

**DRAFT PARKS ZONE**

**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>
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 ~~set out~~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 ~~maps~~ 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 ~~thereon~~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, PI, P, 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 Ccode, 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~~ about which ~~about~~ any building or structure, for the purpose of complying with the regulations of this Ccode or amendments thereto shall be considered as providing a yard or open space for any other building or structure.

**MICC 19.05.XXX – Parks Zone. [New Section]**

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.

- 1 B. *Parks Zone Designation Requirements.* In addition to the requirements established in Chapter  
2 19.15 MICC, lands must meet the following designation requirements to qualify for classification  
3 as Parks Zone.  
4
- 5 1. The City Council must adopt findings that the proposed classification will be consistent  
6 with the purpose of the Parks Zone, and  
7
  - 8 2. The land must be owned, leased, or may be managed by the City of Mercer Island.  
9
- 10 C. *Uses Permitted.* The following land uses are permitted in the Parks Zone. A use not permitted by  
11 this section is prohibited.  
12
- 13 1. Recreational uses.
  - 14 2. Recreational facilities.
  - 15 3. Agricultural activities for educational or recreational purposes, such as community  
16 gardens.
  - 17 4. Government offices and government services.
  - 18 5. Public parking, parking structures, and underground parking.
  - 19 6. Temporary uses and structures, including farmer’s markets and special events, authorized  
20 by the City Manager or designee.
  - 21 7. Transit stops.
  - 22 8. Public art.
  - 23 9. Signs.
  - 24 10. Wireless communications facilities.
  - 25 11. Utilities. Utilities must be placed underground whenever feasible.  
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37 **MICC 19.05.XXX – Parks Zone development Standards. [New Section]**  
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- 39 A. *Applicability.* The provisions of this section shall apply to all development proposals in the Parks  
40 zoning designation.  
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- 42 B. *Setbacks.*  
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- 44 1. The following minimum setbacks apply:  
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46 a. Zero (0) feet if adjacent property is zoned PI, P, TC, PBZ, CO, or B; and  
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1 F. *Lighting.* All exterior lighting must be designed to minimize light trespass onto neighboring  
2 properties. Fixtures must be shielded and directed no more than forty-five (45) degrees above  
3 straight down, which is half-way between perpendicular and parallel to the adjacent grade.  
4 Shielded means the lighting fixture has a solid opaque barrier at the top of the fixture in which  
5 the bulb is located and the fixture is angled so the bulb does not extend below the barrier. The  
6 following lighting types are exempt from this requirement:

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- 8 1. Lighting within a public right-of-way or easement for the purpose of illuminating roads,  
9 trails, and pedestrian ways;
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- 11 2. Repair of lighting fixtures existing prior to the effective date of this ordinance;
- 12
- 13 3. Emergency lighting;
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- 15 4. Pathway and landscaping lighting fixtures producing less than 200 lumens;
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- 17 5. Temporary seasonal lighting; and
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- 19 6. Lighting required by state or federal law.
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22 **MICC 19.16.010 – Definitions**

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24 [ ... ]

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26 *Agricultural Activities.* The production of plants, animals, or their products, including but not limited to  
27 gardening, and fruit production. [ ... ]

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29 *Farmer’s Market:* An occasional or periodic market held in an open area or in a structure where groups or  
30 individual vendors offer for sale to the public items such as fresh produce, seasonal fruits, fresh  
31 flowers, arts and crafts, and food and beverages dispensed from booths located on-site.

32 [ ... ]

33  
34 *Government Offices.* A building or structure owned, operated, or occupied by a governmental  
35 agency to provide a governmental service to the public. [ ... ]

36  
37 *Park.* Any public or private land available for recreational, environmental, educational, or cultural uses.

38 [ ... ]

39  
40 *Recreational Facility.* Structures, pieces of equipment, or developments that are specifically provided for  
41 recreational uses. Recreational facility includes both indoor and outdoor facilities for public or  
42 private recreational use. [ ... ]

43  
44 *Recreational Uses.* A land use that provides opportunity for amusement, entertainment, athletic,  
45 environmental, and/or other leisure-time activities.

46 [ ... ]

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- 1 Temporary Structures, Uses, and Activities: A land use, structure, or activity that will only be in place for
- 2 a limited period of time not to exceed 180 days in duration. [ ... ]
- 3
- 4 Trail. An off-street pedestrian, bicycle, or multi-use path. [ ... ]
- 5
- 6 Transit Stop. A transit facility located at selected points along transit routes for passenger pickup, drop
- 7 off, or transfer, but excluding areas for vehicle repair or storage, parking lots, transfer stations,
- 8 and park-and-ride stations. [ ... ]
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