

EXHIBIT 4

**Table 1. Parks and Recreation Commission Input.**

Log #	PRC Input	Notes
1	Consider strengthening the statements regarding recreation to include active and passive recreation.	The American Planning Association (APA) Planner’s Dictionary provides the following definition for passive recreation: “Those recreational pursuits which can be carried out with little alteration or disruption to the area in which they are performed. Such uses include but are not limited to hiking and picnicking. ( APA Planner Advisory Service 521-522)”
2	The Parks Zone should be differentiated from other zones by an emphasis on recreation.	
3	Consider separating recreation from the other concepts in #3.	
4	Consider adding conditions to recreational uses/facilities to clarify what constitutes that use. Possibly drop ‘private’ from the definition of recreational facilities.	<p>The proposed definition for recreational uses is, “A land use that provides opportunity for amusement, entertainment, athletic, environmental, and/or other leisure-time activities.” The proposed definition for recreational facilities is, “Structures, pieces of equipment, or developments that are specifically provided for recreational uses. Recreational facility includes both indoor and outdoor facilities for public or private recreational use.”</p> <p>The definitions established in Chapter 19.16 MICC apply to the entire development code, not just the Parks Zone. If the definition of recreational facilities is narrowed to only include public uses it might need to be amended if this use were allowed in other zones in the future. Narrowing the definition is unlikely to make a difference in the types of facilities that would be developed in public parks because there are other requirements that affect the use of public land for private purposes.</p>

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5	Consider narrowing government offices and services to only 'park-related'.	Government services is defined in MICC 19.16.010 as, "Services provided by the city, King County, the state of Washington, or the federal government including, but not limited to, fire protection, police and public safety activities, courts, administrative offices, and equipment maintenance facilities." The Parks Zone draft proposes following definition of government offices: "A building or structure owned, operated, or occupied by a governmental agency to provide a governmental service to the public." There are currently government offices and services located in City Parks. This primarily includes the offices at the Mercer Island Community and Events Center (MICEC) and the Luther Burbank Administrative Building. A significant portion of this office space is currently used for non-parks purposes, including the entire Youth and Family Services Department. Requiring government offices and services to be park related would likely render existing City operations nonconforming. Nonconforming uses must comply with <a href="#">MICC 19.01.050 – Nonconforming structures, sites, lots and uses</a> in addition to other development standards. This would significantly limit the City's options for maintaining its non-park offices and services in the Parks Zone.
6	Consider revising public parking to simply state "public parking" and linking parking with recreational uses.	<p>Parking is defined in Mercer Island City Code (MICC) 19.16.010 – Definitions as follows: "A public or private area, under, within or outside a building or structure, designed and used for parking motor vehicles including parking lots, garages, and driveways. For the purposes of this definition only:</p> <ol style="list-style-type: none"> <li>1. Parking structure shall mean a building or structure consisting of more than one level and used for the temporary parking and storage of motor vehicles.</li> <li>2. Underground parking shall mean the location of that portion of the parking structure located below the existing grade of the ground abutting the structure." <p>Amending the listed allowed use to just state "public parking" would not significantly change what is allowed.</p> </li></ol>
7	The PRC is concerned about transit stops in public parks. Consider limiting transit stops to only temporary stops.	The following definition for transit stops is proposed in the draft Parks Zone regulations: "A transit facility located at selected points along transit routes for passenger pickup, drop off, or transfer, but excluding areas for vehicle repair or storage, parking lots, transfer stations, and park-and-ride stations."
8	Consider limiting allowed signs to only those related to recreational uses.	Restricting signs to only those related to recreational uses could present challenges when the City needs to post other signs related to managing its parks. More than recreational activities take place in City parks, it is reasonable to expect that some of those nonrecreational uses will require signs. For example, habitat restoration is not a recreational use but would likely require signs throughout the project. It is likely that restricting signs to only those related to recreational uses would make some parks projects more difficult.

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9	<p>The PRC was concerned about allowing large wireless communications facilities (WCFs). Consider only allowing the WCFs required by law.</p>	<p>Federal laws and rules affect how the City can regulate WCFs. <a href="#">On their website</a>, the Municipal Research Service Center (MRSC) provides an overview of what local governments must consider when regulating several different types of communications facilities. The federal Middle Class Tax Relief and Jobs Creation Act of 2012 and several Federal Communications Commission (FCC) rules limit the options cities have when regulating WCFs. The FCC has established constraints on the types of development regulations cities can impose.</p> <p>Development standards for communications facilities are established in <a href="#">Chapter 19.06 MICC</a>. The City allows WCFs in every zone. The existing WCF regulations comply with federal and state requirements. Allowing WCFs subject to the existing development standards in Chapter 19.06 MICC is the simplest way to ensure that the Parks Zone is consistent with state and federal law.</p>										
10	<p>Consider adding “Natural systems improvements, habitat restoration, open space, and passive recreation” to the list of allowed uses.</p>	<p>The proposed uses listed in the PRC suggestion would ensure that standalone environmental improvements would be allowed. These uses would likely have little to no impact on neighboring developments.</p>										
11	<p>Consider reducing the maximum building height.</p>	<p>The proposed development standards would establish a maximum building height of 36 feet or three stories. Most of the zones outside Town Center have a maximum building height that allows for roughly three stories. The table below summarizes the maximum building heights allowed in all zones.</p> <table border="1" data-bbox="443 954 1297 1141"> <thead> <tr> <th data-bbox="443 954 688 992">Max. Height</th> <th data-bbox="688 954 1297 992">Zones</th> </tr> </thead> <tbody> <tr> <td data-bbox="443 992 688 1029">&gt;36 feet</td> <td data-bbox="688 992 1297 1029">TC-3, TCMF-3, TC-4, TCMF-4, TC-4 Plus, TC-5</td> </tr> <tr> <td data-bbox="443 1029 688 1066">36 feet (3 stories)</td> <td data-bbox="688 1029 1297 1066">MF-2, MF-3, PBZ, C-O, B, P-I</td> </tr> <tr> <td data-bbox="443 1066 688 1104">30 feet</td> <td data-bbox="688 1066 1297 1104">R-15, R-12, R-9.6, R-8.4,</td> </tr> <tr> <td data-bbox="443 1104 688 1141">24 feet</td> <td data-bbox="688 1104 1297 1141">MF-2L</td> </tr> </tbody> </table> <p>When setting a maximum building height, the scale of existing buildings such as the Luther Burbank Administrative building, the Mercer Island Community and Events Center (MICEC), and light poles that illuminate play fields should be considered. If the maximum building height is set lower than existing buildings, those buildings would become nonconforming to the height standard. Nonconforming development is regulated by <a href="#">MICC 19.01.050 - Nonconforming structures, sites, lots and uses</a>. In general, regulations are designed so that nonconforming structures are eventually replaced by conforming development. There is a process by which the City could apply for a variance from its own height standard, but the variance process is intended to address unique situations where a development standard creates a hardship rather than as a planned part of permitting development that would normally be expected within a zone. The Parks Zone regulations should avoid creating a situation where existing recreational facilities are rendered nonconforming and expected development in the zone would also require a variance.</p>	Max. Height	Zones	>36 feet	TC-3, TCMF-3, TC-4, TCMF-4, TC-4 Plus, TC-5	36 feet (3 stories)	MF-2, MF-3, PBZ, C-O, B, P-I	30 feet	R-15, R-12, R-9.6, R-8.4,	24 feet	MF-2L
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12	<p>Find a process to add flexibility to the maximum impervious surfaces standard while maintaining a high bar for increasing total impervious surfaces. Possibly require Council approval for any increase to impervious surfaces.</p>	<p>Adding a City Council process for allowing additional impervious surfaces would be an unusual approach to permitting new development. Requiring City Council approval is typically reserved for highly complicated development that is difficult to site such as Essential Public Facilities (<a href="#">MICC 19.06.100 – Essential Public Facilities</a>). Staff would need to develop a proposed process for requiring City Council approval if the Planning Commission decides to add this process.</p> <p>Identifying an appropriate impervious surfaces standard requires balancing the tradeoffs between managing stormwater runoff to reduce environmental impacts and the need for new parks amenities that generate new impervious surfaces which can include accessibility improvements, turf fields, playgrounds and trails. Because so many types of development include impervious surfaces, capping impervious surfaces at existing levels as proposed (no net new impervious surfaces) can limit what the City is able to develop in its parks without adopting a master plan. Note: any new development is reviewed for compliance with the City’s stormwater standards established in <a href="#">Title 15 MICC</a>.</p> <p>The following approaches would add flexibility using, note some of these approaches can be combined:</p> <p><b>Expand the list of exempt uses or developments.</b> The first draft Parks Zone development standards exempts Emergency vehicle lanes not available for public use, public trails, and synthetic turf athletic fields from the no net new impervious surfaces standard. Other developments such as playgrounds could be added to the exemption list. This approach is well suited if there are specific developments that need to be exempted. If the Planning Commission pursues this approach, staff can prepare a list of uses for consideration with the next draft of the Parks Zone.</p> <p><b>Cap impervious surfaces as a percent of the total lot size.</b> Many zones have an impervious surfaces cap set relative to the total lot size. An example of this type of standard is the maximum impervious surfaces standard for schools in the Public-Institutional Zone (PI) established in <a href="#">MICC 19.05.010(F)(2)</a>, which states: “Maximum allowable coverage with impervious surface is 55 percent for elementary and middle schools and 63 percent for the high school mega-block. [ ... ]” The advantage of setting the impervious surfaces maximum at a percentage of the total lot size is that it is a clear and measurable standard. The percentage for this type of standard would likely be difficult to set for the Parks Zone because parks properties have a wide range of sizes and uses.</p> <p><b>Exempt smaller projects provided they fall below a certain threshold.</b> Rather than exempting specific types of development, the City could exempt any development from the no net new impervious surfaces standard provided it falls below a specific threshold. For example, a development could be exempt from the standard provided it doesn’t increase impervious surfaces by more than a set percentage of existing impervious surfaces. This type of exemption is typically combined with a ‘not-to-exceed’ maximum, typically a percentage of the total lot size to ensure that a combination of smaller exempt projects do not end up covering the entire lot.</p>

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13	Consider ways to reduce the impact of lighting on site.	Onsite lighting impacts are typically managed through project design rather than development standards. Any proposed lighting would be subject to the City’s capital improvement project design process which would include a public review of proposed designs. This can include consideration of onsite lighting impacts without requiring a development standard. Given that City projects already go through a public design review process, establishing standards to mitigate onsite impacts might not be necessary.
14	Consider adding design standards to the Parks zone.	Design standards for zones outside of Town Center are established in <a href="#">Chapter 19.12 MICC</a> . Projects on city owned lands are exempted from the design standards (see definition of “regulated improvements” in <a href="#">MICC 19.16.010</a> ). City projects are exempted from design standards because the City already undertakes public review of design for many capital improvement projects. Given that City projects already go through a public design review process, requiring the design review process would likely be redundant.
15	Consider establishing a maximum amount of development allowed such as a maximum developable area per lot/park.	Parks vary in scale and uses, making a maximum developable area difficult to set. Setting this type of standard would require a determination of the appropriate developable area and would run the risk of a one-size-fits-all standard Given that the City is the only entity that will develop parks and the City has existing processes to determine which projects it will undertake in its parks, this type of standard might be unnecessarily restrictive.
16	Consider how this zone relates to the Open Space Conservancy Trust.	<p>The Mercer Island Open Space Conservancy Trust (OSCT) is a board of volunteer residents appointed by the City Council to oversee open space properties placed in the trust as passive, low-impact recreational open space (park). The Trust manages these properties to protect, maintain and preserve them as natural, scenic and recreational resources, maintaining all their ecological, scenic, aesthetic, scientific, and educational attributes for the current and future residents of Mercer Island in perpetuity.</p> <p>The OSCT was established by ordinance on February 10, 1992 (amended May 6, 1996). Open space is defined by the ordinance as a property of potential natural or scenic resources that has been reserved by the Mercer Island City Council for passive and low impact forms of use, such as walking, jogging, and picnicking. Currently the Trust owns and oversees the management of Pioneer Park and Engstrom Open Space.</p> <p>More information on the OSCT is provided on the City’s website: <a href="https://www.mercerisland.gov/bc-openspaceconservancytrust">https://www.mercerisland.gov/bc-openspaceconservancytrust</a></p> <p>The proposed Parks Zone is not expected to affect the OSCT’s work.</p>