



PLANNING COMMISSION CITY OF MERCER ISLAND

PCB 24 - 01
January 24, 2024
Regular Business

AGENDA BILL INFORMATION

TITLE:	PCB 24 - 01: Comprehensive Plan Update: Parks Zone – First Review	X Discussion Only <input type="checkbox"/> Action Needed:
RECOMMENDED ACTION:	Consider Parks and Recreation Commission input, indicating which comments should be incorporated into the second review.	<input type="checkbox"/> Motion <input type="checkbox"/> Recommendation

STAFF:	Adam Zack, Senior Planner
EXHIBITS:	<ol style="list-style-type: none"> 1. Draft Parks Zone Development Regulations 2. Draft Zoning Map 3. Draft Comprehensive Plan Land Use Map 4. Parks and Recreation Commission Input Summary.

EXECUTIVE SUMMARY

This is the first draft of a Parks Zone presented to the Planning Commission. Please submit comments on the draft to [Adam Zack](#), Senior Planner, by 4:00 PM on January 31.

- The Washington State Growth Management Act (GMA) requires cities in King County to complete a periodic review of the comprehensive plans by December 31, 2024;
- Creating a new Parks Zone was added to the Comprehensive Plan periodic review scope of work by the City Council;
- Creating a new zone requires amendments to [Title 19 Mercer Island City Code \(MICC\)](#), the [Zoning Map](#), and [Comprehensive Plan Land Use Map](#);
- The initial draft Parks Zone Regulations, Zoning Map, and Land Use Map were prepared by City staff (Exhibits 1, 2, and 3);
- The initial drafts were presented to the Parks and Recreation Commission (PRC) at its January 4, 2024 meeting;
- The PRC provided high-level input on the initial draft (Exhibit 4);
- On January 24, the Planning Commission will determine which of the PRC comments to incorporate into the next draft; and
- The Planning Commission will consider the written comments submitted by the January 31 deadline at its February meeting.

BACKGROUND

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 creation of a new Parks Zone to the 2024 Comprehensive Plan Periodic Update scope of work with [Resolution No. 1621](#). This update, including the new Parks Zone, is expected to be adopted before the GMA deadline at the end of 2024.

WHAT IS THE PARKS ZONE?

The Parks Zone would be a new zoning district in the City. This zone would establish specific land use regulations for development within the zone. As drafted, only city-owned, -leased, or -managed land would be eligible for designation under the Parks Zone. The intent of regulating land use in these designated parks

is to ensure that parks are developed with recreational land uses in a manner consistent with City plans, including the Parks, Recreation, and Open Space (PROS) Plan.

Draft Development Regulations (Exhibit 1)

The proposed Parks Zone development regulations would perform several important functions. The Parks Zone purpose articulates why the zone is being established. The zoning designation criteria would determine what conditions are required for land to be zoned parks. Lands must meet the designation criteria to be consistent with the Comprehensive Plan, satisfy the City Code as established in Title 19 MICC. The land use regulations detail which uses are allowed. Development standards guide development so that it occurs in a manner consistent with City plans. Finally, definitions describe the key terms used in the zoning regulations. Together, the regulations in the draft provided would regulate new development within the boundaries of the Parks Zone.

MICC 19.01.040 – Zone Establishment

Zones in the City are established by [MICC 19.01.040 – Zone establishment](#). This existing section of the City Code must be amended to create a new zone in the City. The proposed amendments to MICC 19.01.040 shown in Exhibit 1 would establish a new zone in the City and make a few minor clarifying edits to the existing text of MICC 19.01.040.

Parks Zone Purpose

The first proposed section of the development regulations articulates the purpose for the Parks Zone. This is a standard approach in most of the other city code examples and is typical of other zones in Mercer Island. Most of the examples highlight that this zone is intended to establish regulations for parks because their intended land uses substantially differ from residential and commercial areas. While important, many of the secondary functions of parks as open space or providing ecosystem services are often filtered through a recreational lens. The principal focus of parks zones is the facilitation and continuation of recreational uses of publicly owned park lands. The proposed zone purpose is:

- A. Purpose. The purpose of the Parks Zone (P) is to accomplish all of 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. Regulate 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.

Parks Zone Designation Requirements

Zoning designation requirements detail what criteria must be met for lands to be designated under the Parks Zone. The criteria established here would be in addition to other requirements already established in Title 19 MICC such as [MICC 19.15.240 – Reclassification of property \(rezones\)](#) and [MICC 19.15.260 – Review procedures for comprehensive plan amendments, reclassification of property, and code amendments](#). The proposed draft would establish the following designation requirements.

- B. Parks Zone Designation Requirements. In addition to the requirements established in Chapter 19.15 MICC, lands must meet the following designation requirements to qualify for classification as Parks Zone.
 - 1. The City Council must adopt findings that the proposed classification will be consistent with the purpose of the Parks Zone, and
 - 2. The land must be owned, leased, or may be managed by the City of Mercer Island.

Permitted Land Uses

The list of allowed uses in the proposed regulations detail what uses would be permitted in the Parks Zone. The list of permitted uses should be broad enough to ensure that the City can develop its parkland to realize the PROS Plan while being narrow enough to preserve parks from being developed with incompatible uses. The Parks Zone would only be applied to City-owned or -managed lands, meaning that any project to develop a park with one of these land uses would go through the City's planning processes prior to the permitting process. These other processes include approval of the budget, listing the project on the capital improvement plan, and design review.

The following land uses are proposed to be allowed in the Parks Zone; any use not listed in the regulations would be prohibited:

- Recreational uses.
- Recreational facilities.
- Agricultural activities for educational or recreational purposes, such as community gardens.
- Government offices and government services.
- Public parking, parking structures, and underground parking.
- Temporary uses and structures, including farmer's markets and special events, authorized by the City Manager or designee.
- Transit stops.
- Public art.
- Signs.
- Wireless communications facilities.
- Utilities. Utilities must be placed underground whenever feasible.

Development Standards

Development in the Parks Zone would be required to conform to the development standards established for the zone. Development standards help ensure that allowed land uses do not impact neighboring land uses. Development standards include parking requirements, setbacks, height limits, and maximum impervious surfaces. The proposed development standards are primarily focused on ensuring park development occurs consistent with the Comprehensive Plan and PROS Plan. Table 1, at the top of page 4, summarizes the proposed development standards. The full text of the proposed development standards can be found on page 3, line 37 of Exhibit 1.

Table 1. Summary of Proposed Parks Zone Development Standards.

Topic	Proposed Standard Summary
Setbacks	<ul style="list-style-type: none">• No setback required between Parks Zone and institutional, commercial, and mixed-use zones;• 20 feet between Parks Zone and residential zones; and• The following developments are exempt from setback requirements: picnic tables, fences, gates, culverts, trails, landscaping, and parking areas.
Building Height	35-foot maximum, approximately three stories. This is the maximum for most zones outside of Town Center.
Impervious Surfaces	<ul style="list-style-type: none">• No net new impervious surfaces unless authorized by an adopted City plan, and• Emergency vehicle lanes, public trails, and synthetic turf athletic fields are exempt.
Parking	<ul style="list-style-type: none">• No minimum number of parking spaces, City Engineer can determine the necessary number of parking spaces;• Screening required between parking areas and residential zones; and• Note: impervious surface requirement would limit the amount of new parking that could be created unless it was shown on an adopted City plan.
Lighting	New lighting must be shielded and directed downwards, consistent with International Dark Sky Association recommendations to minimize lighting impacts to neighboring properties and the night sky.

Definitions

An important component of the development regulations are the definitions. The definitions are established in [Chapter 19.16 MICC](#). Definitions provide a precise meaning for a word or phrase used in the development code that may be subject to different interpretations. There are new terms and phrases in the proposed Parks Zone regulations that are not currently defined in Chapter 19.16 MICC. Definitions for the following uses would be established with the new parks zone: agricultural activities, farmer’s market, government offices, park, recreational facility, recreational uses, trail, transit facility, transit stop, and temporary structures, uses, and activities. These definitions can be found in Exhibit 1.

Draft Zoning Map (Exhibit 2)

The boundaries of Mercer Island zones are established in [Title 19 MICC, Appendix D](#). The Mercer Island Zoning Map shows where zone-specific development regulations apply. To establish a new zone, the existing Zoning Map would need to be amended to show the boundaries of the zone.

Rights of way including street ends and Aubrey Davis Park are generally not proposed to be designated as Parks Zone on the draft Zoning Map. Rights of way are lands reserved for specific public purposes and subject to their own set of requirements in local and state law. Street ends are places where the City rights of way end at the shore of Lake Washington. Aubrey Davis Park is within the WA Department of Transportation (WSDOT) right of way. The City manages the park area that sits on top of the interstate freeway, which is owned by WSDOT. The City has limited options for regulating the use of WSDOT rights of way because any development activity within the state right of way is subject to WSDOT requirements, which can supersede local zoning controls.

Draft Comprehensive Plan Land Use Map (Exhibit 3)

The Comprehensive Plan Land Use Map established in the Land Use Element provides the generalized location for future land uses based on City policies. The land use designations shown on the Comprehensive Plan Land Use Map underpin the zoning designations established on the Zoning Map. The draft Land Use Map also excludes rights of way.

Parks and Recreation Commission (PRC) Input Summary (Exhibit 4)

On January 4, 2024, the PRC provided input for the Planning Commission to consider as it undertakes the legislative review of the Parks Zone. The PRC agreed to its input by consensus. The PRC input is provided in Exhibit 4. [A recording of the PRC meeting is available online.](#)

DISCUSSION

Please come to the meeting on January 24 prepared to respond to the PRC input. The PRC provided 16 comments. For each of the PRC comments, staff requests that the Planning Commission indicate which comments it recommends be incorporated into the next draft of the Parks Zone.

PLANNING COMMISSION COMMENTS

Please submit written questions and comments on the draft Parks Zone regulations to Adam Zack, Senior Planner, (Adam.Zack@mercerisland.gov) by **4:00 PM on January 31 for inclusion in the February packet.** Comments received after 4:00 PM on January 31 will not be included in the next Planning Commission packet.

NEXT STEPS

The Planning Commission review process to get the Parks Zone to the public review draft stage will be:

JANUARY 24	Consider PRC input
JANUARY 31	Initial Planning Commission comment period ends
FEBRUARY 28	Consider the Planning Commission comments
MARCH TBD	Review the updated draft that incorporates Planning Commission comments and arrive at a public review draft

Once the Planning Commission arrives at a public review draft of the Parks Zone, there will be more review as part of the Comprehensive Plan update:

- **April/May** - The City will hold an open house on the Comprehensive Plan update to gather public input.
- **May** - After the open house, the Planning Commission will hold a Comprehensive Plan update, “tune up” meeting to respond to public input gathered.
- **May/June** - The Planning Commission will hold a public hearing on the Comprehensive Plan update to gather additional public input.
- **June** - The Planning Commission can respond to input from the public hearing by amending the drafts prior to making a recommendation to the City Council.