



# PLANNING COMMISSION CITY OF MERCER ISLAND

PCB 25-11  
June 10, 2025  
Special Business

## AGENDA BILL INFORMATION

|                            |   |   |
|----------------------------|---|---|
| <b>TITLE:</b>              | PCB 25-11: Parks Zone Development Code Amendment  | <input type="checkbox"/> Discussion Only  |
| <b>RECOMMENDED ACTION:</b> | Approve a recommendation regarding the Parks Zone Development Code amendment.                                   | <input checked="" type="checkbox"/> Action Needed:<br><input checked="" type="checkbox"/> Motion<br><input type="checkbox"/> Recommendation |
| <b>STAFF:</b>              | Carson Hornsby, Management Analyst II<br>Alison Van Gorp, Deputy Director of Community Planning and Development |   |
| <b>EXHIBITS:</b>           | 1. Draft Parks Zone Development Code Amendment  |   |

## EXECUTIVE SUMMARY

The Parks Zone is a proposed new zone that will establish development regulations for most City-owned and/or managed parks. The purpose of the Parks 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.

- Creation of a new zone requires amendments to Title 19 of the Mercer Island City Code (MICC), the Zoning Map in MICC Title 19 Appendix D, and the Land Use Designation Table and Land Use Map in the Comprehensive Plan.
- The Parks and Recreation Commission (PRC) provided their recommendation on the Parks Zone to the City Council and Planning Commission (PC) in April 2025, and the City Council directed the PC to complete legislative review of the Parks Zone by June 2025.
- At the May 28 PC meeting, the PC held public hearings for the Parks Zone amendments to the Development Code and Comprehensive Plan. The PC approved a recommendation regarding the Comprehensive Plan amendment and began the legislative review process related to the Development Code amendment.
- The PC will continue legislative review of the Parks Zone Development Code amendment and approve a recommendation to the City Council at the June 10 PC special meeting.

## 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

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[Ordinance No. 24C-15](#) establishing the Open Space Zone on November 4, 2024 with an effective date of December 31, 2024.

After the adoption of the Open Space Zone, the PRC shifted focus to development of the Parks Zone in October 2024. The PRC finalized their Parks Zone recommendation on April 9, 2025. The PRC Chair and Vice Chair presented the PRC's Parks Zone recommendation to the City Council on April 15, 2025, and the City Council passed a motion directing the PC to complete legislative review of the Parks Zone by June 2025. The PRC Chair and Vice Chair presented the PRC's Parks Zone recommendation to the PC at the April 23, 2025 PC meeting. The PC asked the PRC Chair, Vice-Chair, and staff questions related to the recommendation. The PC held two public hearings for the Parks Zone amendments to the Development Code and Comprehensive Plan at the May 28 PC meeting and approved their recommendation to the City Council regarding the Comprehensive Plan amendment. The PC will continue legislative review of the Development Code amendment and approve a recommendation to the City Council at the June 10 PC special meeting. The PC may also approve any additional recommendations, outside of the Comprehensive Plan and Development Code amendments at the June 10 meeting.

## ISSUE/DISCUSSION

### Parks Zone Development Code Amendment

Creation of a new zone requires an amendment to the Development Code. The draft Development Code amendment (see Exhibit 1) includes the draft Parks Zone Development Regulations and Zoning Map as summarized below:

- Amendment to MICC Title 19 to add a new subsection MICC 19.05.05, establishing the Parks Zone purpose, designation requirements, and uses permitted.
- Amendment to MICC Title 19 to add a new subsection MICC 19.05.060, establishing the Parks Zone development standards.
- Amendment to [MICC 19.16.010 – Definitions](#) to add new definitions for key terms used in the Parks Zone development regulations.
- Amendment to [MICC 19.01.040 – Zone Establishment](#) to establish the Parks Zone.
- Amendment to MICC Title 19 Appendix D – Zoning Map.

### Draft Code Amendment Updates

The PC approved several motions to revise the draft Parks Zone Code Amendment during the May 28 meeting. Staff live-edited the amendments into the draft and took note of topics to provide more information on at the June 10 PC meeting. The updated draft Parks Zone Code Amendment (Exhibit 1) includes new revisions for consideration by the PC, as summarized below.

#### Purpose

The two separate amendments to the purpose statement that the PC passed during the May 28 meeting resulted in an incomplete sentence. Staff have proposed a small revision to improve readability while preserving the PC's intent with the two amendments.

#### Permitted Uses

The PC passed a motion during the May 28 meeting to revise the permitted uses section to include "parking for park-related uses." There are some situations where parking areas proposed to be included in the Parks Zone are used for non-park uses. For example, the Luther Burbank parking lot is used by clients of the City's Youth and Family Services. Other parking areas are used on occasion for overflow school parking or parking for non-park events such as the parking areas at Island Crest Park and Homestead Park. WSDOT may potentially use parking

at Aubrey Davis Park for transportation uses. In practice, the City would need to install signs with new parking regulations and the Police Department would be responsible for enforcement.

Additionally, multipurpose facilities were moved next to the other facility types in the permitted uses.

### Setbacks

The PC passed a motion during the May 28 meeting to require a 20-foot setback for parking areas in the Parks Zone located adjacent to property zoned R-8.4; R-9.6; R-12; or R-15. The PC asked staff to review the effects of this amendment and return to the next meeting with more information. There are several parks with existing parking areas adjacent to residential zones that will become nonconforming as a result of this change including but not limited to Groveland Beach Park, Slater Park, Homestead Park, and potentially parking areas in Aubrey Davis Park and other parks. If this amendment is adopted, the nonconforming parking areas in the Parks Zone would need to be reduced in size or relocated before they can be repaved, leading to reduced parking capacity and increased capital project costs. Several parks are already operating at or beyond current parking capacity and this issue is further exacerbated by increased seasonal parking demand. Staff do not recommend including this amendment.

### Trail Standards

The PC proposed two separate amendments to the Trail Standards at the May 28 meeting to include shoulders in the proposed maximum trail width of 12 feet, add a minimum width of 10 feet for shared use trails, require shoulders for shared use trails, and require that islands or bollards not reduce trails to less than 4 feet in width. The PC asked staff to return to the next meeting with more information.

The PRC and staff had several discussions about trail standards throughout the development of the PRC's Parks Zone recommendation. The final PRC recommendation included only a maximum trail width because trails benefit from some flexibility when it comes to trail construction, materials, etc. Ideally, every trail is tailored to specific uses, landscapes, habitats, and other related factors. As trail standards become more restrictive and/or complex, the ability to meet the needs of individual trails diminishes.

The 12-foot maximum trail width was proposed with the ability to allow shoulders as needed, for example, a paved trail with gravel shoulders. Trail shoulders provide a safe place for trail users to move out of the way of other traffic. Additionally, minimum clearance for emergency response vehicles is 20 feet, and some trails may need additional shoulder area to accommodate emergency access vehicles. In most cases, the additional clearance needed for emergency response vehicles can be satisfied with natural surfaces, but that is not always the case.

The proposed amendments related to shared use trails present a few additional complications. The PC passed a motion during the May 28 meeting to remove trails from the impervious surface standard exemptions. A new proposed minimum shared use trail width of 10 feet would make many trails throughout the park system nonconforming, and removal of trails from the impervious surface exemptions would significantly complicate the City's ability to bring these trails into a conforming status. If both the proposed minimum and maximum width requirements including shoulders are adopted, the City would not have any flexibility to alter trail width if necessary. Additionally, the development and application of new trail categories and regulations should be done as part of a comprehensive process and may be better suited for a different policy document, such as the Bike and Pedestrian Facilities Plan or park-specific master plans.

Staff have proposed an amendment to the trail standards in Exhibit 1. The amendment seeks to clarify which surface materials will be included in the width measurement. The amendment also limits the 10-foot minimum

width for shared use trail to *paved* trails. This will exclude the many dirt/gravel walking path style trails that would not comply with this width standard.

### Lighting

The PC approved several amendments to the lighting standards during the May 28 meeting. Staff committed to returning to the next meeting with more information and revised language for lighting. The PC's draft lighting amendments reflect a strong commitment to minimizing environmental impacts, particularly in shoreline areas. Staff support the Commission's direction and have proposed targeted revisions to improve clarity, enforceability, and consistency with related regulations. These revisions are not intended to alter the Commission's intent, but rather to streamline implementation and enhance technical precision. The proposed lighting revisions are summarized below:

- Clearer subheadings were added for general requirements, exemptions, and ecological lighting standards. The overlapping "salmon-friendly" and "Dark Sky" principles have been consolidated into a single section titled "Ecological and Low-Impact Lighting Standards". This structure improves legibility for applicants and facilitates more efficient review by staff.
- Additional language ensures that lighting design also considers Crime Prevention Through Environmental Design (CPTED) principles and pedestrian safety. This promotes balanced lighting that supports both ecological sensitivity and safe use of park facilities and trails.
- To support consistent implementation, the revised language incorporates measurable and objective lighting standards. These updates ensure applicants have clear expectations and enable staff to verify compliance through standard review processes.
  - Foot-candle maximums: 3.0 for walkways and 5.0 for entrances and high-traffic trail intersections
  - Lumen exemption: Applies to fixtures producing fewer than 200 lumens per fixture
  - Color temperature: Limited to 3000 Kelvin or less unless higher temperatures are required for safety; Kelvin ratings must be documented in submittals
- Applicants will be required to submit photometric plans and fixture specification sheets during permit review. These materials illustrate lighting layout, shielding, intensity, and color temperature, providing objective evidence of compliance.

### Shoreline Recreation

Commissioner Akyuz previously proposed amendments to permit water-based recreational uses and promote access to the shoreline under the heading "Shoreline Recreation". After additional analysis, staff do not recommend including this proposed amendment. These uses are largely already allowed in the Parks Zone draft as well as the Shoreline code (MICC 19.13) and are also well supported in policy documents including the PROS plan and Luther Burbank Master Plan, as outlined below.

Staff have reviewed the Shoreline code in [MICC 19.13](#) for relevance to shoreline areas and water-based recreational uses in the Parks Zone. The Urban Park Environment shoreline designation (mapped in [Appendix F](#)) applies to all parks and street ends located on Lake Washington, including the parks that will be included in the Parks Zone (Luther Burbank, Slater, Groveland Beach and Clark Beach). Within the Urban Park Environment, the following applies:

- Marinas are prohibited
- Public Piers, Docks, Boardwalks are permitted
  - The Luther Burbank docks are proposed to be rebuilt and a public pier/dock permit application is currently under review
- Overwater Boat Houses are prohibited

- Public Facilities and Noncommercial Recreational Areas are permitted in the shorelands (within 200 feet of the shoreline)
  - These existing permitted use categories could likely cover facilities such as a city-operated boat/kayak rental or a non-profit rowing club/shell house. These use categories also appear to be compatible with the Recreational Facilities use permitted in the Parks Zone.

The [PROS Plan](#) identifies objectives related to improving access to the shoreline, renovating existing shoreline infrastructure and enhancing water-based recreation programs. The [Luther Burbank Park Master Plan](#) includes a vision for water-based recreational uses being supported from the Luther Burbank Boiler Building and also a “Shell House” located upland from the Boiler Building (to avoid shoreline impacts) – see page 15 of the [Master Plan](#) and the [Map](#). The Boiler Building has recently been partially renovated, and the City is considering options for future use of this facility once the Luther Burbank dock renovation is complete.

Staff also recommend replacing the word “boathouse” in the Recreational Facilities definition to avoid conflicting with the Shoreline code. Another term such as “boat storage” or “watercraft storage” would be more appropriate. For the definition of Recreational Amenities, a term such as “water-based uses” or “boating and fishing” could be added to more explicitly allow water-based recreation.

### Aubrey Davis Park

During the PRC’s process of developing a Parks Zone recommendation, staff offered two scenarios for Aubrey Davis Park. Either the Parks Zone project could be put on hold to allow more time for discussion, planning, and coordination with WSDOT, or the PRC could move forward with development of their Parks Zone recommendation along with a separate recommendation on Aubrey Davis Park. The PRC opted to provide a separate recommendation on Aubrey Davis Park and continue developing their recommendation on the Parks Zone. Since Aubrey Davis Park was excluded from the list of parks proposed to be included in the Parks Zone early in the process, the development regulations included in the PRC’s recommendation largely do not account for structures and development in Aubrey Davis Park. For example, the PRC’s proposed maximum trail width was recommended based on examples and measurements that did not include trails in Aubrey Davis Park, some of which have a width larger than 12 feet.

The PC passed a motion to include Aubrey Davis Park in the Parks Zone during the May 28 PC meeting with one meeting left to finalize a recommendation on the Parks Zone. Based on the PC’s motion, Aubrey Davis Park is now proposed to be subject to development regulations that will make structures in Aubrey Davis Park nonconforming. The process that staff and the PRC went through to research park development and obtain measurements and information for the Parks Zone development regulations took several months. The City Council directed the PC to complete their work on the Parks Zone in time for the City Council’s scheduled review on July 1. There is not sufficient time to do the research and collect the information necessary to rewrite the development regulations to account for the inclusion of Aubrey Davis Park.

In addition, the City’s GIS mapping of Aubrey Davis Park is based on areas the City is responsible for maintaining, which includes many small sections of ROW along North Mercer Way, Island Crest Way, and other adjacent streets. For example, the median in Island Crest Way just south of I-90 is part of Aubrey Davis Park. These small ROW areas are likely not appropriate for inclusion in the Parks Zone. A new map layer would need to be developed, reviewed, and finalized prior to the final review of the Parks Zone, which will require additional staff work.

If Aubrey Davis Park is included in the Parks Zone in the PC’s final recommendation to the City Council, staff will need to advise the City Council that additional time will be needed to rewrite the development regulations and create updated versions of the Zoning Map and Land Use Map prior to adoption of the zone. Additional time will also be necessary to coordinate with WSDOT on this proposed zoning change.

## Additional PC Recommendations

At the May 28 meeting, the Planning Commission identified recommendations they would potentially like to share with the City Council:

- The City Council should write a letter to WSDOT to ask about including Aubrey Davis Park in the Parks Zone.
- The City Council should consider revising the recommendation process for public art installations in the Parks Zone to require approval by the Parks and Recreation Commission.

These recommendations should be fully considered at the June 10 meeting, and motions can be made to include them with the PC's other recommendations.

## NEXT STEPS

The PC will continue deliberations on the Parks Zone Development Code amendment and approve a recommendation to the City Council at the June 10 PC special meeting. The City Council is scheduled to review the PC's Parks Zone recommendations in July 2025.

## RECOMMENDED ACTION

Approve a recommendation regarding the Parks Zone Development Code amendment.

Staff recommend the following motions:

**Main Motion:** "Move to recommend that the City Council adopt the proposed new section MICC 19.05.050 – Parks Zone; new section MICC 19.05.060 – Parks Zone Development Standards; and proposed amendments to MICC 19.16.010 – Definitions and MICC 19.01.040 – Zone Establishment."

**Note:** once the main motion has been made and seconded, the PC can begin making amendments by motion as it sees fit.

**Secondary Motion – Amendments:** "Move to approve [amendment] alternative [insert preferred alternative] as presented."

**Note:** The phrase "as presented" can be changed to "as amended" if the PC would like to make further changes to the alternative such as proposing specific language. If changes to an alternative are proposed the tertiary motion below would need to be made to detail the proposed change prior to voting on the secondary motion.

**Tertiary Motion – Changes to an amendment alternative:** "Move to amend alternative [insert preferred alternative] as follows: [provide the proposed amendment]."