



# PARKS & RECREATION COMMISSION STAFF REPORT

**PRC 24-01**  
**January 4, 2024**  
**Regular Business**

## AGENDA ITEM INFORMATION

|                            |   |   |
|----------------------------|---|---|
| <b>TITLE:</b>              | 2024 Comprehensive Plan Periodic Update<br>Draft Parks Zone Regulations | <input checked="" type="checkbox"/> Discussion Only   |
| <b>RECOMMENDED ACTION:</b> | Receive report and provide input to the Planning Commission.            | <input type="checkbox"/> Action Needed:<br><input type="checkbox"/> Motion<br><input type="checkbox"/> Ordinance<br><input type="checkbox"/> Resolution |

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|-------------------------|--|--|
| <b>STAFF:</b>           | Adam Zack, Senior Planner- Community Planning & Development Dept.  |  |
| <b>COUNCIL LIAISON:</b> | Craig Reynolds   |  |
| <b>EXHIBITS:</b>        | <ol style="list-style-type: none"> <li>1. Draft Parks Zone Development Regulations</li> <li>2. Comprehensive Plan Land Use Map</li> <li>3. Draft Zoning Map</li> </ol> |  |

## SUMMARY

### PURPOSE

This work session is an opportunity for the Parks and Recreation Commission (PRC) to review and provide input to the Planning Commission (PC) on the introduction of a new Parks Zone to the City’s zoning and development regulations contained in Title 19 Mercer Island Municipal Code (MICC). Included for PRC review are draft Parks Zone development regulations (Exhibit 1), the current Comprehensive Land Use Map (Exhibit 2) and the draft Zoning Map (Exhibit 3) reflecting the Parks Zone changes.

### PARKS AND RECREATION COMMISSION FEEDBACK

Staff is requesting the PRC provide input to the PC focused on responses to the following questions:

1. Are there modifications suggested for the purpose statement of the Parks Zone?
2. Are there permitted land uses for the Parks Zone that should be added, removed, or modified?
3. Are there development standards for the Parks Zone that should be added, removed, or modified?

Staff requests the PRC develop responses to these questions at their meeting on January 4, 2024. These responses will serve as the PRC input provided to the PC, which will meet on January 24.

### 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.

### Legislative Process To Follow

Zones are established in [Title 19 Mercer Island City Code \(MICC\)](#). Any amendment of Title 19 MICC must proceed through the legislative process established in [Chapter 19.15 MICC](#). This means that the legislative

review, gathering of public input, and making a recommendation to the City Council regarding the parks zone must primarily be a PC process.

The legislative process spelled out in Chapter 19.15 MICC directs the following steps:

- An open record pre-decision hearing with the PC ([MICC 19.15.020](#)). Note that prior to holding a hearing the PC usually conducts preliminary review, see the next steps section for a summary of the process expected for the Parks Zone;
- The PC makes a written recommendation to the City Council following the public hearing ([MICC 19.15.260\(B\)\(2\)](#)); and
- The City Council considers the PC recommendation during a public meeting, deciding to adopt or reject the PC recommendation ([MICC 19.15.260\(B\)\(3\)](#)).

Although the PRC is not part of the formal legislative process for zoning code amendments as prescribed by City code, this draft is being presented to the PRC for review and comment given that it pertains to parks. Feedback from the PRC will be presented to the PC for consideration during their deliberations on the new Parks Zone, which will commence at their meeting on January 24, 2024.

The legislative process for the Parks Zone will be included with the overall 2024 Comprehensive Plan Periodic Update. This means that the public hearing and recommendation for the Parks Zone and the overall 2024 Comprehensive Plan Periodic Update will be completed at the same PC public hearing.

#### **WHAT IS THE PARK 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 as parks are developed with recreational land uses, that development is consistent with City plans, including the Parks, Recreation, and Open Space (PROS) Plan.

The proposed Parks Zone would perform several important functions to regulate development. 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, City Code, and rezoned to the Parks Zone under [MICC 19.15.240](#). 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.

#### **PARKS ZONE DISCUSSION**

City staff prepared the draft of the Parks Zone development regulations included with this memo as Exhibit 1. The draft was prepared after reviewing the PROS Plan and similar regulations in other jurisdictions for reference.

#### **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.

**DISCUSSION QUESTION ONE:** Are there modifications suggested for the purpose statement of the Parks Zone?

### **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.

An important component of allowed uses are the definitions of those uses. The definitions are established in [Chapter 19.16 Mercer Island City Code \(MICC\)](#). There are several uses listed in the proposed Parks Zone regulations that would need new definitions. 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.

**DISCUSSION QUESTION TWO:** Are there permitted land uses for the Parks Zone that should be added, removed, or modified?

**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 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"> <li>• No setback required between Parks Zone and institutional, commercial, and mixed-use zones;</li> <li>• 20 feet between Parks Zone and residential zones; and</li> <li>• The following developments are exempt from setback requirements: picnic tables, fences, gates, culverts, trails, landscaping, and parking areas.</li> </ul>                          |
| 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"> <li>• No net new impervious surfaces unless authorized by an adopted City plan, and</li> <li>• Emergency vehicle lanes, public trails, and synthetic turf athletic fields are exempt.</li> </ul>  |
| Parking             | <ul style="list-style-type: none"> <li>• No minimum number of parking spaces, City Engineer can determine the necessary number of parking spaces;</li> <li>• Screening required between parking areas and residential zones; and</li> <li>• Note: impervious surface requirement would limit the amount of new parking that could be created unless it was shown on an adopted City plan.</li> </ul> |
| 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.   |

**DISCUSSION QUESTION THREE:** Are there development standards for the Parks Zone that should be added, removed, or modified?

**NEXT STEPS AND PUBLIC INPUT**

The PC will be meeting on January 24 to commence its preliminary review of the Parks Zone at which time it will consider the input provided by the PRC.

The PC review of the Parks Zone will include many opportunities for the public to provide input. The PC can be addressed by the public at any of its meetings, the City will hold an open house on the overall 2024 Comprehensive Plan Periodic Update, which will include solicitation of specific feedback on the Parks Zone, and the PC will hold an open record public hearing on the 2024 Comprehensive Plan Periodic Update once all materials are prepared and ready for formal legislative review.

## **RECOMMENDED ACTION**

Receive report and provide input to the Planning Commission.