

DRAFT PARKS ZONE DEVELOPMENT REGULATIONS

MICC 19.05.050 – Parks Zone. [New Subsection]

- A. *Purpose.* [The purpose of the Parks Zone is to preserve and maintain parks which provide green space, shoreline access, recreation and conservation opportunities, and social spaces for individuals and gatherings.](#)
- 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. **Multipurpose facilities**
 5. City government services in the Luther Burbank Administrative Building, Luther Burbank Boiler Building, and Luther Burbank Caretakers House.
 6. Public art.
 7. Trails.
 8. Habitat restoration and enhancement as authorized by [Chapter 19.07 MICC](#).
 9. Parking for park-related uses.
 10. Temporary uses and structures compatible with the purpose of the Parks Zone, as authorized by the City Manager or designee. Temporary uses shall conform to the development standards in MICC 19.05.060.
 11. Wireless communications facilities. (Only if otherwise permitted by [MICC 19.06.040](#) – Wireless communications or [MICC 19.06.070](#) – Small wireless facilities deployment, and subject to [MICC 19.06.075](#) – Small wireless facility deployments design and concealment standards).
 12. Utilities.

Commented [CH1]: Moved multipurpose facilities up on the list next to the other facilities.

MICC 19.05.060 – 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, R-12, 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, parking areas, and utilities, except as follows:
 - a. Parking areas located adjacent to property that is zoned R-8.4; R-9.6; R-12; or R-15 require a 20-foot setback.

C. *Signs and Kiosks.*

1. Signs shall be governed by [MICC 19.12.080](#), except as follows:
 - a. Signs shall not exceed 16 square feet of surface area. Surface area shall be measured as the part of the sign used to display information.
 - b. Externally lit signs are prohibited except for park entry signs and signs required for public health, safety, or maintenance purposes.
2. Scoreboards shall not exceed 250 square feet of surface area. Surface area shall be measured as the side of the scoreboard that displays the score. Electronic and externally lit scoreboards are permitted.
3. Kiosks shall not exceed 22 square feet of surface area per side and 10 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 be constructed with a maximum width of 12 feet.
 - a. Trail width shall be inclusive of hardscape materials used to create a smooth surface for walking, biking or other recreational activities such as concrete, asphalt and crushed gravel.
 - b. Softscape materials such as grass, vegetation, and mulch will not be included in the trail width.
2. Shared use trails with a paved surface of concrete or asphalt shall be constructed with a minimum width of 10 feet, plus shoulders of at least 2 feet that are clear of obstructions.
 - a. Any obstruction placed in a shared use trail, such as islands or bollards must not reduce the clear width of any portion of the pedestrian path to less than 4 feet.

Commented [AV2]: With the addition of Aubrey Davis to the Parks Zone, this dimension would need to be increased to avoid making existing trails non-conforming.

- ~~2. Trails shall not exceed 12 feet in width including shoulders. Major Amendments Log 13:~~
~~The minimal operational width of any shared use trail, excluding shoulders, is 10 feet.~~
~~Shoulders are required for any shared use path.~~
 3. ~~Any obstruction placed in a shared use trail, such as islands or bollards must not reduce the clear width of any portion of the pedestrian path to less than 4 feet. Major Amendments Log 2:~~

E. *Building Size.*

1. Unless exempted by subsection (E)(3), the following standards shall apply to buildings in the Parks Zone:

Building Type	Gross Floor Area Limit	Height Limit
Restrooms	500 square feet	20 feet
Park Maintenance Facilities	500 square feet	20 feet
Recreational Facilities	500 square feet	20 feet
Multipurpose Facilities	3,500 square feet	20 feet
Picnic Shelters	1,200 square feet	16 feet
Luther Burbank Pergola	2,000 square feet	16 feet

2. Flagpoles, antennas, chimneys, mechanical equipment, and rooftop appurtenances do not count toward building height in the Parks Zone.
3. The following buildings in the Parks Zone shall be exempt from the standards in subsection (E)(1):
- Luther Burbank Administrative Building.
 - Luther Burbank Boiler Building.
 - Luther Burbank Caretakers House.
 - Emergency well buildings.

F. *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.* 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.

G. Impervious Surface.

1. No net new impervious surface in the parks system 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. If the City acquires new park land, a separate planning process will take place to determine the amenities and impervious surface coverage of the new park land. The following uses are exempt:
 - a. Emergency vehicle lanes not available for public use.
 - b. ADA parking and accessibility improvements.
 - c. Required surfaces for playground equipment.
 - d. Small park amenities 100 square feet or less in gross floor area, including but not limited to benches, picnic tables, signs, and trash cans.
 - e. Emergency maintenance and repairs.
 - f. Utilities.

Commented [CH3]: Add reference to PROS Plan and CIP?

Commented [CH4]: Add exemption for temporary uses/structures?

H. Lighting.

1. General Requirements. 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. Lighting must be designed to maintain adequate illumination for pedestrian safety, visibility, and compliance with Crime Prevention Through Environmental Design (CPTED) principles.
2. Exemptions. The following lighting types are exempt from the requirements in subsection (H)(1) this requirement:
 - a. Lighting fixtures existing prior to the effective date of this section and the repair of the same.
 - b. Emergency lighting.
 - c. Pathway and landscaping lighting fixtures producing less than 200 lumens per fixture.
 - d. Temporary seasonal lighting.
 - e. Lighting required by state or federal law.
3. Ecological and Low-Impact Lighting Standards. New lighting shall adhere to ecological lighting principles, including Dark Sky and, where applicable, salmon-friendly design practices, to minimize environmental and wildlife disruption, while ensuring visibility and safety needs are met.
 - a. Eliminate lighting not required for wayfinding, operational use, or public safety to reduce ambient light pollution.
 - b. In addition to the general shielding requirements in subsection (H)(1), fixtures in or near environmentally sensitive areas (e.g., shorelines or riparian buffers) must be positioned to avoid direct illumination of water bodies, shoreline vegetation, or

adjacent properties. Compliance must be demonstrated through photometric plans and manufacturer cut sheets.

- c. Timers and motion sensors may be used outside of primary circulation areas or in low-traffic zones. In active-use areas, fixtures shall maintain continuous illumination during operational hours unless an alternate lighting plan is approved by the code official.
- d. Light levels should not exceed 3.0 foot-candles for walkways and 5.0 foot-candles for entrances, and high-traffic multi-use trail intersections, unless otherwise approved by the code official.
- e. Warm color temperature fixtures (3000K or less) should be used to minimize blue light impacts. Higher color temperatures may be used where needed for visibility or safety, provided all other shielding and glare control standards in this section are met.

I. *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.

J. Shoreline Recreation

- 1. Shoreline Parks include, Luther Burbank Park, Clarke Beach Park, Groveland Park, Slater Park, and Garfield Landing.
- 2. Planning and design for Shoreline Parks shall include all reasonable ingress and egress improvements and features to improve accessibility.
- 3. Up to one public pier and boathouse each will be allowed among all Shoreline Parks.
- 4. Lighting at Shoreline Parks will be turned off within one hour of dusk.
- 5. A maximum of one Concession Stand type building is allowed at each Shoreline Recreation Park. [Major Amendments - Log 6]

Commented [AV5]: Staff do not recommend making this amendment. Public Piers/docks are already allowed in the Shoreline Code. (MICC 19.13). The shoreline code also allows public facilities and noncommercial recreation areas. These use categories cover much of what was intended here. Lighting is now addressed in the lighting section. Concessions are already included in the definition of Recreational Facilities and are allowed.

MICC 19.16.010 – Definitions

[...]

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

[...]

City Government Services. Services provided by, or on behalf of, the City of Mercer Island including, but not limited to, fire protection, police and public safety activities, courts, administrative offices, and equipment maintenance facilities.

[...]

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

[...]

Furnishings. In the Parks Zone or Open Space Zone, small amenities including but not limited to picnic tables, benches, bike racks, trash cans, signs, and pet waste stations.

[...]

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

[...]

Multipurpose Facilities. In the Parks Zone, facilities that serve two or more uses including, but not limited to, restrooms, maintenance facilities, recreation facilities, support facilities for recreational uses, storage, and concessions.

[...]

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. Activities performed to ensure parks are clean, safe, and operational. Park maintenance includes, but is not limited to infrastructure repair, cleaning, landscaping, and litter removal.

[...]

Park Maintenance Facilities. Structures that serve park maintenance or operations purposes, including but not limited to buildings and sheds.

[...]

Playground. An outdoor recreational facility provided as a play area for children.

[...]

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. Public art can be implemented in standalone art installations or incorporated into other structures.

[...]

Recreational Amenities. Structures, furnishings, or developments that are provided to supplement recreational uses or enhance recreational facilities, including but not limited to picnic tables, benches, bleachers, barbecues, fencing, outdoor exercise equipment, lighting, scoreboards, and waste receptacles. Recreational Amenities include all amenities addressed by the definition of Passive Recreational Amenities.

[...]

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

[...]

Restroom. A public restroom facility that provides basic amenities including but not limited to toilets and sinks.

[...]

Shoreline Park. A park on the shoreline of Lake Washington that has public access for water-dependent recreation. [Major Amendments - Log 8]

[...]

Commented [AG6]: Boat Houses are prohibited as an overwater structure in the Shoreline code. Staff recommend using a different term to avoid confusion and to better align with Shoreline code. Boat or watercraft storage?

Commented [AV7]: Consider adding a recreational use such as “water based recreation” or “boating and fishing”.

Commented [AG8]: This definition is unnecessary with the staff recommendation to not include the proposed Shoreline Recreation amendment.

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.

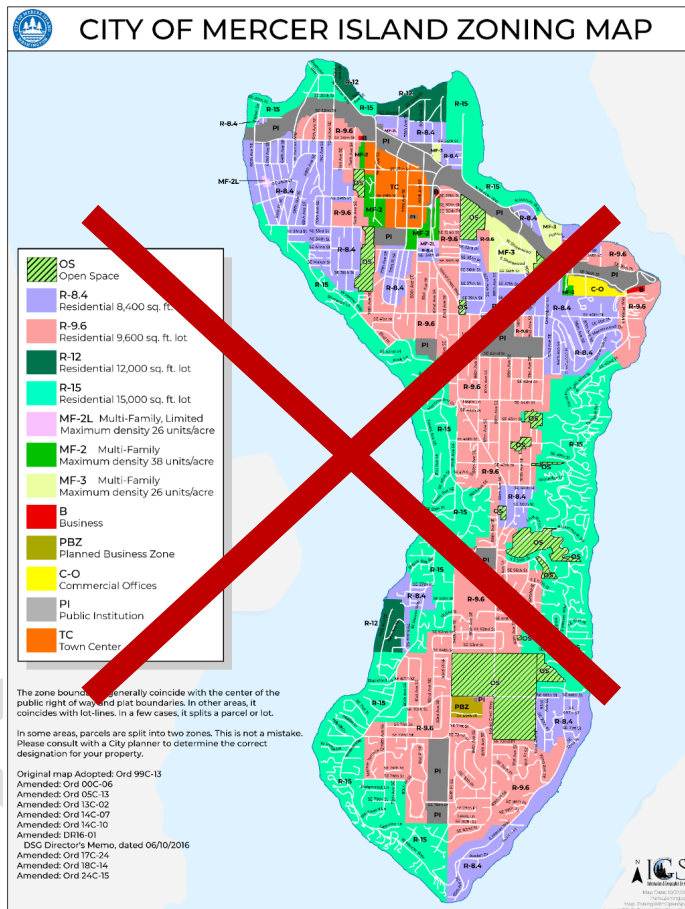
H. Except as hereinafter provided:

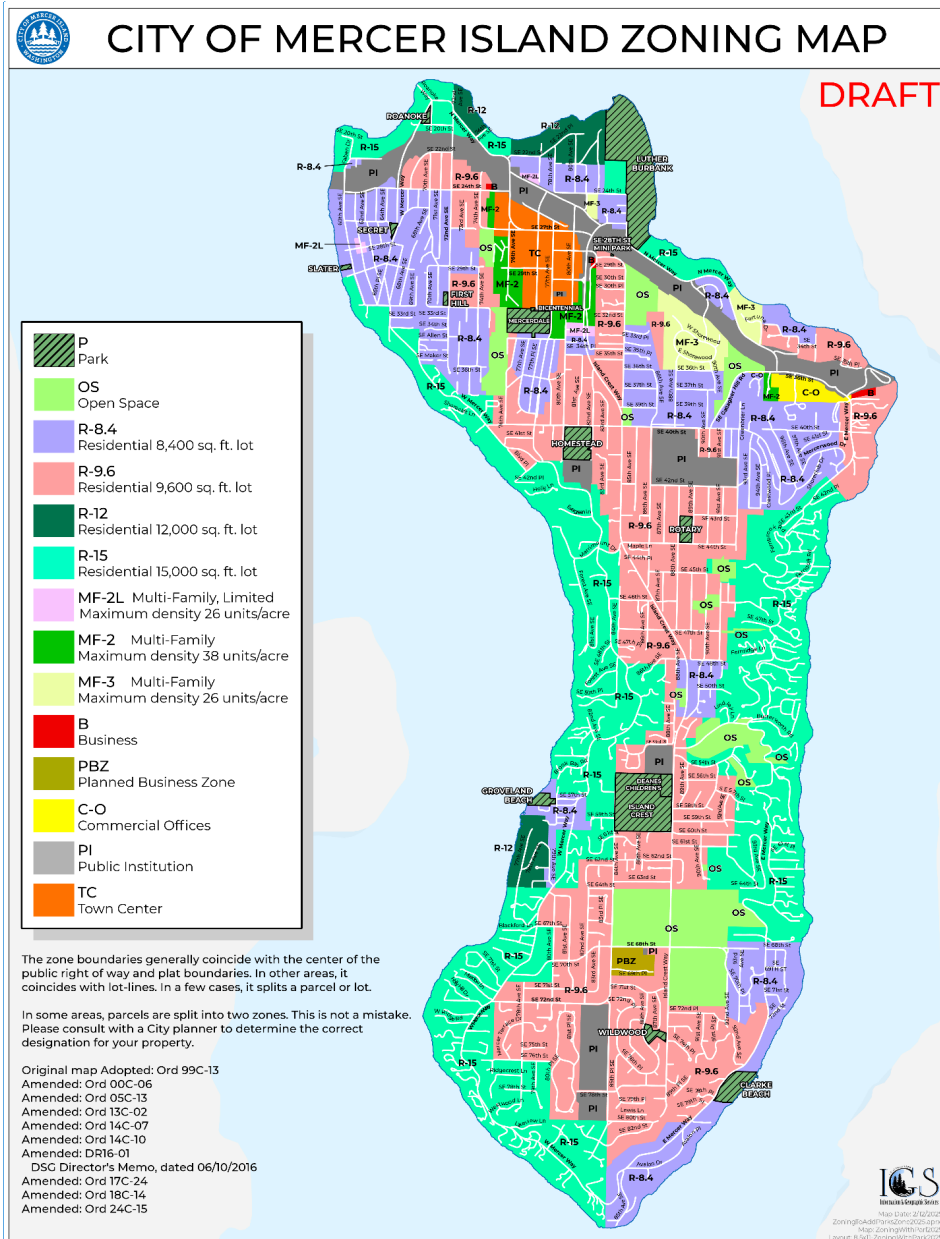
1. No land, building, structure or premises shall be used for any purpose or in any manner other than a use listed in this Code, or amendments thereto, for the zone in which such land, building, structure or premises is located.
2. No building or structure shall be erected nor shall any building or structure 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.

[...]

MICC Title 19 – Appendix D – Zoning Map

View city of Mercer Island Zoning Map.





Commented [AV9]: Amend City of Mercer Island Zoning Map to change Aubrey Davis Park from "PI Zone" to "Parks Zone." [\[Major Amendments - Log 19\]](#)

Commented [AV10]: Map to be updated to reflect removal of C-O zone in ROW across from Gallagher Hill Open Space. [\[Minor Amendments - Log 4\]](#)