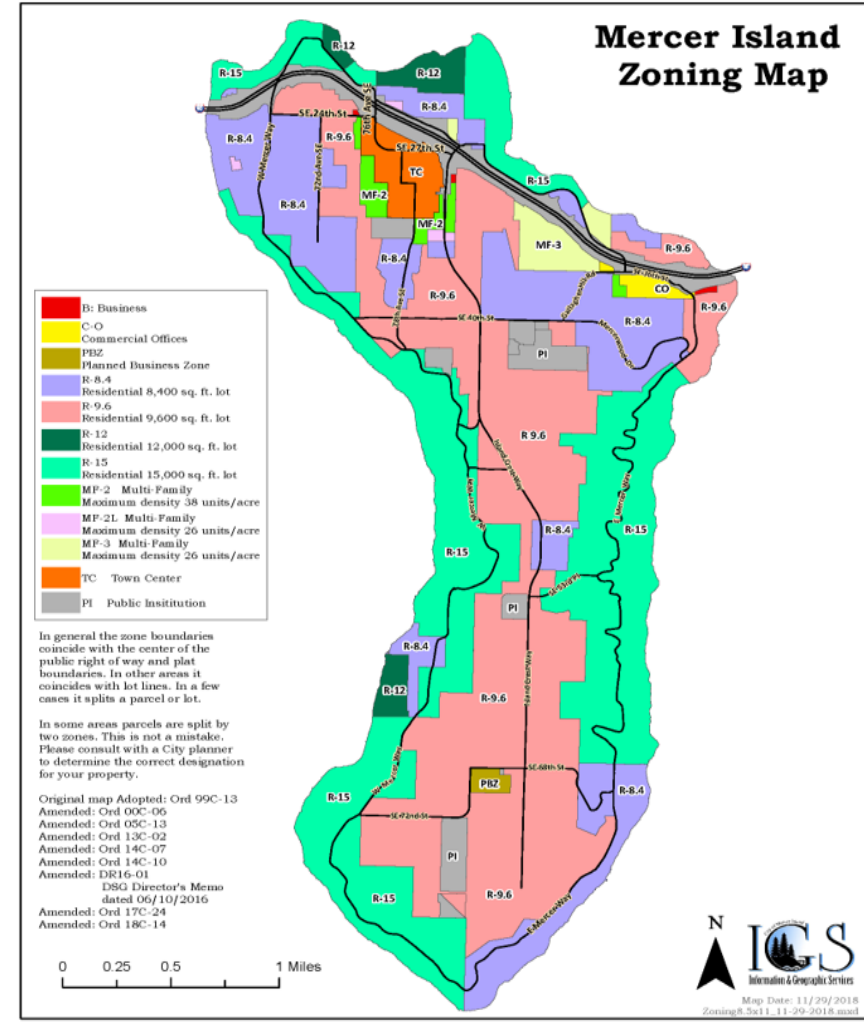
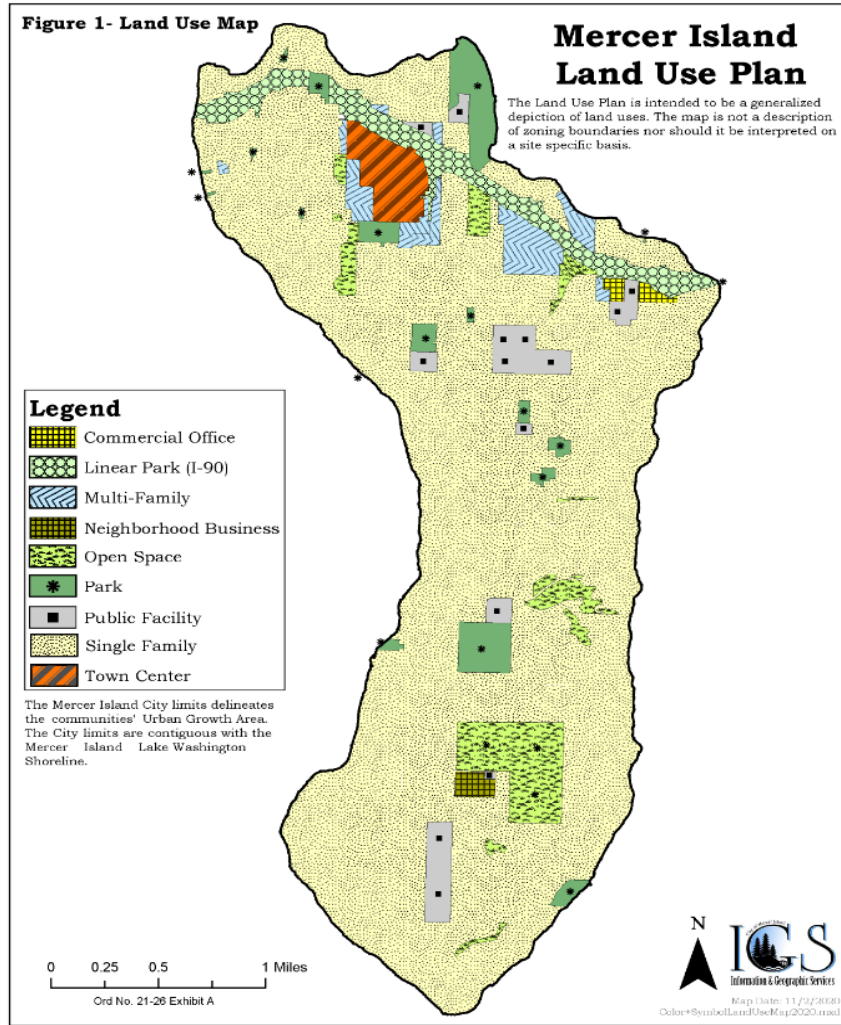


Inventory of Park Properties (Exhibit 1)

- Initial discussion on the Parks Property Inventory (Exhibit 1) to help focus the discussion for the March 21 PRC meeting.
- **What properties do we agree should be included in a new Parks Zone?**
- **What properties require further discussion and analysis to inform the development of the Parks Zone recommendation?**

Inventory of City Parks							02/22/2024
Park Property Name	Address	PROS Plan Classification	Ownership	Current Zoning	Primary Purpose	Notes	
Aubrey Davis Park	72 nd Ave SE & SE 22 nd	Regional	WSDOT	PI	Recreation, regional trail, freeway infrastructure, boat launch	WSDOT owned, maint. agreement with City	
Bicentennial Park	77 th Ave SE & SE 32 nd St	Mini Park	City	PI	Recreation		
Clarke Beach Park	EMW & SE 77 th PI	Community Park	City	R-8.4	Recreation (swimming, picnicking, walking trails)		
Deane's Children Park	5500 Island Crest Way	Neighborhood Park	City	R-9.6	Recreation (playground, Bike Skills Area)		
First Hill Park	SE 32 nd & 72 nd SE	Neighborhood Park	City	R-8.4	Recreation (playground)		
Groveland Beach Park	SE 58 th & 80 th Ave SE	Community Park	City	R-8.4	Recreation (swimming, picnicking, walking trails)		
Homestead Park	SE 40 th & 82 nd	Community Park	City	R-9.6	Recreation (sports fields, playground, sport courts)		
Island Crest Park	5500 Island Crest Way	Community Park	City	R-9.6	Recreation (sports fields, tennis courts, forest trails)		
Luther Burbank Park	72 nd SE & SE 22 nd	Regional Park	City	R-15	Recreation (walking trails, swimming, docks, sport courts, playground), Administrative Facility		
Mercerdale Park	SE 32 nd St & 78 th Ave SE	Community Park	City	PI	Recreation (walking trails, playground, skate park, plaza)		
Roanoke Park	70 th Ave SE & WMW	Neighborhood Park	City	R-15	Recreation (playground, tennis court)		
Rotary Park	88 th SE & SE 44 th	Neighborhood Park	City	R-9.6	Recreation (passive), infrastructure (reservoirs and emergency well)		

Land Use Map vs. Zoning Map



Properties that Require Additional Consideration

- **Street Ends/Landings**
- **Aubrey Davis Park**
- **Luther Burbank Park**
- **Mercer Island Community and Event Center**
- **Note:** This is an initial discussion, a follow-up discussion is planned for the March 21 PRC Meeting.

Inventory of City Parks							02/22/2024
Park Property Name	Address	PROS Plan Classification	Ownership	Current Zoning	Primary Purpose	Notes	
Aubrey Davis Park	72 nd Ave SE & SE 22 nd	Regional	WSDOT	PI	Recreation, regional trail, freeway infrastructure, boat launch	WSDOT owned, maint. agreement with City	
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Deane's Children Park	5500 Island Crest Way	Neighborhood Park	City	R-9.6	Recreation (playground, Bike Skills Area)		
First Hill Park	SE 32 nd & 72 nd SE	Neighborhood Park	City	R-8.4	Recreation (playground)		
Groveland Beach Park	SE 58 th & 80 th Ave SE	Community Park	City	R-8.4	Recreation (swimming, picnicking, walking trails)		
Homestead Park	SE 40 th & 82 nd	Community Park	City	R-9.6	Recreation (sports fields, playground, sport courts)		
Island Crest Park	5500 Island Crest Way	Community Park	City	R-9.6	Recreation (sports fields, tennis courts, forest trails)		
Luther Burbank Park	72 nd SE & SE 22 nd	Regional Park	City	R-15	Recreation (walking trails, swimming, docks, sport courts, playground), Administrative Facility		
Mercerdale Park	SE 32 nd St & 78 th Ave SE	Community Park	City	PI	Recreation (walking trails, playground, skate park, plaza)		
Roanoke Park	70 th Ave SE & WMW	Neighborhood Park	City	R-15	Recreation (playground, tennis court)		
Rotary Park	88 th SE & SE 44 th	Neighborhood Park	City	R-9.6	Recreation (passive), infrastructure (reservoirs and emergency well)		

Street Ends and Landings

- Although many street ends and landings are classified as parks in the PROS Plan, their primary purpose/use is utilities.
- The secondary and complementary use is a mini-park with lake access.

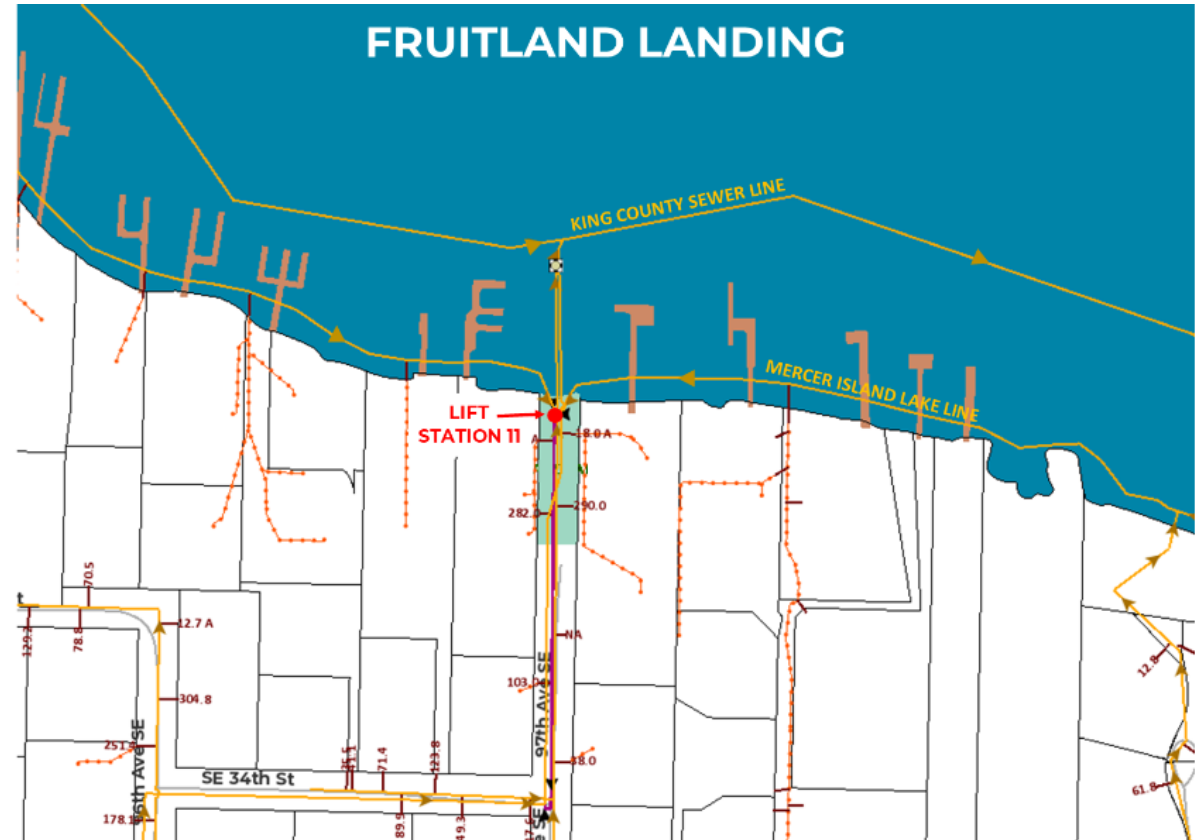
Example: Fruitland Landing

- Major sewer facility where City and King County sewer infrastructure connects.
- City pump station
- Generator which ensures facilities continue to operate when we have a power outage.
- Pressurized lines, sewer mains, storm main, storm lateral, sewer stubs, catch basins



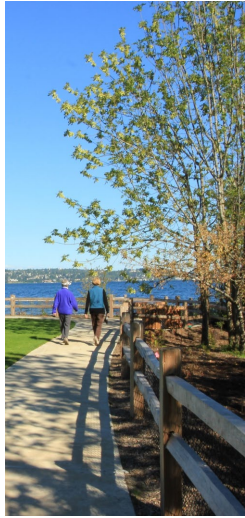
Street Ends and Landings

- As properties are evaluated for inclusion in the parks zone, we want to ensure that the zoning aligns with the primary purpose.
- **Staff do not recommend including critical utility infrastructure in the parks zone.**
- There are other tools, however, such as the PROS Plan that guide use, planning, and operations of the parks component of this property.



Luther Burbank Park

- Classified as a regional park, nearly 55-acres.
- Buildings
- Shoreline and Docks
- Swimming Beach
- Playgrounds
- Trails
- Open Space
- Park
- (Future) Pickleball Courts
- And more!




Luther Burbank Park

Luther Burbank Park Master Plan


- Adopted Master Plan in 2006 that guides planning and operations.
- Identifies proposed improvements and capital projects.
- Guides maintenance, vegetation management, and informs other operational needs.
- **What is the appropriate interaction between the parks zone and master plans?**

Luther Burbank Park Master Plan



City of Mercer Island, Washington

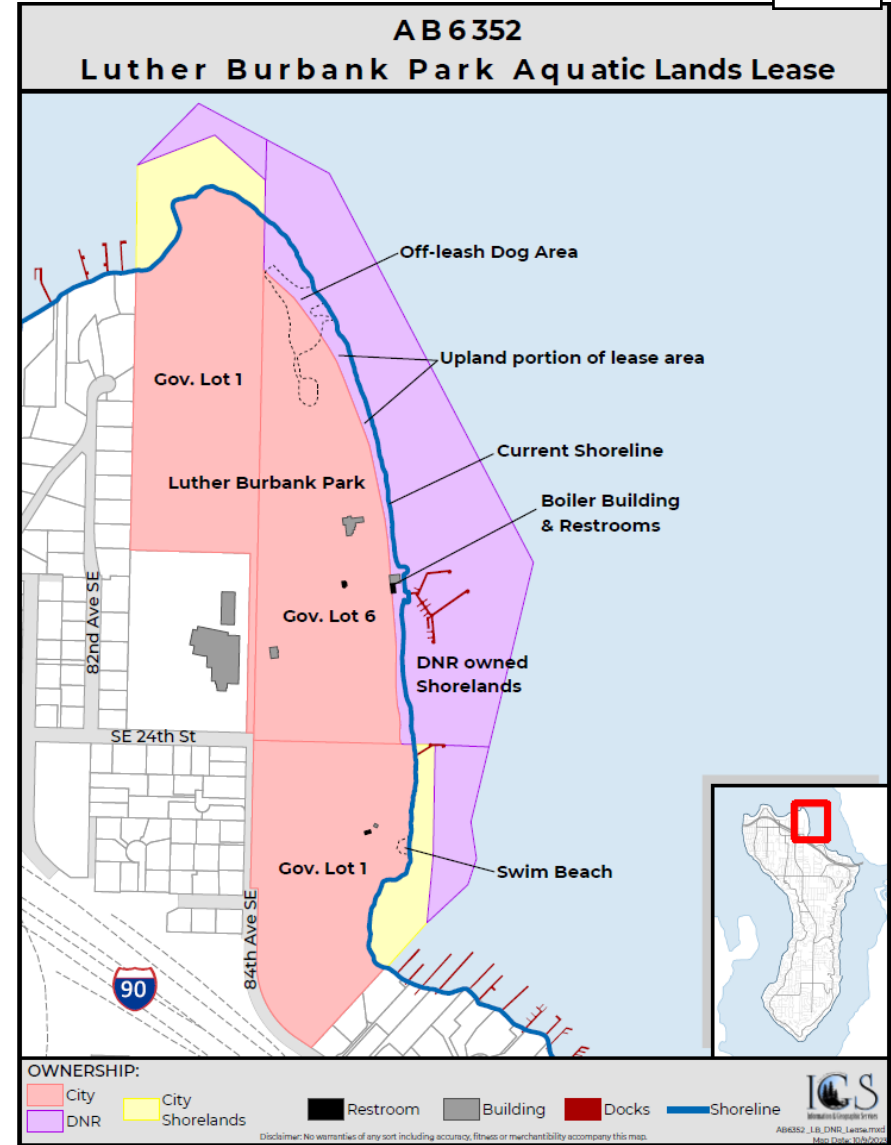
Prepared by: **The Berger Partnership PS**
Landscape Architecture



April, 2006
1721 Eighth Avenue North
Seattle, Washington 98109
206.325.6877 v
206.323.6867 f
www.bergerpartnership.com

Luther Burbank Park

- A majority of Luther Burbank Park shoreline is owned by the WA State Department of Natural Resources.
- Luther Burbank Park was transferred to the City from King County effective January 1, 2003.
 - Purchased by King County with Forward Thrust Funding
 - Developed with State RCO Funding in the 1970s.
 - Both funding sources include numerous restrictions reflected in the deed and other documents.
- Infrastructure is unique compared to other parks.
- It is important to consider the policy documents governing the use of Luther Burbank Park and its unique amenities to avoid conflicted or duplicated regulations.



Aubrey Davis Park

- Built in 1992 to mitigate impacts from reconstruction of Interstate 90.
- 2.8-mile-long transportation and recreation corridor including the Park on the Lid, Mountains to Sound Trail, Boat Launch, and the Greta Hackett Outdoor Sculpture Gallery.
- Located within airspace of I-90 right of way owned by the Washington State Department of Transportation (WSDOT).



Aubrey Davis Park

- WSDOT turnback and Landscape Maintenance Agreements (late 1980's)
 - Determines maintenance, landscaping, and site improvement responsibilities.
- WSDOT Airspace Leases (early 1990's)
 - Regulates permitted uses of leased recreational areas within I-90 right of way.
- Currently zoned as “Public Institution” ([MICC 19.05.010](#))
 - Permitted Land Uses: government services, public schools, public parks, transit facilities, hazardous waste treatment and storage facilities, and wireless communications facilities
- Staff do not recommend including Aubrey Davis Park in the parks zone.
 - The primary purpose of I-90 right of way is interstate travel.
 - I-90 airspace is owned by WSDOT.
 - The City must comply with prior agreements with WSDOT.

Mercer Island Community & Event Center

- Full Gymnasium
- Game Room
- Dance Room
- Fitness Room
- Meeting Rooms
- Catering Kitchen
- Terrace
- Landing
- Lawn
- 222 Parking Spaces
- Emergency Generator
- Additional Annex Facility



Mercer Island Community & Event Center

- Provides facility space for both recreational and non-recreational programs, activities, and events.
- Serves as the City's Emergency Operations Center shelter, warming and cooling center.
- Hosts City Council, Board and Commission Meetings.
- Provides leased facility space for childcare business.
- Provides City-wide departmental meeting and office space.





New Parks Zone Components



Zoning Code Components

Examples: [MICC Title 19 – Unified Land Development Code](#).

1. Purpose Statement

- What is the intention or goal of the zoning code?

2. Conditions required for land to be included within the zone

- What qualifies for a property to be included in the parks zone?

3. Regulations that detail which uses are allowed within the zone

- What are the permitted uses in the zone?

4. Development standards to guide development within the zone

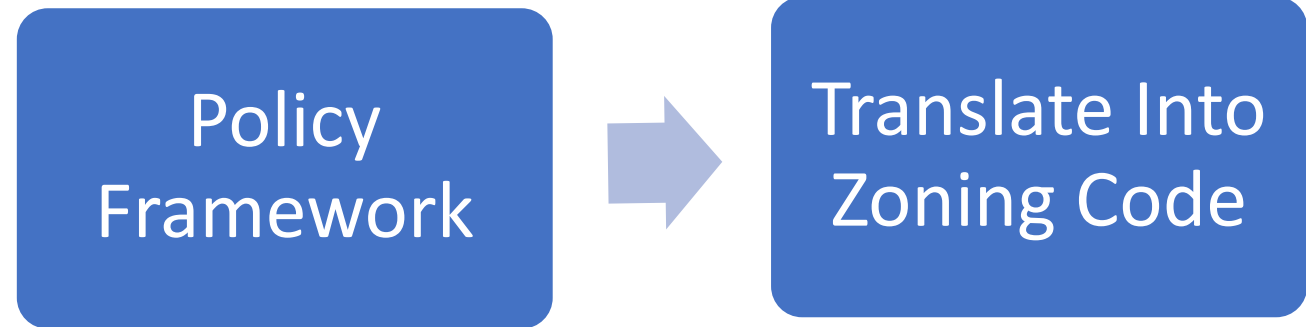
- What are the regulations for physical modification and structures?

5. Definitions for key terms used in the zoning regulations

- What is the exact meaning of the key terms in the zoning code?

1. Purpose Statement

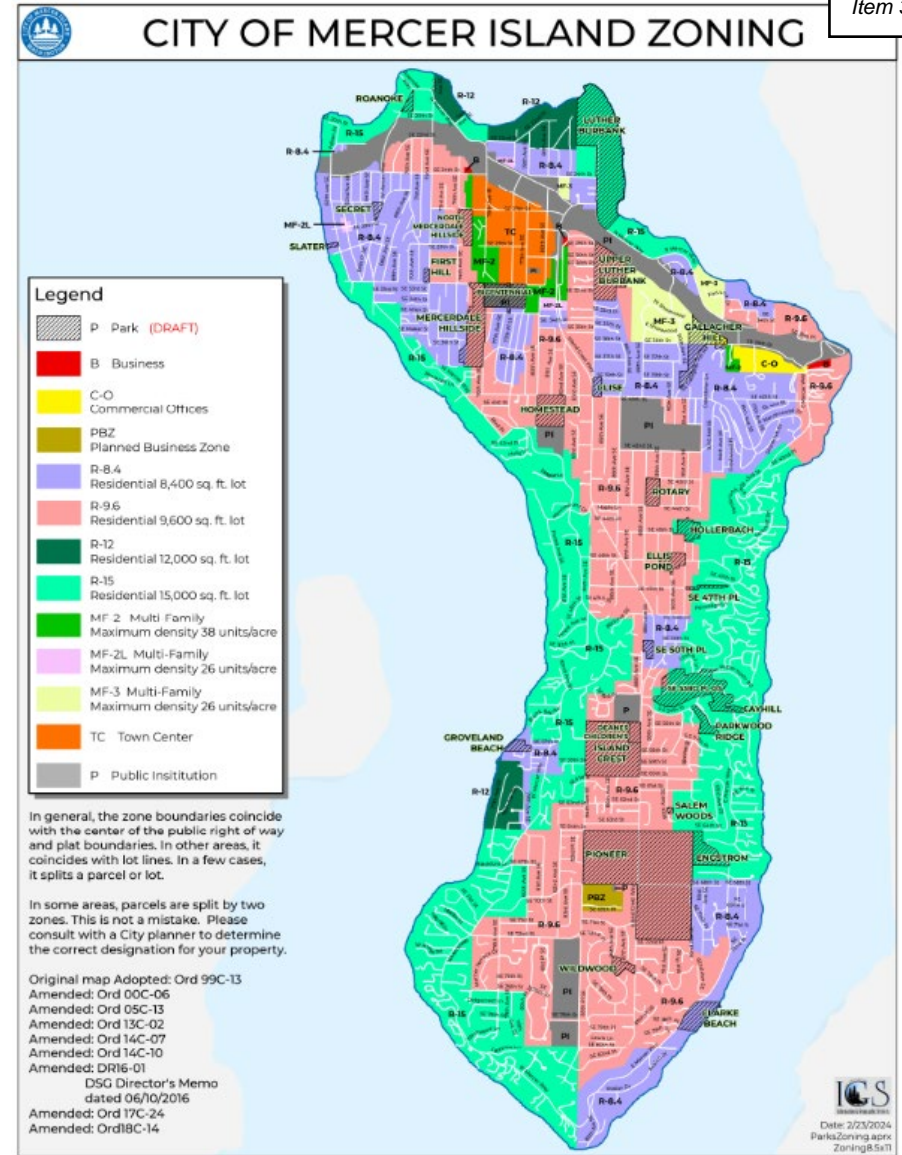
- What is the intention or goal of the zoning code?
- **The 2022 PROS Plan is the guiding policy document for development of the parks zone.**
- The purpose statement is the foundation of the zoning code and should be consistent with the PROS Plan.
- Planned for discussion tonight and we'll come back to this after we walk through the other slides.



Zoning is a method in which land is divided into “zones,” each of which has a set of regulations describing allowable uses and development standards.

2. Required Land Conditions

- What qualifies for a property to be included in the parks zone?
- Identifies the rules and guidelines for when lands should/must be included in the Parks Zone.



3. Zone Regulations

- What are the permitted uses in the zone?
 - Recreation facilities
 - Trails
 - Playgrounds
 - Swimming areas
 - Open space



4. Development Standards

- What are the regulations for physical modification and structures?
 - Buildings
 - Utilities
 - Public art
 - Wireless communication facilities



5. Definitions for Key Terms Used in Regulations

- What is the exact meaning of the key terms in the zoning code?
- Well-written code is clear and objective.
- The goal is for the code to be easily interpreted by everyone.

Example:

Permitted uses:

- Recreational Facilities

Definition

- Recreational Facility: a publicly owned or operated park, campground, marina, dock, golf course, playground, athletic field, gymnasium, swimming pool, trail system, or other facility used for recreational purposes.





Other Items



Telecommunications Code and Infrastructure

- Concerns were raised in previous meetings regarding limiting the use of parks from housing wireless communication facilities.
- Regulation of such facilities is addressed Citywide within [MICC 19.06.040](#) and [MICC 19.06.070](#).
- Federal law and the Federal Communications Commission (FCC) significantly limit local zoning regulation of wireless communication facilities.
- Changes to City regulation of wireless communications facilities must be addressed as a separate and holistic City-wide project.



Other Codes and Regulations

- There are several City-wide codes and regulations which must be considered as they relate to the development of a new Parks Zone.
 - Stormwater Management Program ([MICC 15.09](#))
 - Tree Code ([MICC 19.10](#))
 - Shoreline Master Program ([MICC 19.13](#))
 - Critical Areas Code ([MICC 19.07](#))
 - Construction Code ([MICC 17.01](#))
- Park development often falls under the jurisdiction of other regulatory agencies:
 - Army Corp of Engineers
 - Department of Fish & Wildlife
 - Department of Ecology
 - Department of Natural Resources
 - Department of Transportation



Community Engagement



Community Engagement

- [Let's Talk - Parks Zone Project](#):
 - The page is live.
 - There is a “comments” tab so that the community may provide comments throughout the process.
 - Updates will be published as the work progresses.
- Continue to accept public comment at Parks and Recreation Commission meetings as our work progresses.
- **April 18:** Anticipate extensive outreach process seeking feedback from the community on the draft Parks Zone ahead of the April 18 PRC Meeting adopting a final recommendation. (Public hearing?)
- The formal legislative process conducted by the Planning Commission includes community engagement and a public hearing.



Next Steps



PRC Parks Zone Development Timeline

- **March 21 – PRC Meeting:**

- Finalize purpose statement and begin work on other components of the Parks Zone.
- Identify areas of consensus and items needing further discussion.

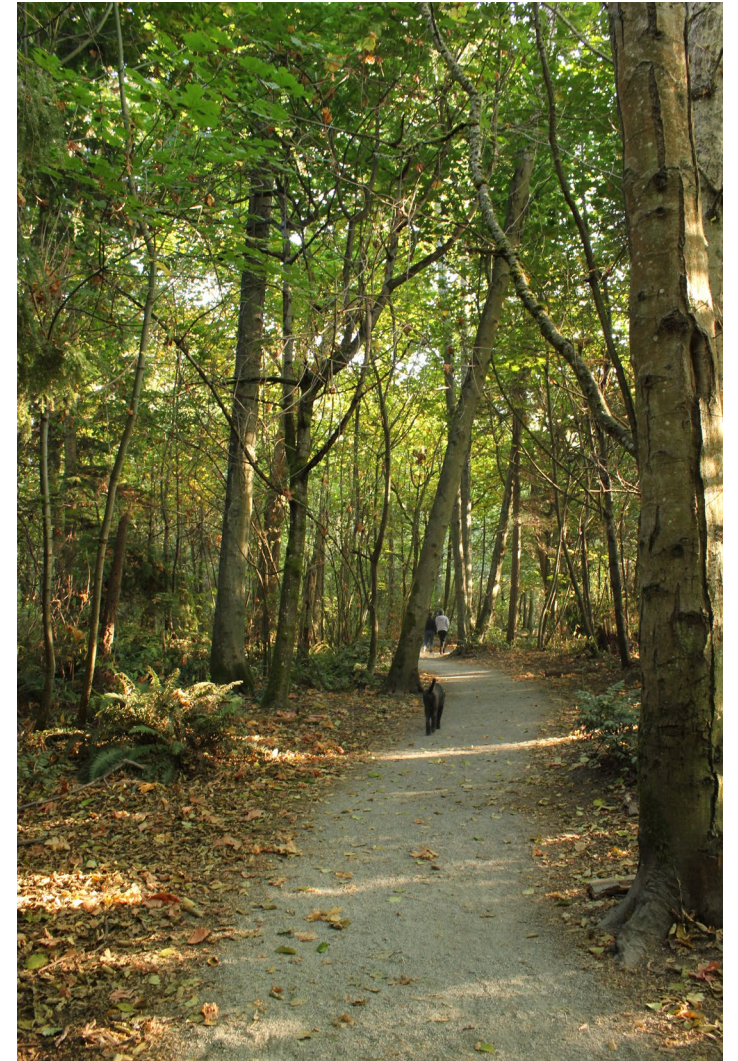
- **April 4 – PRC Meeting:**

- Continue review and discussion of Parks Zone, seek consensus on a recommendation.

- **April 18 – PRC Meeting:** Finalize recommendation and memo to the Planning Commission.

- **May 2 – PRC Meeting:** Meeting reserved for follow-up work if necessary.

- **May 8 – PRC/PC Joint Meeting:** PRC will present their recommended new Parks Zone to the Planning Commission.



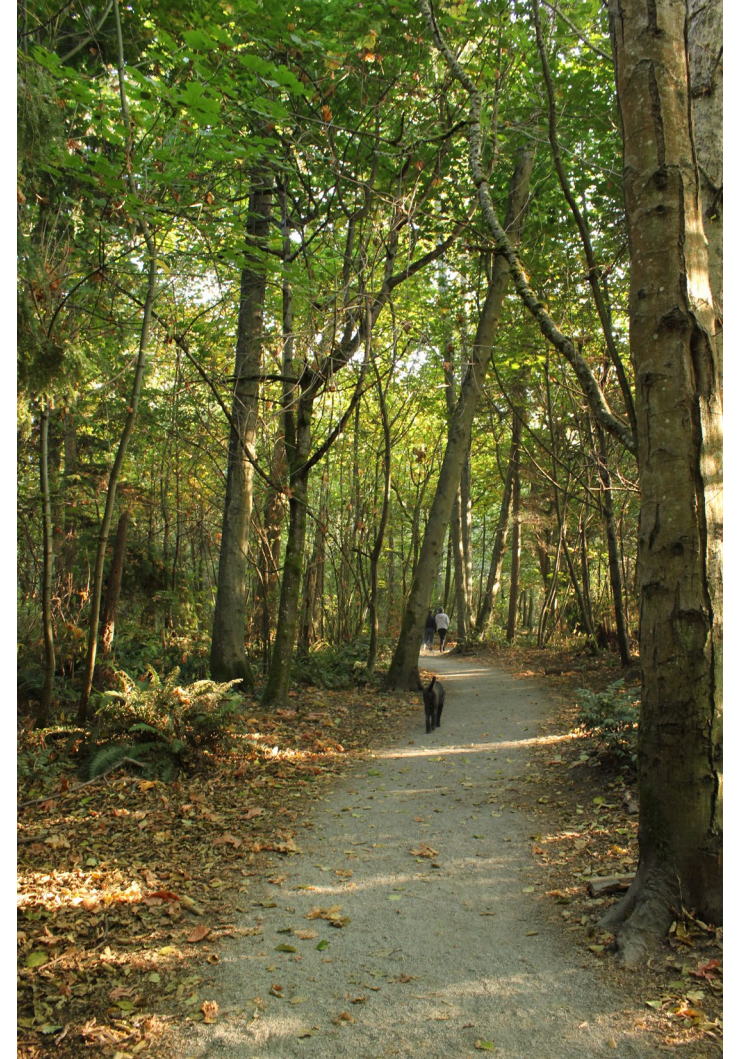


Discussion



Questions to Guide Discussion

- What questions do you have on the materials presented?
- Do you have initial thoughts on the best way to approach this work? Where do we have common ground?
- What type of community engagement process does the PRC envision? What can we reasonably accomplish in the timeframe we have?
- What areas do we want to focus on for the March 21 meeting?
- Would you like to provide initial feedback on the purpose statement?



Purpose Statement – Initial Feedback

- Draft Purpose Statement from the initial draft of the Parks Zone:

Purpose: The purpose of the Parks Zone (P) is to accomplish the following:

- 1. Implement the Comprehensive Plan and other applicable plans by designating areas that conserve and preserve a variety of park and open space lands in the City;*
 - 2. Regulated the land uses permitted within publicly owned parks in the City; and*
 - 3. Preserve urban forests, critical habitat, environmental resources, and maintain access to recreational opportunities.*
- Seeking initial reactions, suggestions, and feedback so that staff may prepare for the follow-up discussion at the PRC meeting on March 21.



Thank you.





Extra Slides



Parks Zone Resources (PRC24-03)

- **Inventory of City Parks (Exhibit 1):** information about each park including name, address, PROS Plan classification, ownership, current zoning, primary purpose, and notes.
- **Comprehensive Plan Land Use Map (Exhibit 2):** boundaries and zoning of all parks.
- **Commissioner Comment Matrix (Exhibit 3):** record of commissioner comments.
- **Commissioner Q/A Matrix (Exhibit 4):** staff responses to commissioner questions.