



PARKS & RECREATION COMMISSION

SPECIAL HYBRID MEETING AGENDA

Thursday, January 9, 2025 at 5:00 PM

COMMISSIONERS

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

LOCATION

MICEC – Slater Room Council Chambers
and via Zoom
8236 SE 24th Street | Mercer Island, WA 98040
Phone: 206.275.7609 | 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 staff at **206.275.7861** and leave a message or [email](#) before 4 PM on the day of the Commission meeting. Each speaker will be allowed three (3) minutes to speak.

Join by Telephone at 5:00 PM: Call **253.215.8782** and enter Webinar ID **871 4287 5615** and Password **817743**.

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 **871 4287 5615** and Password **817743**.

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

CALL TO ORDER & ROLL CALL – 5:00 PM

APPEARANCES

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

STAFF LIAISON REPORT

1. Staff Liaison Report and Planning Schedule

SPECIAL BUSINESS

2. Approve the minutes of the November 7, 2024 Regular Hybrid Meeting
Recommended Action: Approve minutes.
3. PRC25-01: Parks Zone Development Discussion
Recommended Action: Review and provide feedback on the draft Parks Zone development regulations.

OTHER BUSINESS

4. Absences and Commissioner Reports

ADJOURNMENT



City of Mercer Island Parks and Recreation Commission

Department Report January 9, 2025



Project Updates



Clarke & Groveland Beach Joint Planning Process

- The City received more than **220 responses** to our background survey on current park uses. Thank you to the community for providing input!
- At the **February PRC Meeting**, staff intends to review site conditions and collect PRC input on the draft public engagement plan for this planning process.
- The planning process scope and draft public engagement plan will then be presented to the City Council for approval. Staff anticipate kicking off the joint park planning process with the community by early Q2 2025.



www.mercerisland.gov/cgmp



Playground Replacements

- Work continues for Roanoke Park and First Hill Park playground replacements.
- Permits for **Roanoke Park** have been issued and the construction contract is being finalized- with construction anticipated in Spring of 2025.
- **First Hill Park-** playground equipment is being delivered next month and permits are being submitted next week, with construction set to occur in late-Spring.
- **Deane’s Children’s Park** play area: Staff will be reviewing and soliciting input on the draft public engagement plan at the February PRC Meeting.



Good News



Athletic Field Bookings Pilot Program

- Our pilot program for online athletic field reservations has been a great success.
- Customer feedback is positive, and we've exceeded our \$10,000 revenue goal with over \$14,000 attributed to this new system!
- With 139 bookings totaling 295 hours, we've saved significant staff time—requiring minimal staff time to process.
- Mercer Island is the only city in the area providing this completely self-service opportunity!

EXTENDED

**Winter Web Special
Online Athletic
Field Reservations**

~~October-November~~
October-February

- 5 turf fields to choose from
- \$49/hr
- Lights are included
- No extra fees
- No hassel



 www.fieldsonmercer.com 

mercerisland.gov/parksrec/page/athletic-fields-tennis-courts



MICEC Annual Maintenance

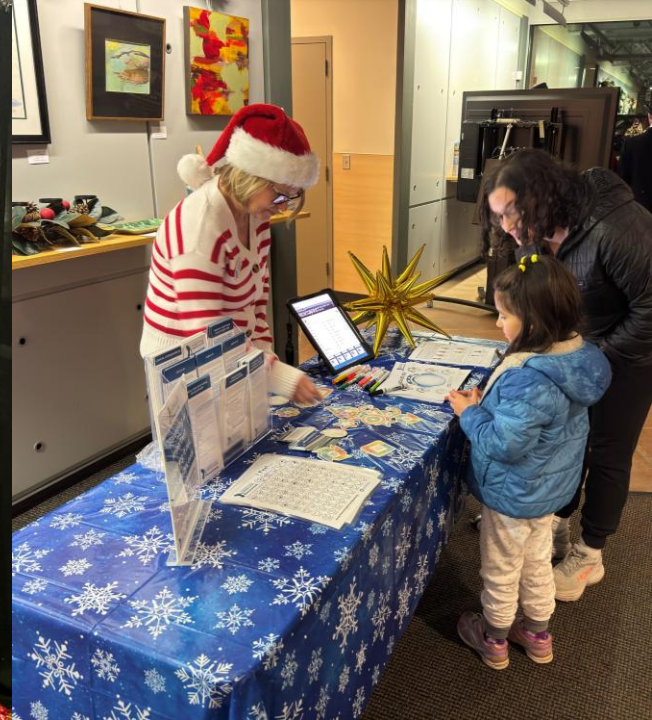
- The Community Center was closed to the public December 16 through January 5 to address needed facility maintenance.
- Staff moved all the main level furniture (including a pool table!) and admin office equipment to prep for the work to happen. The following projects were completed:

- Main Level/admin office carpet replaced
- Gym courts refinished
- Dance Room flooring replaced with the same low-maintenance and resilient flooring as the Mercer Room
- Walls patched and painted



Festive Fun and Memories Made!

- December 13, the **Family Movie Night and Holiday Party** at the MICEC drew a crowd of 250 people, who enjoyed snacks, arts and crafts, a movie, and even a visit from Santa.
- December 15, about 150 people gathered at Luther Burbank Park Beach for the **Argosy Christmas Ship** event, where they enjoyed carols, festive lights, hot cocoa, and cookies, all while soaking in the holiday spirit.
- On December 29, the Mercer Island **Chanukah Celebration** at Mercerdale Park added a magical touch to the season with a glow-in-the-dark menorah lighting, delicious treats, and festive music.





The City is grateful to our many community partners who make these events possible!

- Mercer Island City Lifestyle
- Puget Sound Energy
- John L. Scott
- Mercer Island Martial Arts
- And to the many volunteers and performers.

Parks and Recreation Commission Planning Schedule

February 6

- Park Zone (cont.)
- Groveland/Clarke Beach Parks- Engagement Plan
- Deane's Children's Park- Engagement Plan

March 6

- Park Zone (cont.)
- Athletic Fields Allocation & Use Policy (Recommended Update)

April 3

- Recreation Division Annual Report
- Mercer Island Athletic Courts Use and Allocation Policy
- MICEC Fee Waiver Policy



Thank You
&
Happy New Year!



PARKS & RECREATION COMMISSION

2025 PLANNING SCHEDULE

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

REMINDER: NO MEETINGS IN AUGUST

JAN 9, 5:00 PM (SPECIAL MEETING)		STAFF WORK	AGENDA GO LIVE
Absences:			12/26/24
TIME/TOPIC		STAFF	
	PRC 25-XX: Park Zone (cont.)	Jessi Bon	

FEB 6, 5:00 PM		STAFF WORK	AGENDA GO LIVE
Absences:			1/30
TIME/TOPIC		STAFF	
	PRC 25-XX: Park Zone (cont.)	Jessi Bon	
	PRC 25-XX: Groveland Beach Park/Clarke Beach Parks Planning		
	PRC 25-XX: Deane’s Playground Public Engagement		

MARCH 6, 5:00 PM		STAFF WORK	AGENDA GO LIVE
Absences:			2/27
TIME/TOPIC		STAFF	
	PRC 25-XX: Park Zone (cont.)	Jessi Bon	
	PRC 25-XX: Athletic Fields Allocation and Use Policy (Recommended Update)	Alex Lee/Jeremy Jasman	

APR 3, 5:00 PM		STAFF WORK	AGENDA GO LIVE
Absences:			3/27
TIME/TOPIC		STAFF	
	PRC 25-XX: 2024 Recreation Division Annual Report	Ryan Daly	
	PRC 25-XX: Mercer Island Athletic Courts Use and Allocation Policy	Alex Lee	
	PRC 25-XX: MICEC Fee Waiver Policy	Alex Lee	

MAY 1, 5:00 PM Absences:		STAFF WORK	AGENDA GO LIVE 4/24
TIME/TOPIC		STAFF	
	PRC 25-XX: KCLS- Mercer Island Branch Update		
	PRC 25-XX: Mercer Island Athletic Courts Use and Allocation Policy	Alex Lee	
	PRC 25-XX: MICEC Fee Waiver Policy	Alex Lee	

JUNE 5, 5:00 PM Absences:		STAFF WORK	AGENDA GO LIVE 5/29
TIME/TOPIC		STAFF	
	PRC 25-XX: PRC Chair/Vice-Chair Elections	Ryan Daly	
	PRC 25-XX: Annual Bylaws Review	Ryan Daly	

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

AUGUST CANCELED

SEPTEMBER 4, 5:00 PM Absences:		STAFF WORK	AGENDA GO LIVE 8/28
TIME/TOPIC		STAFF	
	PRC 25-XX:		

OCTOBER 2, 5:00 PM Absences:		STAFF WORK	AGENDA GO LIVE 9/25
TIME/TOPIC		STAFF	
	PRC 25-XX:		

NOVEMBER 6, 5:00 PM Absences:		STAFF WORK	AGENDA GO LIVE 10/30
TIME/TOPIC		STAFF	
	PRC 25-XX: Intro to the Parks Code Update	TBD	

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

Pending:

- Project Deane's Playground Kick-off
- Project Mercedale Master Plan
- Project Proposal for Year-round programming at Luther Burbank (2026)

ANNUAL AGENDA ITEMS

- KCLS - Mercer Island Branch Operations Update (May)
- Annual PRC Chair/Vice-Chair Elections (June)
- Annual Bylaws Review (June)
- Recreation Division Annual Report

2025 ITEMS TO BE SCHEDULED:

- Code Park Code Update



PARKS & RECREATION COMMISSION REGULAR HYBRID MEETING MINUTES November 7, 2024

CALL TO ORDER

The Parks & Recreation Commission was called to order by Chair Struck at 5:01 pm.

ROLL CALL

Chair Peter Struck, Vice Chair Paul Burstein, and Commissioners Jodi McCarthy, Rory Westberg, Don Cohen, Ashley Hay, and Sara Marxen were present for the Parks & Recreation Commission.

City Council Liaison Craig Reynolds was absent.

City Manager Jessi Bon, Management Analyst II Carson Hornsby, Recreation Manager Ryan Daly, Parks Operations Manager Sam Harb, Chief of Operations Jason Kintner, Deputy Public Works Director Alaine Sommargren, Community Planning & Development Deputy Director Alison Van Gorp, Recreation Supervisor Katie Herzog, and Recreation Specialist Raven Gillis were present.

APPEARANCES

Sue Stewart, Mercer Island, addressed the Parks & Recreation Commission regarding the P-Patch Benci Franklin, Mercer Island, addressed the Parks & Recreation Commission regarding the P-Patch

STAFF LIAISON REPORT

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

- Project Updates:
 - Clark & Groveland Beach Joint Planning Process
 - LBP Pickleball Courts
 - Playground Replacements
 - Mercerdale Playground Repairs
- Good News: Halloween Roundup
- Programs and Special Events: Illuminate MI Is Back!
- Planning Schedule

SPECIAL BUSINESS

2. Approval of Minutes

Minutes from the October 8, 2024 Special Meeting were presented.

It was moved by McCarthy; seconded by Marxen to:

Approve the minutes from the October 8, 2024 Special Meeting

Passed: 7 – 0

3. PRC 24-13: Parks Zone Development Discussion

City Manager Jessi Bon presented and led the Commissioners in discussion. Commissioners engaged in discussion and idea sharing on the draft Parks Zone purpose, designation requirements, uses permitted, definitions, and on the Parks Zone development standards.

Recess from 7:03pm to 7:14pm

4. PRC 24-14: P-Patch Program Operational Update

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

OTHER BUSINESS

5. Absences and Commissioner Reports

No absences reported

Commissioner Burstein acknowledged and commended the parks maintenance team's diligent efforts in meeting the demands of the season.

Commissioner Cohen reported that, during a visit to Groveland Beach Park, he discovered a set of switchback steps leading up from the playground, which provide an easier ascent of the hill.

ADJOURNMENT at 8:41 PM

DRAFT



PARKS & RECREATION COMMISSION CITY OF MERCER ISLAND

PRC 25-01
January 9, 2025
Special Business

AGENDA BILL INFORMATION

TITLE:	PRC 25-01: Parks Zone Development Discussion	<input checked="" type="checkbox"/> Discussion Only <input type="checkbox"/> Action Needed: <input type="checkbox"/> Motion <input type="checkbox"/> Recommendation
RECOMMENDED ACTION:	Review and provide feedback on the draft Parks Zone development regulations.	
STAFF:	Jessi Bon, City Manager Carson Hornsby, Management Analyst II Alison Van Gorp, Deputy CPD Director Kellye Hilde, Deputy Public Works Director Ryan Daly, Recreation Manager Sam Harb, Parks Operations Manager Alaine Sommargren, Deputy Public Works Director	
EXHIBITS:	1. Draft Parks Zone Development Regulations 2. Park Critical Areas Maps	

EXECUTIVE SUMMARY

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

- During the January 9, 2025, Parks and Recreation Commission (PRC) meeting, the PRC will review and provide feedback on the draft Parks Zone development regulations (see Exhibit 1), which were prepared by staff based on PRC input from the October and November 2024 PRC meetings.
- Staff and the PRC will continue to collaborate on the draft text for the new Parks Zone and finalize the PRC recommendation by April 2025.
- It is currently anticipated that the PRC will hand-off a recommendation to the Planning Commission (PC) in Q2 2025 and the City Council will undertake review and adoption of the new Parks Zone by the end of 2025.

BACKGROUND

Parks Zone/Open Space Zone Background

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

The PRC and Open Space Conservancy Trust (OSCT) Board held several joint meetings to develop legislation for the Open Space Zone. On May 8, 2024, PRC and OSCT Chairs presented a joint recommendation to the PC, which completed its review in June 2024 as part of the Comprehensive Plan Update. On September 25, 2024,

the PC approved a recommendation for the Open Space Zone code amendment. The City Council adopted the [Open Space Zone](#) on November 4, 2024, with an effective date of December 31, 2024.

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

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

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

Legislative Review Process

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

The legislative review process includes the following steps:

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

Parks, Recreation, and Open Space (PROS) Plan

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

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

Development Code, Parks Code, and Park Operating Policies

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

the City Council to address other items in future work plans. The purpose and type of regulations included in the development code, parks code, and park operating policies and procedures are summarized below.

Development Code

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

Parks Code

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

Park Operating Policies and Procedures

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

Parks Zone Materials from Prior PRC Meetings

- [Tuesday, October 8, 2024](#)
- [Thursday, November 7, 2024](#)

ISSUE/DISCUSSION

Draft Parks Zone Development Regulations

Staff have prepared a draft of the Parks Zone development regulations (see Exhibit 1) which includes the purpose, designation requirements, uses permitted, development standards, and definitions. The draft development regulations were prepared based on feedback from the PRC at the October and November 2024 meetings and will be further refined as review and discussion continues.

Discussion items are listed below and further described in the following sections.

1. Recommendation to include public art as a permitted use in the Parks Zone without any development standards based on feedback from the Arts Council.
2. Analysis and background information on Aubrey Davis Park and its zoning designation as “Public Institution.”
3. Information on “split-zoning” parks that include critical areas.
4. Information on street ends and landings and their zoning designation.

5. Information on wireless communications facilities.
6. Other Discussion Items

1. Arts Council Recommendation on Public Art

Recommendation: The proposed Parks Zone development regulations (see Exhibit 1) include public art as a permitted use. This recommendation is based on feedback provided by the Arts Council.

Background: Staff attended the November 18, 2024, Arts Council meeting to gather feedback from the Arts Council on the development standards for public art in the Parks Zone. Staff gave a short presentation on the Development Code and public art installations in parks and engaged the Arts Council in discussion.

The Arts Council unanimously approved a motion recommending public art as a permitted use without any development standards in the Parks Zone. The Arts Council preferred to continue carrying out their process of providing recommendations to the City Council on a case-by-case basis instead of establishing additional regulations for public art in parks. The Arts Council is in the process of updating their Six-Year Public Art Work Plan and may consider recommending additional policies or guidelines for public art installations as part of the work plan update.

2. Aubrey Davis Park, WSDOT, and the Public Institution Zone

Recommendation: Based on the information provided below, staff recommends that Aubrey Davis Park remain zoned as Public Institution.

Background: Aubrey Davis Park (formerly "The Lid Park") was built in 1992 to mitigate impacts from reconstruction of Interstate 90 (I-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.

The I-90 corridor, which includes Aubrey Davis Park, is in the Public Institution Zone ([MICC 19.05.010](#)). The Public Institution Zone 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 Mercer Island 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.

Aubrey Davis Park is 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, to the City. As a result of the turnback agreements, WSDOT and the City executed airspace leases for 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.

According to Washington State law ([RCW 47.01.260\(1\)](#)), "The department of transportation shall exercise all the powers and perform all the duties necessary, convenient, or incidental to the planning, locating, designing, constructing, improving, repairing, operating, and maintaining state highways, including bridges and other structures, culverts, and drainage facilities and channel changes necessary for the protection of state highways..." RCW 47.01.260(1) gives WSDOT preemptive authority to exercise all powers over the state highway system. This means cities have no authority to adopt conflicting provisions regarding state highways, including zoning development regulations. The City must comply with the numerous prior agreements with

WSDOT and cannot adopt regulations attempting to control the same uses covered by these agreements that permit the City to maintain Aubrey Davis Park and other recreational facilities within WSDOT right of way.

3. Critical Areas in Parks

Recommendation: A question was posed by a PRC member about the possibility of split-zoning park properties so that critical areas in parks are included in the Open Space Zone (instead of the Parks Zone). Staff do not recommend further consideration of split-zoning park properties based on the analysis provided below. Wildwood Park, however, should be evaluated to determine if the property is best suited for the Parks Zone or the Open Space Zone.

Background: The PROS Plan identifies eight parks that include critical areas such as watercourses, wetlands, geologically hazardous areas, and shorelines. These parks include Luther Burbank Park, Clarke Beach Park, Groveland Beach Park, Homestead Park, Island Crest Park, Mercerdale Park, Wildwood Park, and Secret Park. There have been conversations at prior PRC meetings about split zoning park properties to designate the critical areas within these parks as part of the Open Space Zone.

However, [MICC 19.01.040\(G\)\(2\)](#) regulates situations where a boundary between zones divides a lot. In such cases, the entire lot must be assigned a single zone based on a prioritized list:

“Where a boundary between zones divides a lot into two or more pieces, the entire lot shall be deemed to be located in the first zone on the following list in which any part of the lot is located: R-15, R-12, R-9.6, R-8.4, MF-2L, MF-3, MF-2, PI, PBZ, C-O, TC, and B. The location of the zone boundary shall be determined by use of the scale appearing on the zone map unless the location of the boundary is indicated by dimensions.”

Simply stated, this means that if a parcel spans multiple zones, the zone highest on the priority list governs the entire property. For example, a lot containing both Parks and Open Space zones would be assigned entirely to the higher-priority zone, as determined by this hierarchy.

While this provision ensures consistency in zoning, it creates challenges when trying to use zoning designations to manage or protect critical areas within parks. Assigning the entire parcel to a higher-priority zone might inadvertently limit opportunities for specific protections or development limitations intended for critical areas, such as those found in the Open Space Zone.

Despite these challenges, the goals of protecting critical areas do not rely solely on zoning. Environmental protections that were being sought by proposing split zoning for critical areas in parks are already addressed through existing regulations in the MICC as well as state and federal regulations. The City’s regulations for critical areas are established in [MICC Chapter 19.07 – Environment](#), which heavily restricts development within critical areas. [MICC Chapter 19.13 – Shoreline Master Program](#) provides additional regulations for development within shoreline buffers.

The regulatory framework ensures that critical areas within parks are effectively managed without requiring split zoning. Once the Parks Zone is adopted by the City Council, it will be integrated into the MICC zoning hierarchy outlined in Title 19, alongside the Open Space Zone. This integration will enhance consistency in zoning regulations by incorporating these new zones into the existing framework. If split zoning were applied to park properties, the provisions of this code would mandate assigning a single zone to the entire parcel based on the prioritization hierarchy established in MICC Title 19.

Maps of the critical areas in parks are illustrated in Exhibit 2. A summary of critical areas and shoreline regulations is also provided below. The park critical areas maps were created using the City’s GIS software, but it is important to note the City’s GIS is not survey accurate and does not include complete information about all land within city limits. Critical areas are typically identified, confirmed, and recorded in GIS during the review of development proposals, preparation of park master plans, or during any other process that

requires formal analysis and completion of a land survey. As a result, the City's GIS may not fully represent all critical areas, and there could be additional unrecorded critical areas.

Geologically Hazardous Areas

Geologically hazardous areas are regulated in [MICC 19.07.160](#). Geologically hazardous areas are lands that are susceptible to erosion, landslides, seismic events, or other factors. Development proposals within geologically hazardous areas generally require completion of a critical area study documenting that the proposal will not adversely impact critical areas, the subject property, or adjacent properties, and that the proposal will appropriately mitigate impacts to the geologically hazardous area. Landslide hazard areas, seismic hazard areas, and erosion hazard areas each have specific development standards with critical area study and buffer regulations in addition to regulations for trails and land clearing, grading, filling, and foundation work in landslide and erosion hazard areas.

Fish and Wildlife Habitat Conservation Areas

Fish and wildlife habitat conservation areas are regulated in [MICC 19.07.170](#). Fish and wildlife habitat conservation areas include areas associated with state or federally listed endangered or threatened species, [Priority Habitats and Species \(PHS\)](#) identified by the Washington State Department of Fish and Wildlife, bald eagle habitats, watercourses and wetlands, and biodiversity areas. Development proposals in these areas must submit a critical area study identifying endangered or threatened species and the extent of their habitats in addition to the vegetative, faunal, and hydrologic characteristics. The critical area study must also evaluate potential impacts on habitats and adequately address mitigation of those impacts.

Watercourses

Watercourses are regulated in [MICC 19.07.180](#). Watercourses are streams and constructed water channels that include the following types: Type S (Shorelines of the State, there are no known Type S watercourses on Mercer Island), Type F (fish habitat), Type Np (non-fish habitat), Type Ns (non-fish, seasonal), and Piped. Critical area studies are required for development of sites that contain watercourses or their buffers. Development within watercourses and/or their associated buffers is prohibited unless specific exemptions apply. Each type of watercourse has a unique buffer that prohibits lot coverage and hardscapes within. Buffer widths are determined based on the watercourse type and boundaries can be "averaged" or reduced under certain circumstances to provide limited flexibility for development while minimizing impacts to the watercourse. All watercourse types have minimum setbacks for buildings and structures, and piped watercourses have specific setback requirements. Additionally, watercourse crossings such as bridges and culverts must meet specific state standards and trails are subject to additional regulations.

Wetlands

Wetlands are regulated in [MICC 19.07.190](#). Wetlands are designated according to adopted federal and state manuals and generally include areas saturated or covered by water that support vegetation adapted for life in saturated soil conditions. Critical area studies for development in wetland areas must include additional elements including wetland rating forms and data sheets, discussion of the landscape setting, demonstration of impact on ecological function, and a mitigation plan. Wetlands are classified in four categories each with unique buffers along with trail standards that apply to all four categories. Buffer boundaries are determined based on the wetland classification and can be "averaged" or reduced under certain circumstances to provide limited flexibility for development while minimizing impacts to the wetland. Development proposals for wetland areas must specifically demonstrate lack of disturbances to the wetland associated with lights, noise, toxic runoff, stormwater runoff, changes in water regime, pets and human disturbance, dust, and disruptions of corridors or connections. Mitigation for wetland and/or wetland buffer impacts are required when impacts cannot first be avoided or minimized and must achieve equal or greater biologic function.

Shorelines

The City's Shoreline Master Program (SMP) regulations are located in [MICC Chapter 19.13](#). The SMP is adopted pursuant to the authority and requirements of [RCW Chapter 90.58](#) and [WAC Chapter 173-26](#). The purpose of MICC Chapter 19.13 is to achieve SMP mandates from the State of Washington and adopt

shoreline development regulations that protect the health, safety, welfare, values and property interests of the City and its residents. MICC Chapter 19.13 includes detailed regulations for an extensive list of uses and developments within the shoreline jurisdiction both landward and waterward of the Ordinary High Water Mark (OHWM), along with development standards that regulate setbacks, height limits for structures, hardscapes, and other standards. Additional requirements are provided for moorage facilities and development located waterward from the OHWM, overwater structures, breakwaters, jetties, groins, weirs, public access piers, docks, boardwalks, ecological restoration, dredging, marinas, and other general requirements.

4. Landings and Street Ends

Recommendation: The PRC asked for additional information on street ends and landings to inform the zoning discussion. The staff recommendation is that landings and street ends that include utility infrastructure should not be included in the Parks Zone. The policies that guide their “above-ground” and “secondary” use as parks should continue (see PROS Plan).

Background: The City of Mercer Island owns a number of properties commonly referred to as “street ends” or “landings.” These are small properties located on the shoreline that contain utility infrastructure. Some of the utility infrastructure found at landings and street ends is visible, but much of it is located underground. Fruitland Landing is a good example of this – it is a major sewer facility where City and King County sewer infrastructure connects. Fruitland Landing includes a pump station, generator, pressurized lines, sewer mains, a storm main, a storm lateral, sewer stubs, and catch basins. However, the only visible utility infrastructure at Fruitland Landing is the generator situated above ground, which ensures facilities continue to operate during power outages. The utility infrastructure at Fruitland Landing is vital to City and County wastewater systems and any applicable development regulations for the property should be based on its primary land use.

The PROS Plan classifies “landings” and “street ends” as mini parks because they offer lake access and passive recreation opportunities as secondary uses. However, the primary use of landings and street ends, as noted previously, is critical utility infrastructure for the water, wastewater, and stormwater systems that serve Mercer Island.

It is a best practice to zone land based on its primary use. In this case, the primary use of landings and street ends is utilities. Application of Parks Zone development regulations to landings and street ends would restrict the ability of staff and utility agencies to operate, maintain, and upgrade utility infrastructure on these properties.

5. Wireless Communications Facilities

Recommendation: The topic of regulating wireless communications facilities in parks was raised at the last PRC. The staff recommend development standards for wireless communications facilities in the Parks Zone similar to the development standards included in the Open Space Zone. The staff also recommend including in the transmittal memo to the Planning Commission and the City Council a statement advocating for limited siting of these facilities in parks, to the extent that City authority allows.

Background: Wireless communications facilities consist of infrastructure that transmits and receives data for wireless services, such as radio and satellite antennas and cell towers. Wireless communications facilities are regulated Citywide in [MICC 19.06.040](#) (macro wireless communications facilities), [MICC 19.06.070](#) (small wireless facilities deployment), and [MICC 19.06.075](#) (small wireless facility deployments design and concealment standards).

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 the City regulates wireless communications facilities should be addressed as a separate and holistic City-wide project due to the many complexities involved with these types of communications. Any change to the City's existing regulatory scheme with respect to wireless communications 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.

6. Other Discussion items

The draft Parks Zone (Exhibit 1) includes draft development standards that address a range of other matters. Staff will be working with the PRC to refine these sections over the course of the next several meetings. The list below summarizes the discussion items for the January 9, 2025, meeting.

- a. Setbacks: The development standard language proposed for setbacks is taken from the Open Space Zone, however, there are a few additional structures in parks that are proposed to be exempt from setbacks in the Parks Zone including bollards, kiosks, and parking areas. Staff are seeking feedback from the PRC on the draft text.
- b. Signs: The development standard language proposed for signs was tailored to address park operation needs, the PRC will need to make a recommendation on the maximum size for signs. Staff are recommending 16 to 18 sq. ft. based on current park operations.
 - i. Signs in the Open Space Zone are limited to a maximum size of 10 sq. ft.
 - ii. There are many signs in parks larger than 10 sq. ft. For example, the sign in the Bike Skills Area is 12 sq. ft. and the notice board at Mercerdale Park is approximately 15 sq. ft.
- c. Scoreboards: Scoreboards likely fall under the definition of a "sign" in City Code and need to be referenced in the Parks Zone since scoreboards are present at athletic fields. The PRC will need to make a recommendation on the maximum size for scoreboards and identify any other regulations they wish to implement. Staff are recommending 200 to 220 sq. ft. as the maximum allowed size.
 - i. The largest scoreboard in the park system is 20 ft. x 10 ft.
- d. Kiosks: Kiosks are present in most parks and provide important information about park use. Kiosks are also used to promote upcoming events, volunteer work parties, and other community programs. The PRC will need to make a recommendation on the maximum size and height for kiosks. Staff are recommending 22 sq. ft as the maximum size and 10 ft. as the maximum height, consistent with the Open Space Zone.
 - i. Kiosks in the Open Space Zone are limited to 15 sq. ft. and 10 ft. in height with an exception for Pioneer Park, where kiosks are limited to 22 sq. ft. and 10 ft. in height.
 - ii. The Luther Burbank Park kiosk is the same model that is located at Pioneer Park. This model of kiosk is the largest in the park system other than the Mountains to Sound kiosk at Aubrey Davis Park, which is 8 ft. 8 in. wide and 4 ft. 5 in. in height.
- e. Trails: The language for trail standards is taken from the Open Space Zone. The PRC will be asked to make a recommendation on maximum trail width.
 - i. Lid bathroom area at widest point: 14 ft.
 - ii. Lid C I-90 trail: 12 ft.
 - iii. Lid I-90 trail WZ5 area path: 12 ft. with a 2 ft. crushed gravel shoulder on each side.
 - iv. Luther Burbank meadow trail: 10 ft. standard, 18 ft. at widest part where trail to beach meets, 14 ft. around bends.
 - v. Luther Burbank area close to the Administrative Building at widest point: 16 ft.

- f. Buildings: The sections on park building development standards is still in progress. The intent of this section is to allow for the larger buildings in Luther Burbank Park to continue to operate in a conforming status by identifying them by name in the Parks Zone with key details included such as size and height. Staff are still working to gather the specific information to populate the table in this section. The PRC will be asked to make a recommendation on development standards for other buildings and structures, which includes restrooms, maintenance buildings, batting cages, etc.
- g. Picnic Shelters: The development standards for picnic shelters are currently proposed at a maximum height of 16 ft. and 1,200 sq. ft. of gross floor area. Staff are seeking feedback on these proposed regulations.
- i. There are currently only two picnic shelters in the parks system (Aubrey Davis Park and Deane’s Children’s Park), but there is high demand for these facilities. The Luther Burbank Park Master Plan calls for the addition of a picnic shelter in the future. The shelter at Deane’s Children’s Park is in poor condition and anticipated for replacement.
 - ii. The picnic shelter at Aubrey Davis Park is 15 ft. tall, 36 ft. long, and 30 ft. wide (1,080 GFA).
 - iii. As picnic shelters are replaced, there is a desire to standardize them, meaning that new shelters will likely be designed and built to match the shelter at Aubrey Davis Park.
- h. Parking: The development standards for parking were drafted to address parking design, ingress and egress, and begin to explore parking minimums and maximums. For example, placeholder language was added to address parking minimums for athletic fields as this specific park use creates high parking demands at park facilities. PRC feedback on “right-sizing” parking requirements is needed to further revise and develop this section of the Parks Zone.
- i. Impervious Surface: The development standards for impervious service are currently proposed to prohibit a “net” increase in impervious surfaces in parks with some exclusions.
- i. Improvements identified in an approved Master Plan are exempt. This allows for the City to undertake a public process to evaluate the addition of a new park amenity. A new spray park, for example, would introduce new impervious service, but if approved via a Master Plan process, would be allowed.
 - ii. Improvements that meet the City’s ADA Transition Plan requirements are proposed to be exempt as these improvements address accessibility requirements to address federal ADA requirements. Accessible parking is included as part of this exemption.
 - iii. Emergency access is exempt to ensure that emergency responders have suitable access to respond to emergencies in parks.
 - iv. Public trails are excluded because any trail that has surfacing other than natural soil is considered impervious. Please note, trail width is proposed to be regulated in the “Trail Standards” section of the development standards.
 - v. Synthetic turf fields are excluded because they are artificial surfaces that contain synthetic, non-living elements. If synthetic turf fields are not exempted, the City is likely to be unable to upgrade existing fields to synthetic turf as it has done in the past. Conversion of natural grass fields to synthetic turf fields increases field capacity and is a long-term strategy to address athletic field demands.
 - vi. Utilities are excluded because they are vital facilities that require impervious surfaces in their construction to operate effectively and efficiently. Many parks have water, sewer, drainage, and other utility systems that are installed in parks out of necessity.

- j. General Outdoor Lighting: The development standards for general outdoor lighting are currently proposed to minimize glare, sky glow, and light trespass onto neighboring properties. This section includes shielding and installation requirements as well as a number of exemptions for lighting that serves specific purposes or is required by state or federal law.
- k. Lighting for Outdoor Performance, Sport and Recreation Facilities, and Play Fields: The development standards for this section are currently proposed to meet the standards of the Illuminating Engineering Society of North America (IESNA), minimize illumination of surrounding areas, and require that lights be turned off when not in use.

NEXT STEPS

The PRC will continue to provide input on the draft Parks Zone development regulations over the course of several meetings. It is currently anticipated that the PRC will provide a recommendation on the draft Parks Zone to the PC in Q2 2025. The PC will then conduct the legislative review process and provide a final recommendation to the City Council regarding amendments to the Comprehensive Plan and MICC. The anticipated PRC meeting schedule for this work is provided below.

- Thursday, January 9, 2025
 - Review Draft Parks Zone: Full Code Review, discussion, and feedback. Reach consensus on items where possible.
- Thursday, February 6, 2025
 - Review Draft Parks Zone: Full Code Review (continued).
 - Test Fit Analysis – Review Applicability of Draft Parks Zone to Existing Parks, identify non-conforming issues and discuss potential resolution.
- Thursday, March 6, 2025
 - Follow-up Discussion on Test-Fit Analysis, revisions to draft Parks Zone if necessary.
 - Review draft Hand-Off Memo to PC.
- Thursday, April 3, 2025
 - Finalize All Materials.
 - Discussion: Next Steps (hand-off to PC, legislative review process, timelines of the Comprehensive Plan annual update and code amendment).

RECOMMENDED ACTION

Review and provide feedback on the draft Parks Zone development regulations.

DRAFT PARKS ZONE

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

- A. *Purpose.* The purpose of the Parks Zone is to preserve and maintain parks which provide green space and recreational, social, and conservation opportunities.
- B. *Parks Zone Designation Requirements.* In addition to the requirements established in [MICC 19.15.240](#), Parks must be owned, leased, or managed by the City of Mercer Island and fulfill the purpose provided in subsection (A) above to qualify for classification as Parks Zone.
- C. *Uses Permitted.* The following land uses are permitted in the Parks Zone. A use not permitted by this section is prohibited.
1. Recreational uses.
 2. Recreational facilities and recreational amenities.
 3. Park maintenance facilities.
 4. Luther Burbank Administrative Building, Luther Burbank Boiler Building, and Luther Burbank Caretakers House.
 5. Public art.
 6. Trails.
 7. Habitat restoration and enhancement as authorized by [Chapter 19.07 MICC](#).
 8. Parking.
 9. Temporary uses and structures compatible with the purpose of the Parks Zone, as authorized by the City Manager or designee.
 10. Wireless communications facilities. (Only if otherwise permitted by [MICC 19.06.040](#), [MICC 19.06.070](#), or [MICC 19.06.075](#)).
 11. Utilities.

MICC 19.05.XXX – Parks Zone Development Standards. [New Subsection]

- A. *Applicability.* The provisions of this section shall apply to all development proposals in the Parks zoning designation.
- B. *Setbacks.*

1. The following minimum setbacks apply:
 - a. Zero (0) feet if adjacent property is zoned PI, OS, TC, PBZ, C-O, or B; and
 - b. Twenty (20) feet if adjacent property is zoned R-8.4, R-9.6, R12, R-15, MF-2L, MF-2, or MF-3.
2. Setbacks are measured from the adjacent property line or the edge of adjacent public rights-of-way.
3. The following developments are exempt from setback requirements: fences, gates, culverts, trails, landscaping, furnishings, bollards, signs, kiosks, and parking areas.

C. Signs and Kiosks.

1. Signs shall be governed by [MICC 19.12.080](#), except as follows:
 - a. Signs shall not exceed [TBD] square feet of surface area. Surface area shall be measured as the part of the sign used to display information.
 - b. Exterior lighted signs are prohibited.
 - c. Natural colors shall be required unless necessary for public health, safety, or maintenance.
2. Scoreboards shall not exceed [TBD] square feet of surface area. Surface area shall be measured as the side of the scoreboard that displays the score. Exterior lighted scoreboards are permitted.
3. Kiosks shall not exceed [TBD] square feet of surface area or [TBD] feet in height. Surface area shall be measured as the portion of the kiosk used/usable for providing information.

D. Trail Standards.

1. Trails shall not exceed [TBD] feet in width.

E. Buildings. (This section to be completed for review at a future meeting)

1. The following requirements apply to buildings in the Parks Zone:

Building	Height Limit	Special Conditions
Luther Burbank Administrative Building		
Luther Burbank Boiler Building		
Luther Burbank Caretakers House		
All other buildings		

2. Flagpoles, antennas, chimneys, mechanical equipment, and rooftop appurtenances do not count toward the building height limit in the Parks Zone.

F. *Picnic shelters.*

1. Picnic shelters shall not exceed [16 feet] in height or [1,200] square feet of gross floor area.

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

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

H. *Impervious Surface.*

1. [No net new impervious surface] is permitted unless it has been included in an adopted Park Master Plan (or similar planning document that includes a public process and City Council approval), the City of Mercer Island Americans with Disabilities Act (ADA) Plan, or specifically exempted by this section, and stormwater and other applicable requirements are met. The following uses are exempt:
 - a. Emergency vehicle lanes not available for public use.
 - b. ADA Parking.
 - c. Public trails.
 - d. Synthetic turf athletic fields.
 - e. Utilities.

I. *Lighting.*

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

- 2. The following lighting types are exempt from this requirement:
 - a. Lighting within a public right-of-way or easement for the purpose of illuminating roads, trails, or pedestrian ways.
 - b. Lighting fixtures existing prior to the effective date of this section and the repair of the same.
 - c. Emergency lighting.
 - d. Pathway and landscaping lighting fixtures producing less than 200 lumens.
 - e. Temporary seasonal lighting.
 - f. Lighting required by state or federal law.

J. *Lighting for Outdoor Performance, Sport and Recreation Facilities, and Play Fields.*

- 1. Lighting levels for outdoor performance areas, sport and recreation facilities, and play fields shall not exceed by more than five percent the Illuminating Engineering Society of North America (IESNA) published standards for the proposed activity.
- 2. Where playing fields or other special activity areas are to be illuminated, lighting fixtures shall be mounted, aimed, and shielded so that their beams fall within the primary playing area and immediate surroundings, and so that no direct illumination is directed off the site.
- 3. Lighting shall be turned off as soon as possible after the conclusion of an event and shall not remain on for more than 30 minutes following its end.
- 4. All lighting shall be equipped with timers to automatically extinguish lights, ensuring that facilities are not illuminated when not in use.

MICC 19.16.010 – Definitions

[...]

Athletic Field. A developed field for organized sports, such as and not limited to, baseball, softball, soccer, lacrosse, and football.

[...]

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

[...]

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

[...]

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

[...]

Park Maintenance Facilities. Park developments that serve operational or park maintenance purposes such as and not limited to buildings and sheds.

[...]

Public Art. Art that is installed in public spaces for the purpose of community enjoyment and enrichment. Public Art is visually and physically accessible to the public and embodies public or universal concepts rather than commercial, partisan, or personal interests.

[...]

Park Maintenance. Activities performed to ensure parks are clean, safe, and operational. Park maintenance includes activities such as infrastructure repair, cleaning, landscaping, and litter removal.

[...]

Recreational Amenities. Furnishings or developments that are provided to supplement recreational uses or enhance recreational facilities, such as and not limited to, picnic tables, picnic shelters, benches, bleachers, barbecues, outdoor exercise equipment, lighting, electronic and manual scoreboards, and waste receptacles. Recreational Amenities also include all amenities addressed by the definition of Passive Recreational Amenities.

[...]

Recreational Facilities. Buildings, structures, or developments that are provided specifically for recreational uses, such as and not limited to, restrooms, playgrounds, picnic shelters, concession stands, athletic fields, sport courts, playgrounds, batting cages, bullpens, skateparks, bike skills areas, community gardens, spray parks, amphitheaters, swimming areas, docks, piers, and boat launches.

[...]

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

[...]

MICC 19.01.040 – Zone Establishment

A. Zones.

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

- B. The location and boundaries of the various zones of the city are shown and delineated on the city of Mercer Island Zoning Map which is included in appendix D of this development code and is incorporated herein by reference.
- C. The location and boundaries of the various zones as hereafter determined by the city council shall be shown and delineated on zone maps covering portions of the city, each of which shall be a part of this Code either by adoption as a part hereof or by amendment hereto.
- D. Each zone map and all notations and other information shown therein shall become part of this Code.
- E. A zone map may be divided into parts and each part may, for purposes of identification, be subdivided into units. Such parts may be separately and successively adopted by means of an amendment of this Code and, as adopted, such zone map, or its parts, shall become a part of this Code.
- F. Changes in the boundaries of a zone shall be made by ordinance adopting an amended map, or part of said zone map.
- G. When uncertainty exists as to the boundaries of any zones shown on any zone map, the following rules shall apply:
 - 1. Boundaries shown on a map as approximately following street lines or lot lines shall be construed as actually following such lines.
 - 2. Where a boundary between zones divides a lot into two or more pieces, the entire lot shall be deemed to be located in the first zone on the following list in which any part of the lot is located: R-15, R-12, R-9.6, R-8.4, MF-2L, MF-3, MF-2, P, OS, PI, PBZ, C-O, TC, and B. The

location of the zone boundary shall be determined by use of the scale appearing on the zone map unless the location of the boundary is indicated by dimensions.

3. Where property abuts Lake Washington, the land use classification of the upland property extends waterward across the abutting shorelands and beds to the line of navigability/inner harbor line as established in 1984 by the board of natural resources by Resolution No. 461.
4. In case any uncertainty exists, the planning commission shall recommend and the city council shall determine the location of boundaries.
5. Where a public street is officially vacated or abandoned, the land use classification applicable to the abutting property shall apply to such vacated or abandoned street. If a vacated street forms the boundary between two or more zones, the land use classifications of each abutting zone shall extend to the mid-point of the vacated street unless the planning commission recommends and the city council decides otherwise.

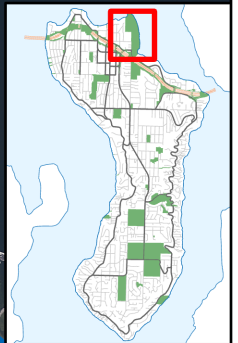
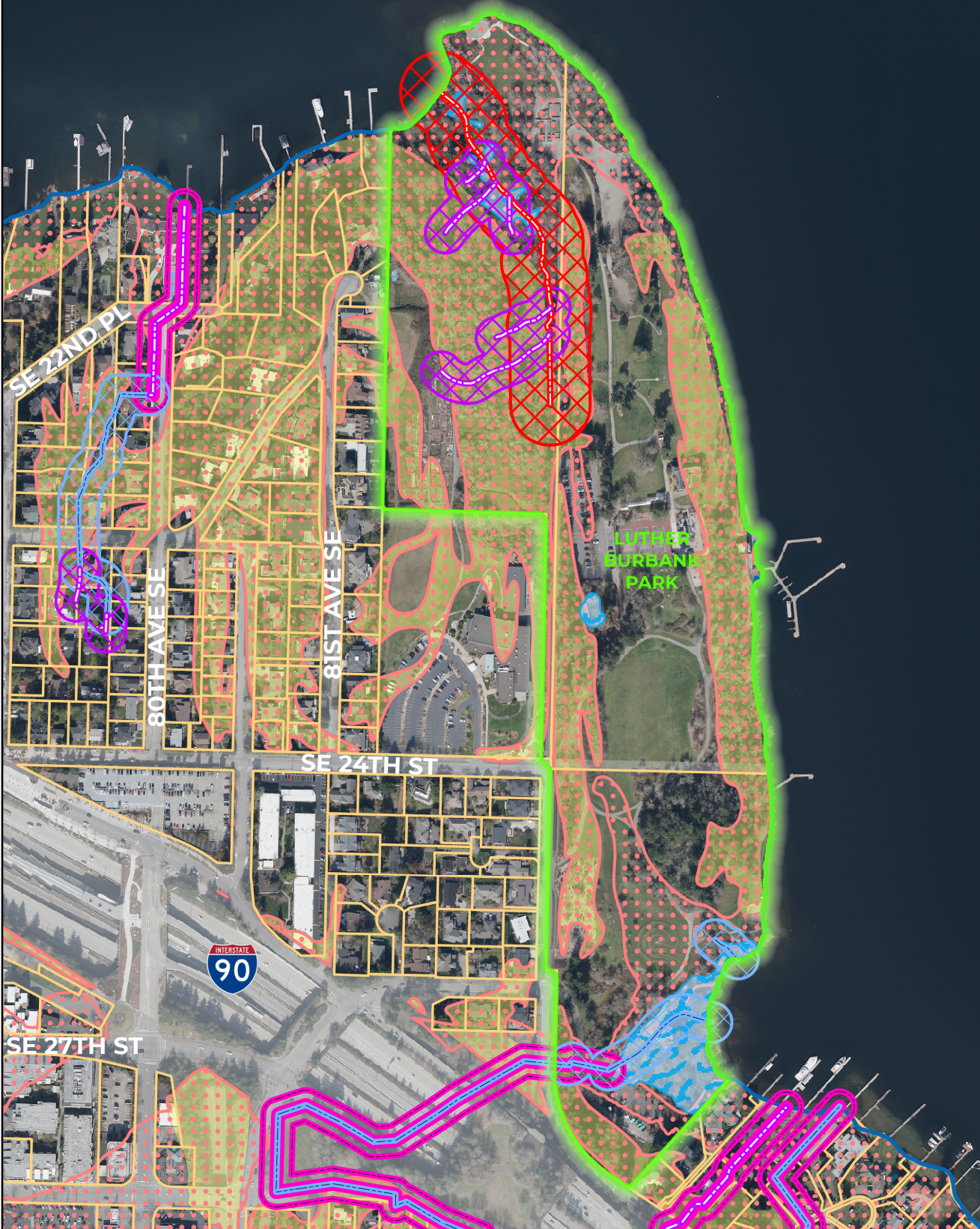
H. Except as hereinafter provided:


1. No land, building, structure or premises shall be used for any purpose or in any manner other than a use listed in this Code, or amendments thereto, for the zone in which such land, building, structure or premises is located.
2. No building or structure shall be erected nor shall any building or structure be moved, altered, enlarged or rebuilt, nor shall any open spaces surrounding any building or structure be encroached upon or reduced in any manner, except in conformity with the requirements of this development code or amendments thereto.
3. No yard or other open spaces provided about any building or structure, for the purpose of complying with the regulations of this Code or amendments thereto shall be considered as providing a yard or open space for any other building or structure.



LUTHER BURBANK PARK CRITICAL AREA







Item 3.



 Luther Burbank Park Boundary

 Parcel Line

WATERCOURSE:

-  Type "F" = Fish, 120-ft buffer
-  Type "Np" = Non-Fish, 60-ft buffer
-  Type "Ns" = Non-Fish Seasonal, 60-ft buffer
-  Type "Np" (Unverified), 60-ft buffer
-  Type "Ns" (Unverified), 60-ft buffer
-  Piped Type F/Np/Ns = 45-ft setback

 Wetland

 Potential Slide

 Steep Slope

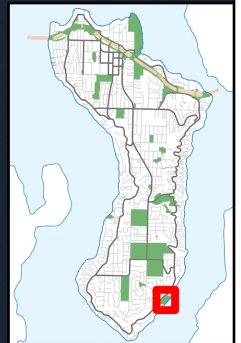
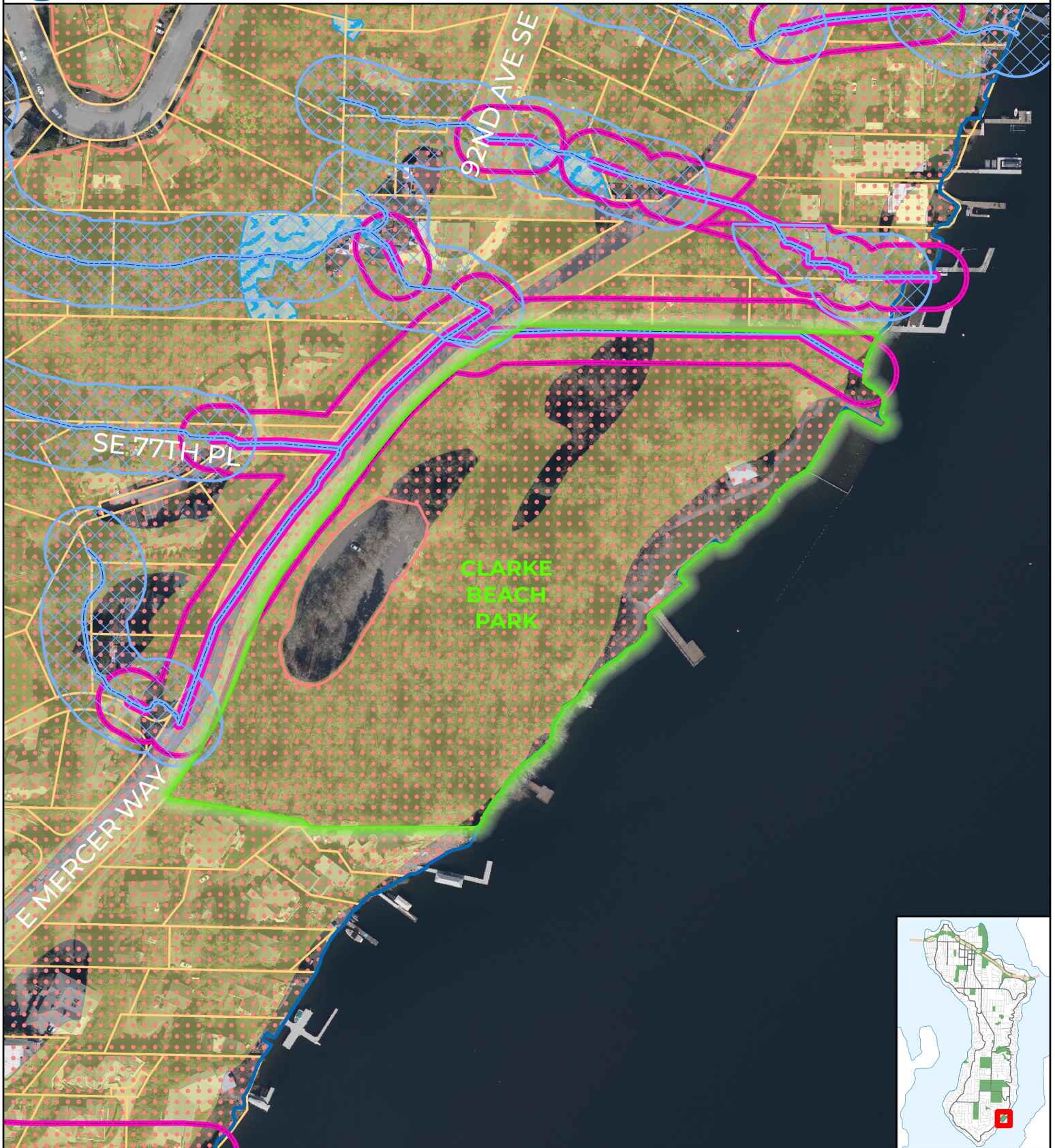
 Erosion
















Map Date: 12/31/2024
 OpenSpaceParksAerial.aprx.
 Map: Park & OS Aerial with Critical
 Layout: LutherBurbankOSAerialWithCritical
 Aerial: March 2023



CLARKE BEACH PARK CRITICAL AREAS Item 3.

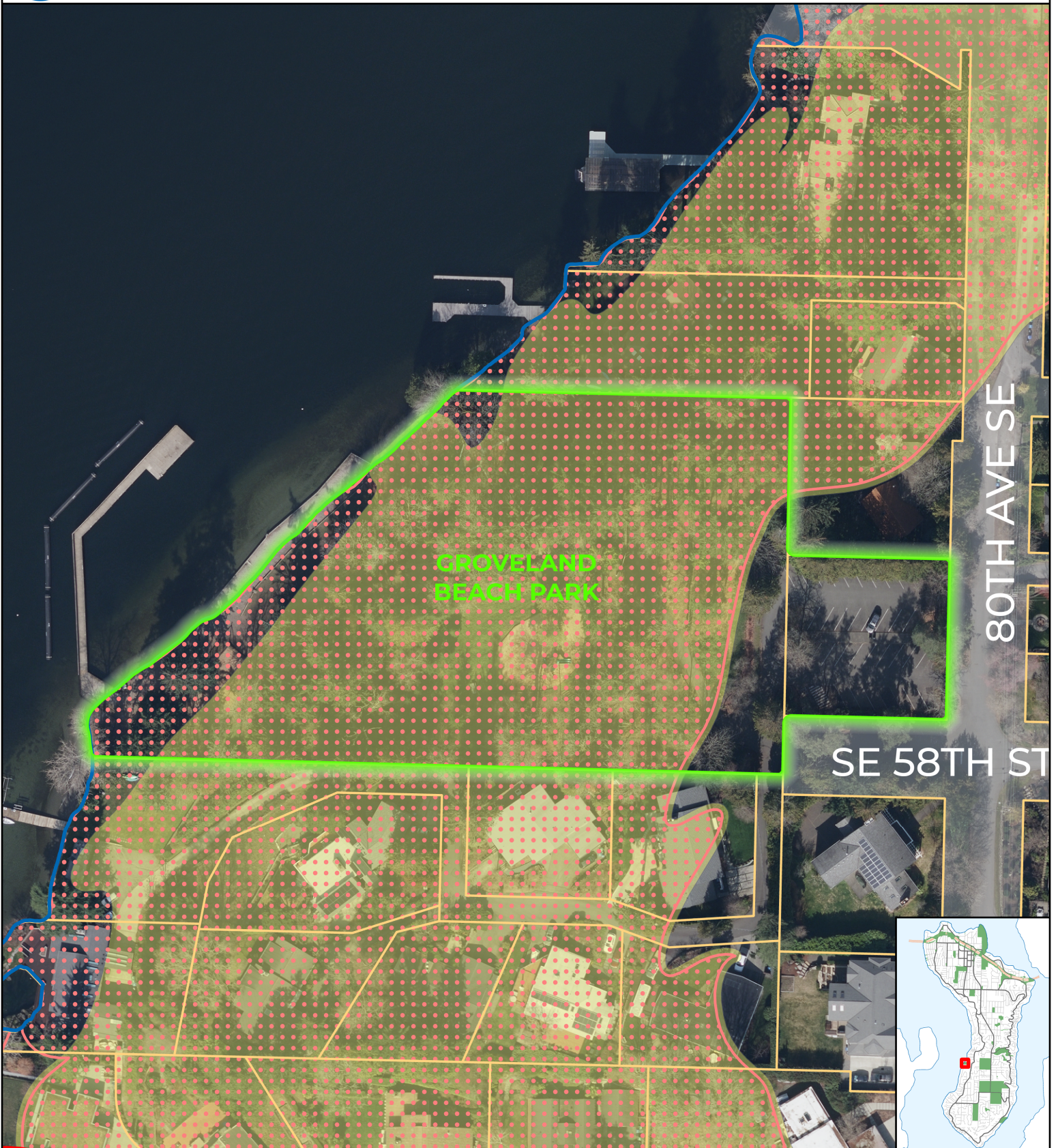


 Clarke Beach Park Boundary  Parcel Line <div style="border: 1px solid black; padding: 2px; width: 20px; text-align: center; margin-top: 5px;">36</div>	<p>WATERCOURSE:</p>  Type "F" = Fish, 120-ft buffer  Type "Np" = Non-Fish, 60-ft buffer  Type "Ns" = Non-Fish Seasonal, 60-ft buffer  Type "Np" (Unverified), 60-ft buffer  Type "Ns" (Unverified), 60-ft buffer  Piped Type F/Np/Ns = 45-ft setback	 Wetland  Potential Slide  Steep Slope  Erosion	<p>N</p>  Information & Geographic Services Map Date: 12/31/2024 OpenSpaceParksAerial.aprx. Map: Park & OS Aerial with Critical Layout: ClarkbeOSAerialWithCritical Aerial: March 2023
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GROVELAND BEACH PARK CRITICAL AREA

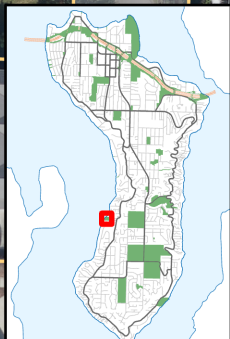
Item 3.



GROVELAND BEACH PARK

80TH AVE SE

SE 58TH ST



Groveland Beach Park Boundary

Parcel Line

WATERCOURSE:

- Type "F" = Fish, 120-ft buffer
- Type "Np" = Non-Fish, 60-ft buffer
- Type "Ns" = Non-Fish Seasonal, 60-ft buffer
- Type "Np" (Unverified), 60-ft buffer
- Type "Ns" (Unverified), 60-ft buffer
- Piped Type F/Np/Ns = 45-ft setback

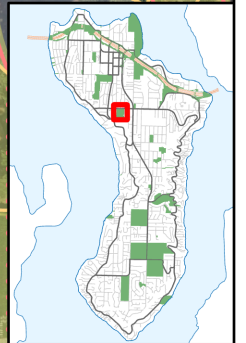
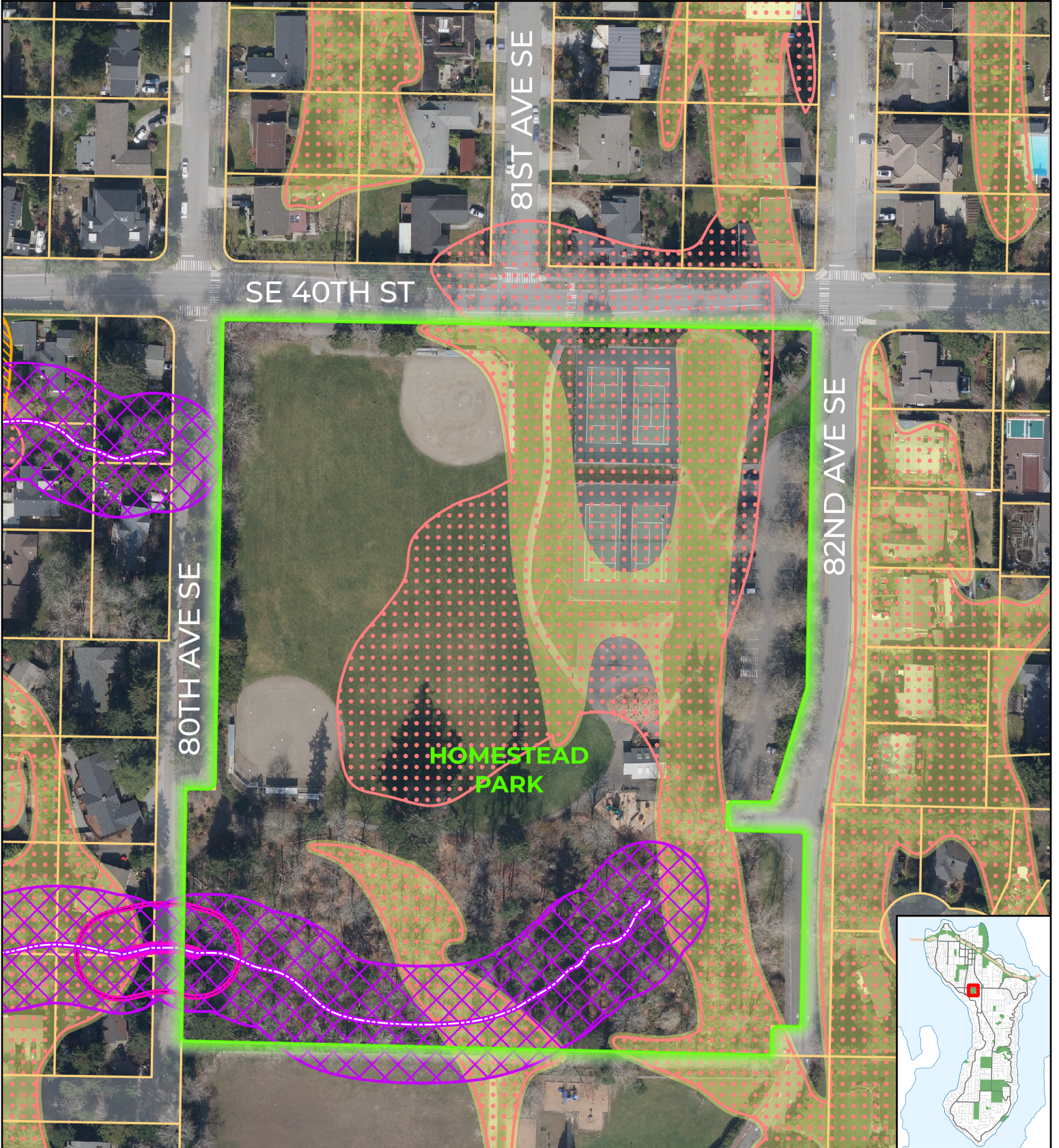
- Wetland
- Potential Slide
- Steep Slope
- Erosion

N Information & Geographic Services
 Map Date: 12/31/2024
 OpenSpaceParksAerial.aprx.
 Map: Park & OS Aerial with Critical
 Layout: GrovelandBeachOSAerialWithCritical
 Aerial: March 2023















HOMESTEAD PARK CRITICAL AREAS



Item 3.



WATERCOURSE:

-  Homestead Park Boundary
-  Type "F" = Fish, 120-ft buffer
-  Type "Np" = Non-Fish, 60-ft buffer
-  Type "Ns" = Non-Fish Seasonal, 60-ft buffer
-  Type "Np" (Unverified), 60-ft buffer
-  Type "Ns" (Unverified), 60-ft buffer
-  Piped Type F/Np/Ns = 45-ft setback
-  Parcel Line

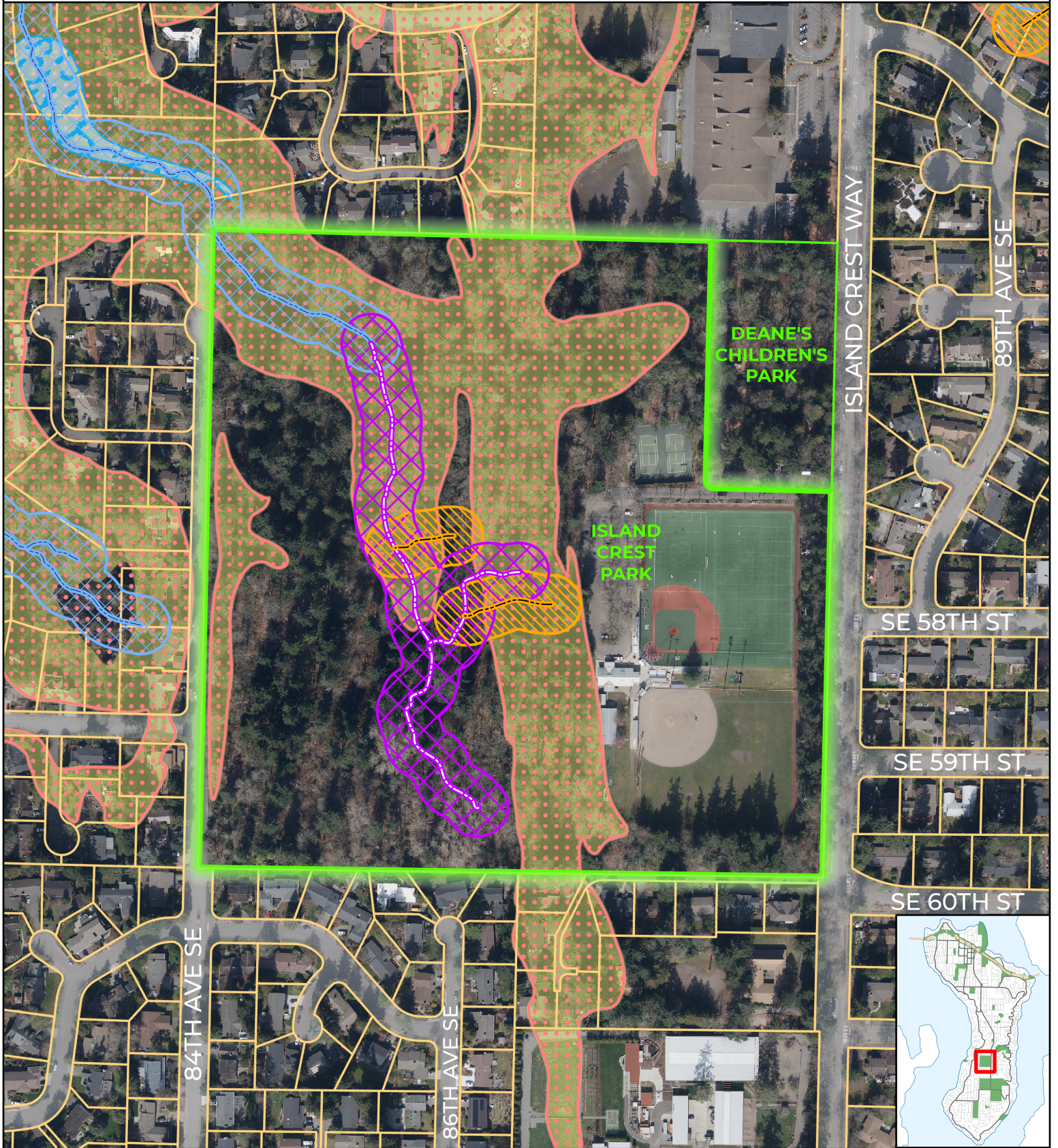
-  Wetland
-  Potential Slide
-  Steep Slope
-  Erosion






 Information & Geographic Services
 Map Date: 12/31/2024
 OpenSpaceParksAerial.aprx.
 Map: Park & OS Aerial with Critical
 Layout: HomesteadOSAerialWithCritical
 Aerial: March 2023









ISLAND CREST PARK CRITICAL AREAS

Item 3.



-  Island Crest Park Boundary
-  Park
-  Parcel Line

WATERCOURSE:

-  Type "F" = Fish, 120-ft buffer
-  Type "Np" = Non-Fish, 60-ft buffer
-  Type "Ns" = Non-Fish Seasonal, 60-ft buffer
-  Type "Np" (Unverified), 60-ft buffer
-  Type "Ns" (Unverified), 60-ft buffer
-  Piped Type F/Np/Ns = 45-ft setback

-  Wetland
-  Potential Slide
-  Steep Slope
-  Erosion

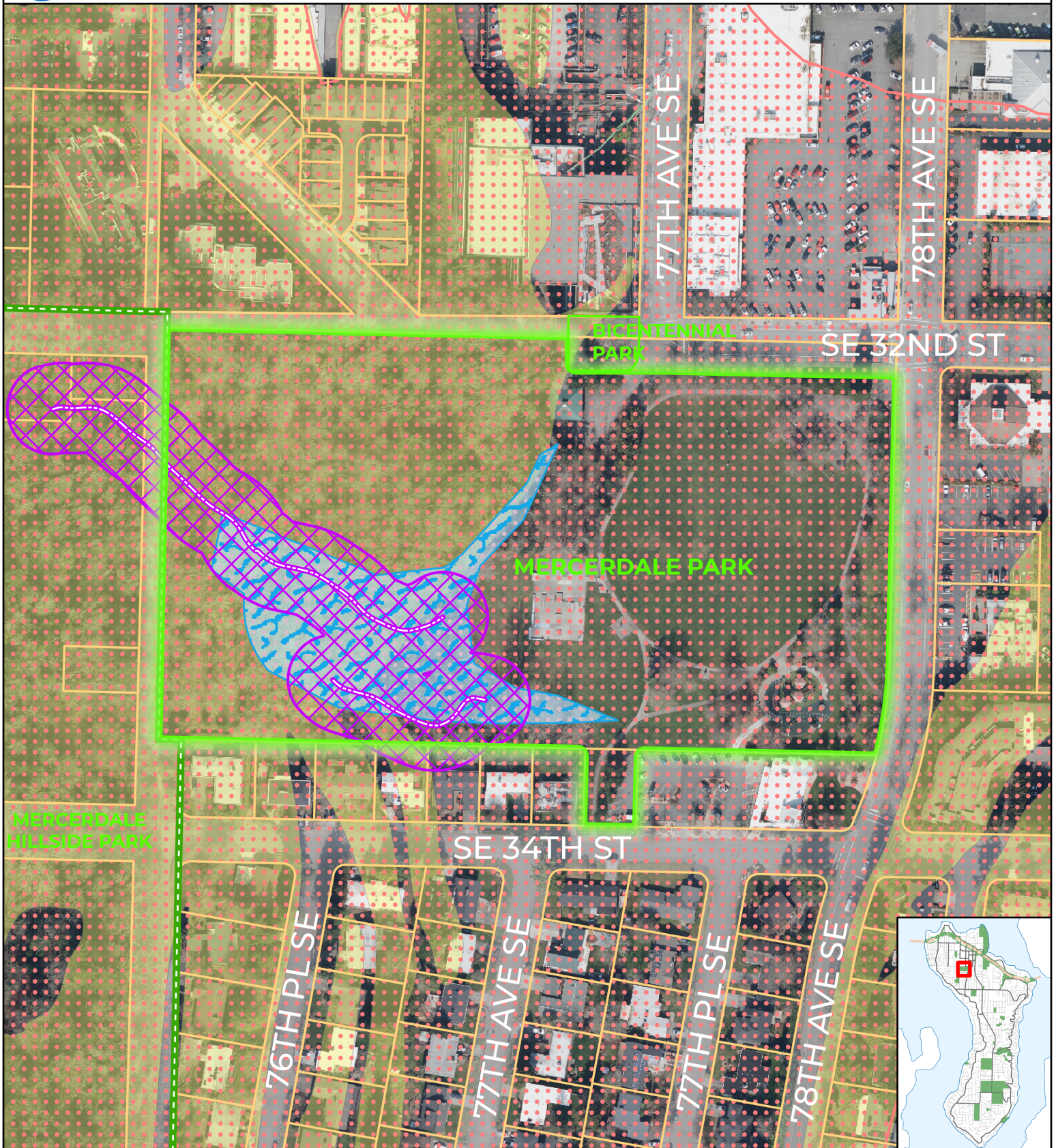


 Information & Geographic Services
 Map Date: 12/31/2024
 OpenSpaceParksAerial.aprx.
 Map: Park & OS Aerial with Critical
 Layout: IslandCrestOSAerialWithCritical
 Aerial: March 2023



MERCERDALE PARK CRITICAL AREAS

Item 3.



MERCERDALE HILLSIDE PARK

BICENTENNIAL PARK

MERCERDALE PARK

SE 34TH ST

SE 32ND ST

77TH AVE SE

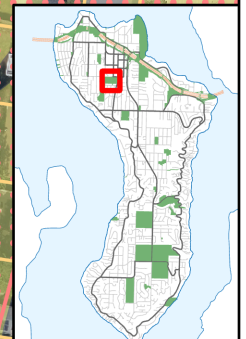
78TH AVE SE






76TH PLSE







77TH AVE SE

77TH PLSE

78TH AVE SE



-  Mercerdale Park Boundary
-  Open Space
-  Park
-  40
-  Parcel Line

- WATERCOURSE:**
-  Type "F" = Fish, 120-ft buffer
 -  Type "Np" = Non-Fish, 60-ft buffer
 -  Type "Ns" = Non-Fish Seasonal, 60-ft buffer
 -  Type "Np" (Unverified), 60-ft buffer
 -  Type "Ns" (Unverified), 60-ft buffer
 -  Piped Type F/Np/Ns = 45-ft setback

-  Wetland
-  Potential Slide
-  Steep Slope
-  Erosion

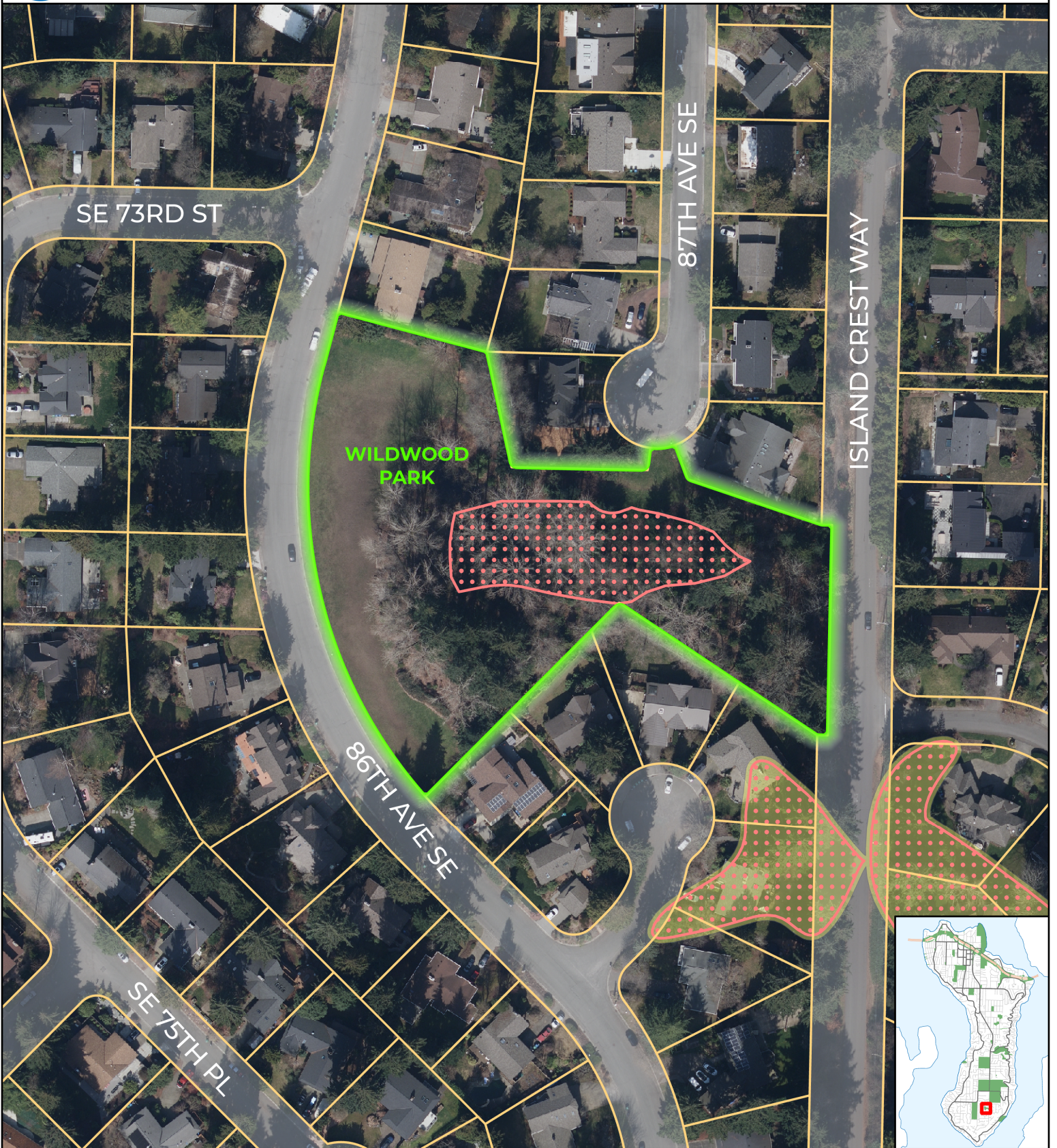


 Information & Geographic Services
 Map Date: 12/31/2024
 OpenSpaceParksAerial.aprx.
 Map: Park & OS Aerial with Critical
 Layout: MercerdaleOSAerialWithCritical
 Aerial: March 2023



WILDWOOD PARK & CRITICAL AREAS

Item 3.









 Wildwood Park Boundary

 Parcel Line

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WATERCOURSE:

-  Type "F" = Fish, 120-ft buffer
-  Type "Np" = Non-Fish, 60-ft buffer
-  Type "Ns" = Non-Fish Seasonal, 60-ft buffer
-  Type "Np" (Unverified), 60-ft buffer
-  Type "Ns" (Unverified), 60-ft buffer
-  Piped Type F/Np/Ns = 45-ft setback

 Wetland

 Potential Slide

 Steep Slope

 Erosion

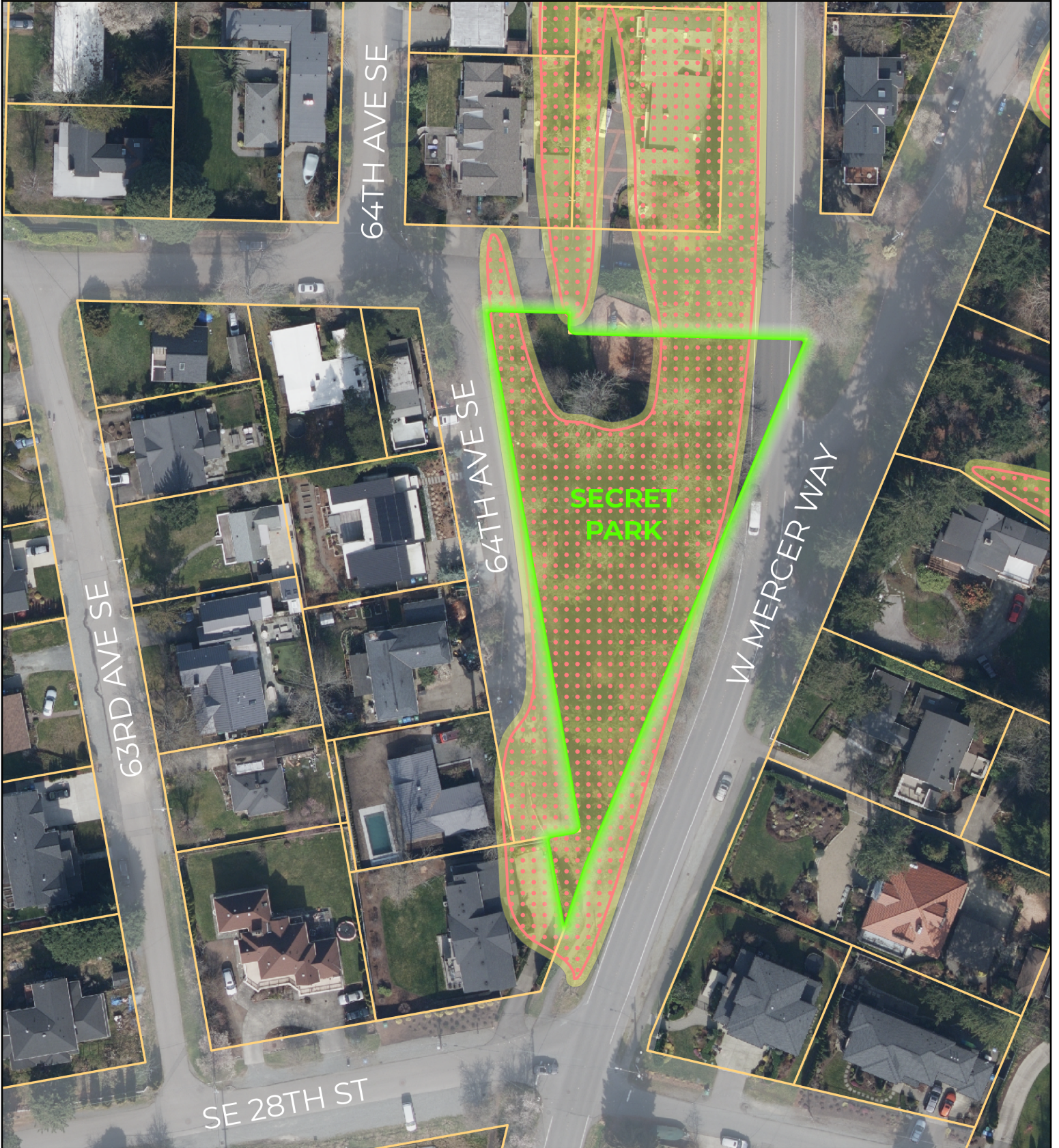


Information & Geographic Services
 Map Date: 12/31/2024
 OpenSpaceParksAerial.aprx.
 Map: Park & OS Aerial with Critical
 Layout: WildwoodOSAerialWithCritical
 Aerial: March 2023



SECRET PARK CRITICAL AREAS

Item 3.



Secret Park Boundary	WATERCOURSE:	<ul style="list-style-type: none"> Type "F" = Fish, 120-ft buffer Type "Np" = Non-Fish, 60-ft buffer Type "Ns" = Non-Fish Seasonal, 60-ft buffer Type "Np" (Unverified), 60-ft buffer Type "Ns" (Unverified), 60-ft buffer Piped Type F/Np/Ns = 45-ft setback 	<ul style="list-style-type: none"> Wetland Potential Slide Steep Slope Erosion
Parcel Line	<div style="display: flex; align-items: center;"> <div style="margin-right: 10px;"> </div> <div style="text-align: center;"> <p>Information & Geographic Services</p> <p>Map Date: 12/31/2024</p> <p>OpenSpaceParksAerial.aprx.</p> <p>Map: Park & OS Aerial with Critical</p> <p>Layout: SecretOSAerialWithCritical</p> <p>Aerial: March 2023</p> </div> </div>		



Parks Zone

PRC 25-01
January 9, 2025





Agenda

- Staff Presentation:
 - Discussion Item #1: Art in the Parks Zone
 - Discussion Item #2: Aubrey Davis Park
 - Discussion Item #3: Park Critical Areas
 - Discussion Item #4: Landings and Street Ends
 - Discussion Item #5: Wireless Communications Facilities
 - Discussion Item #6: Other Discussion Items
- Review and Discussion: Draft Parks Zone Development Regulations



Discussion Item #1: Art in the Parks Zone



Art in the Parks Zone

- Staff attended the November 18, 2024, Arts Council meeting to present information on the Parks Zone.
- The Arts Council unanimously approved a motion recommending public art as a permitted use without any accompanying development standards (specific to art).
- The Arts Council is in the process of updating their Six-Year Public Art Work Plan and may consider recommending additional policies or guidelines for public art installations as part of the work plan update.



Art in the Parks Zone (continued)

- **Open Space Zoning Regulations:** Art is not identified as a permitted use in the recently adopted Open Space Zone.
 - Existing art in the Open Space Zone is "grandfathered in."
- Currently, there are approximately 35 art installations in the Mercer Island parks system.
- **Recommendation:** Include public art as an allowable use in the Parks Zone without specific development regulations (e.g. do not restrict height, size, etc.). Other development regulations would still apply such as setbacks, lighting, etc.





Discussion Item #2: Aubrey Davis Park



Aubrey Davis Park

- Aubrey Davis Park was built in 1992 to mitigate impacts from the reconstruction of I-90.
- Aubrey Davis Park encompasses 90+ acres within a 2.8-mile-long transportation corridor owned by the Washington State Department of Transportation (WSDOT).
- The I-90 corridor has been in the Public Institution Zone ([MICC 19.05.010](#)) since 1987, when the City amended its Development Code and Comprehensive Plan to prepare for the reconstruction of I-90.



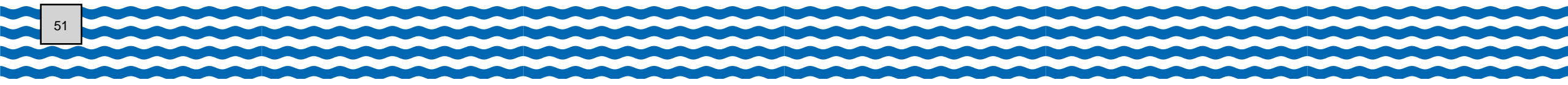
Aubrey Davis Park (continued)

- WSDOT executed several turnback and maintenance agreements with the City in the 1980s to permit the construction of recreation facilities within the WSDOT right-of-way to be maintained by the City.
- The City's airspace lease with WSDOT to maintain Aubrey Davis Park was executed in 1994 with a 40-year term expiring in 2034.
- The lease may be terminated by WSDOT on immediate notice for transportation emergencies, and terminated without penalty for transportation purposes, emergency, or default provisions.



Aubrey Davis Park (continued)

- **RCW 47.01.260(1):** “The department of transportation shall exercise all the powers and perform all the duties necessary, convenient, or incidental to the planning, locating, designing, constructing, improving, repairing, operating, and maintaining state highways, including bridges and other structures, culverts, and drainage facilities and channel changes necessary for the protection of state highways...”
- WSDOT has preemptive authority to exercise all powers over the state highway system, meaning the City has no authority to adopt conflicting provisions regarding state highways, including development regulations.
- **Recommendation:** Aubrey Davis Park should remain zoned as “Public Institution”.





Discussion Item #3: Park Critical Areas



Park Critical Areas

- The PROS Plan identifies eight parks with critical areas (Luther Burbank, Clarke Beach, Groveland Beach, Homestead, Island Crest, Mercerdale, Wildwood, and Secret).
- Critical Areas include:
 - Geologically Hazardous Areas
 - Fish and Wildlife Habitat Conservation Areas
 - Watercourses
 - Wetlands
 - Shorelines
- Critical Areas are regulated by:
 - MICC Chapter 19.07 – Environment
 - MICC Chapter 19.13 – Shoreline Master Program
 - State and Federal Law



Park Critical Areas (continued)

Geologically Hazardous Areas (MICC 19.07.160)

- Lands that are susceptible to erosion, landslides, seismic events, or other factors.
- Development proposals require completion of a critical area study documenting no adverse impacts to critical areas, the subject property, or adjacent properties.
- Development proposals must identify mitigation strategies for critical area impacts.
- Landslide hazard areas, seismic hazard areas, and erosion hazard areas each have specific development standards (critical area study requirements, buffer regulations, Trail regulations, etc.)



Park Critical Areas (continued)

Fish and Wildlife Habitat Conservation Areas (MICC 19.07.170)

- Fish and wildlife habitat conservation areas include:
 - Areas associated with state or federally listed endangered or threatened species
 - Priority habitats and Species (PHS) identified by the WA State Department of Fish and Wildlife
 - Bald eagle habitats
 - Watercourses and wetlands
 - Biodiversity areas.
- Development proposals must submit a critical area study identifying endangered or threatened species and their habitats.
- Critical area studies must evaluate potential impacts on habitats and adequately mitigate those impacts.



Park Critical Areas (continued)

Watercourses (MICC 19.07.180)

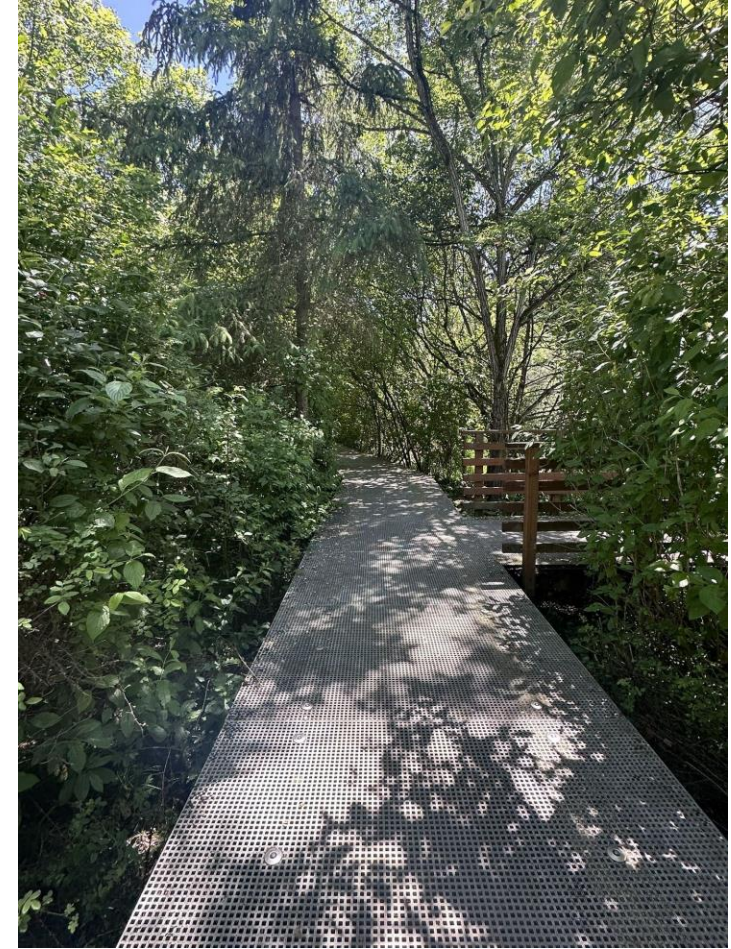
- Watercourses are streams and constructed water channels consisting of the following:
 - Type S – Shorelines of the State
 - Type F – Fish habitat
 - Type Np – Non-fish habitat
 - Type Ns – Non-fish, seasonal
 - Piped
- Development within watercourses and their buffers is prohibited unless specific exemptions apply.
- Critical area studies are required for development proposals for land with watercourses or their buffers.
- Each type has unique buffers and setbacks along with additional regulations for trails and watercourse crossings



Park Critical Areas (continued)

Wetlands (MICC 19.07.190)

- Wetlands are areas saturated or covered by water that support vegetation adapted for life in saturated soil conditions.
- Wetlands are designated according to adopted federal and state manuals and classified in four categories each with unique buffers and development standards.
- Critical area studies must include wetland rating forms, a demonstration of impact on ecological function, and a mitigation plan.
- Development proposals must specifically demonstrate lack of disturbances to the wetland associated with lights, noise, toxic runoff, stormwater runoff, etc.



Park Critical Areas (continued)

Shorelines (MICC Chapter 19.13)

- The Shoreline Master Program (SMP) is adopted pursuant to State authority and requirements in RCW Chapter 90.58 and WAC Chapter 173-26.
- The SMP includes detailed regulations for an extensive list of uses within shoreline jurisdiction along with development standards that regulate setbacks, height limits for structures, hardscapes, and other standards.
- Additional requirements are provided for moorage facilities and development in or above the water including overwater structures, breakwaters, jetties, piers, docks, etc.



Park Critical Areas (continued)

- A question was posed about the possibility of split-zoning park properties to include park critical areas in the Open Space Zone.
- The MICC addresses situations where a boundary between zones divides a lot. In such cases, the entire lot must be assigned a single zone:
 - “Where a boundary between zones divides a lot into two or more pieces, the entire lot shall be deemed to be located in the first zone on the following list in which any part of the lot is located: R-15, R-12, R-9.6, R-8.4, MF-2L, MF-3, MF-2, PI, PBZ, C-O, TC, and B. The location of the zone boundary shall be determined by use of the scale appearing on the zone map unless the location of the boundary is indicated by dimensions.”
- Environmental protections sought by the split-zoning proposal are provided in existing City, State, and Federal regulations.
- **Recommendation:** Staff do not recommend further consideration of split-zoning park properties.



Discussion Item #4: Landings and Street Ends



Landings and Street Ends

- The primary use of landings and street ends is critical utility infrastructure for water, wastewater, and stormwater systems that serve Mercer Island.
- The PROS Plan classifies landings and street ends as mini parks because they offer secondary uses of passive recreation and lake access.
- Parks Zone development regulations would restrict the ability of staff and utility agencies to operate, maintain, and upgrade utility infrastructure.
- **Recommendation:** landings and street ends should not be included in the Parks Zone. The policies that guide their secondary uses should continue (see PROS Plan).





Discussion item #5: Wireless Communications Facilities



Wireless Communications Facilities

- Wireless communications facilities consist of infrastructure that transmits and receives data for wireless services, such as radio and satellite antennas and cell towers.
- Wireless communications facilities are regulated Citywide in the MICC:
 - MICC 19.06.040 (macro wireless communications facilities)
 - MICC 19.06.070 (small wireless facilities deployment)
 - MICC 19.06.075 (design and concealment standards)



Wireless Communications Facilities (continued)

- Local zoning regulation of wireless communication facilities is severely constrained by state and federal law and regulations promulgated by the Federal Communications Commission (FCC).
- Any changes to how the City 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.
- **Recommendation:** propose wireless communications facility regulations similar to the regulations in the Open Space Zone.



Discussion Item #6: Other Discussion Items



Other Discussion Items

- **Setbacks**: The development standard language proposed for setbacks is taken from the Open Space Zone with a few additional structures in parks that are proposed to be exempt from setbacks including bollards, kiosks, and parking areas.



Other Discussion Items

- **Signs:** The development standards proposed for signs was tailored to address park operation needs. Staff are recommending 16 to 18 sq ft. based on current park operations.
- **Open Space Zone:** signs are limited to 10 sq. ft.
- Many existing signs in parks are larger than 10 sq. ft.
 - Bike Skills Area sign: 12 sq. ft.
 - Mercerdale Park noticeboard: 15 sq. ft.



Other Discussion Items

- **Scoreboards:** Scoreboards likely fall under the definition of a “sign” in City Code and need to be referenced in the Parks Zone since scoreboards are present at athletic fields. Staff are recommending 200 to 220 sq. ft. as the maximum allowed size.
- The largest scoreboard in the park system is 20 ft. x 10 ft.



Other Discussion Items

- **Kiosks:** Kiosks are present in most parks and provide important information about park use and events. Staff are recommending 22 sq. ft. as the maximum size and 10 ft. as the maximum height, consistent with the Open Space Zone.
- Kiosks in the Open Space Zone are limited to 15 sq. ft. and 10 ft. in height with an exception for Pioneer Park, where kiosks are limited to 22 sq. ft. and 10 ft. in height.
- The Luther Burbank Park kiosk is the same model that is located at Pioneer Park. This model of kiosk is the largest in the park system other than the Mountains to Sound kiosk at Aubrey Davis Park, which is 8 ft. 8 in. wide and 4 ft. 5 in. in height.



Other Discussion Items

- **Trails:** The language for trail standards is taken from the Open Space Zone.
- Trail width examples:
 - Lid bathroom area at widest point: 14 ft.
 - Lid C I-90 trail: 12 ft.
 - Lid I-90 trail WZ5 area path: 12 ft. with a 2 ft. crushed gravel shoulder on each side.
 - Luther Burbank meadow trail: 10 ft. standard, 18 ft. at widest part where trail to beach meets, 14 ft. around bends.
 - Luther Burbank area close to the Admin Building at widest point: 16 ft.



Other Discussion Items

- **Buildings:** the building development standards are still in progress. The intent of this section is to allow for the larger buildings in Luther Burbank Park to continue to operate in a conforming status by identifying them by name in the Parks Zone with key details included such as size and height.
- Staff are still working to gather the specific information to populate the table in this section.
- The PRC will be asked to make a recommendation on development standards for other buildings and structures, which includes restrooms, maintenance buildings, batting cages, etc.



Other Discussion Items

- **Picnic Shelters:** The development standards for picnic shelters are proposed at a maximum height of 16 ft. and 1,200 sq. ft. of gross floor area.
- There are currently only two picnic shelters in the parks system (Aubrey Davis Park and Deane's Children's Park), but there is high demand for these facilities.
- The Luther Burbank Park Master Plan calls for the addition of a picnic shelter in the future. The shelter at Deane's Children's Park is in poor condition and anticipated for replacement.
 - The picnic shelter at Aubrey Davis Park is 15 ft. tall, 36 ft. long, and 30 ft. wide (1,080 GFA).



Other Discussion Items

- **Parking:** The development standards for parking were drafted to address parking design, ingress and egress, and begin to explore parking minimums and maximums.
- Placeholder language was added to address parking minimums for athletic fields as this specific park use creates high parking demands at park facilities.
- PRC feedback on “right-sizing” parking requirements is needed to further revise and develop this section of the Parks Zone.



Other Discussion Items

- **Impervious Surface**: Impervious surface standards are proposed to prohibit a “net” increase in impervious surfaces in parks with some proposed exemptions:
 - Approved Master Plan improvements are exempt. This allows for the City to undertake a public process to evaluate the addition of a new park amenity.
 - ADA Transition Plan improvements are exempt to accommodate federal ADA requirements including accessible parking.
 - Emergency access is exempt to ensure that emergency responders have suitable access to respond to emergencies in parks.
 - Public trails are exempt because surfacing other than natural soil is impervious.
 - Synthetic turf fields are exempt because conversion of natural grass fields to synthetic turf increases field capacity and is a long-term strategy to address athletic field demands
 - Utilities are exempt because they are vital facilities that require impervious surfaces to operate efficiently and effectively.

Other Discussion Items

- **General Outdoor Lighting:** The development standards for general outdoor lighting are proposed to minimize glare, sky glow, and light trespass onto neighboring properties. This section includes shielding and installation requirements as well as exemptions for lighting that serves specific purposes or is required by state or federal law.
- **Lighting for Outdoor Performance, Sport and Recreation Facilities, and Play Fields:** The development standards for this section are proposed to meet the standards of the Illuminating Engineering Society of North America (IESNA), minimize illumination of surrounding areas, and require that lights be turned off when not in use.



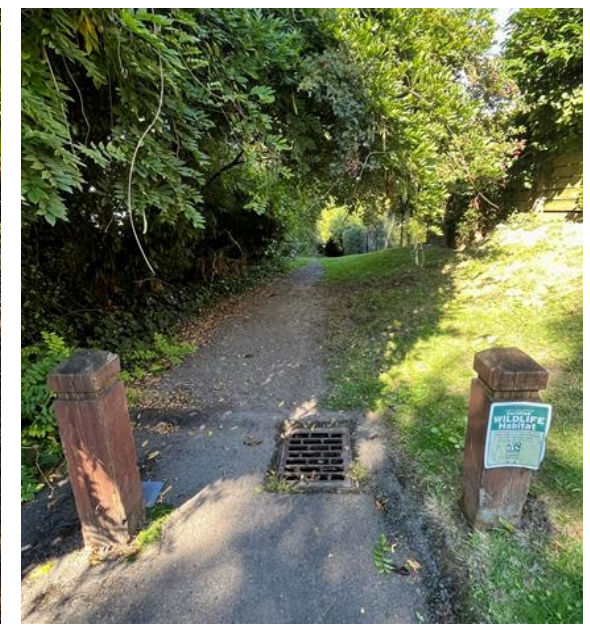
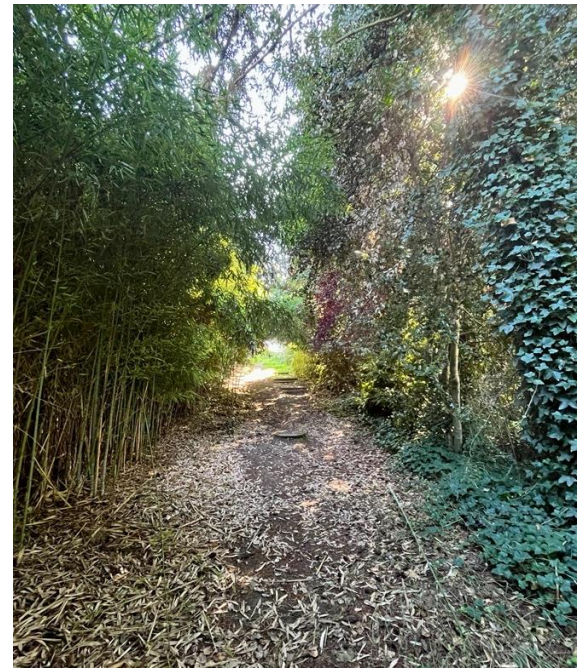


Photos: Landings and Street Ends



77th Ave SE Landing

- Joint-use sewer services (2)
- Sewer stub (1)
- Storm main (1)
- Catch basins (5)



Calkins Landing

- Sediment vault (1)
- Storm mains (2)
- Catch basins (3)
- Sewer vent lines (2)



Forest Landing

- Pumps (2)
- Generator (1)
- Pressurized sewer mains (4)
- Sewer mains (2)
- Storm main (1)
- Sewer stub (1)
- Catch basin (1)



Franklin Landing

- Sewer mains (3)
- Storm mains (3)
- Catch basin (1)



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Fruitland Landing

- Pumps (2)
- Generator (1)
- Pressurized lines (3)
- Sewer mains (4)
- Storm main (1)
- Storm lateral (1)
- Sewer stubs (4)
- Catch basins (3)



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Garfield Landing

- Storm mains (2)
- Catch basin (1)



Lincoln Landing

- Storm mains (2)
- Sewer mains (4)
- Catch basins (2)

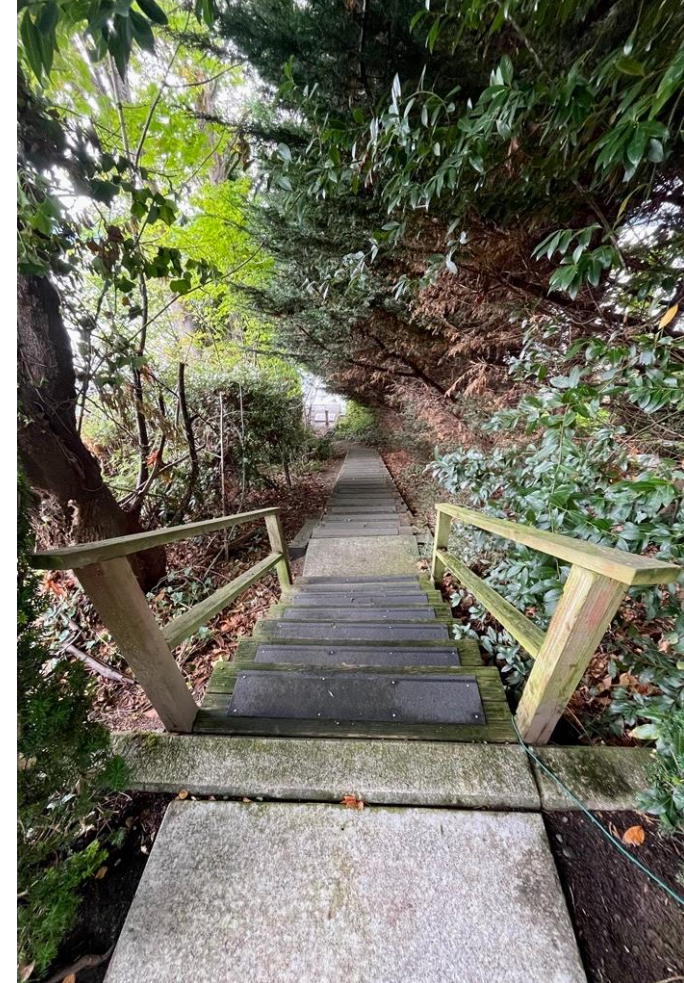


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Miller Landing

- Pumps (2)
- Generator (1)
- Pressurized sewer mains (5)
- Sewer mains (4)
- Storm mains (2)
- Storm lateral (1)
- Catch basins (4)



Proctor Landing

- Sewer mains (3)
- Sewer vent line (1)
- Storm line (1)
- Special sewer catch basin (1)
- Sewer stub (1)



Roanoke Landing

- Storm main (1)
- Sewer main (1)



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