



PRE-APPLICATION MEETING (PRE25-062)

An Intake Screening is required for certain project types in addition to the Pre-Application Meeting. A Pre-Application Meeting does not replace the required Intake Screening. This meeting is to provide guidance and information prior to formal submittal.

***PLEASE NOTE:** These pre-application meeting notes have been prepared to assist the applicant in completing and submitting the application in a manner that complies with applicable development standards and permit processing requirements. Although care has been taken, in the event of a conflict between these notes and any applicable law, regulation, or decision criteria, the latter shall prevail. The City of Mercer Island makes no warranty of any kind to the accuracy of the information contained in these notes. The information herein notwithstanding, it is the applicant's sole duty to ensure that the proposed development complies with all applicable laws, regulations, and decision criteria. Neither the discussions nor the notes provided at the pre-application meeting shall bind the City in any manner or prevent the City's future application or enforcements of all laws, regulations, and decision criteria.*

SUMMARY

Address:	9167 SE 64 th St	Parcel Number:	3024059213
Lot Size:	18,637.8 SF	Zone:	R-15 (Single-Family)
Brief Project Description:	Build new single-family residence on vacant lot		
Documents Provided:	<ol style="list-style-type: none"> 1. Pre-Application Meeting Request Form 2. Arborist Report 3. Geotech Report 4. Project Narrative 5. Previous Plan Set 6. Topographic Survey 7. Tree Inventory 		

APPLICANT INFORMATION

Name:	Email:	Phone:
Jacob Young	permits@collaborativeco.com	206-535-7908
Second Pre-Application Meeting Required?	No	

APPLICANT QUESTIONS

1. *Have there been any significant changes to the zoning code or drainage manual since 2020 that should be taken into consideration when updating this design? Are there any upcoming changes we should be aware of?*

Staff Response: For the zoning code updates, there have not been many updates to the residential code chapter [MICC 19.02.020](#), other than the inclusion middle housing which allows up to 2 additional middle housing units on the lot. There are not any upcoming

code amendments I am aware of that will impact the residential development process directly.

2. *Will LID be required as part of the stormwater system, or may detention be used as previously proposed?*

Staff Response: The city map shows LID is not feasible for this site, an onsite detention system is required.

3. *The previous development attempt proposed connecting to an existing storm drainage main along the west boundary line that does not appear on the survey. Does the city have maps or other information confirming the main's location?*

Staff Response: Your design team will need to survey the existing storm drainage system. It is your responsibility to confirm the location and condition of the existing system.

4. *Will an updated arborist report, wetland biology report and/or geotechnical report be required? If so, may this requirement be satisfied by a brief memo stating that the previous findings remain accurate?*

Staff Response: If a critical area study is over 5 years old it may be used if it speaks to the entire scope of the project and is field verified by a qualified professional to determine whether the study accurately provides information required by the Code, and, if not, the study shall be updated or completed according to the current best available science. Please see [MICC 19.07.110](#) for standards regarding critical area studies.

5. *Is more current information about eagle nest locations available? Have eagles been observed on the subject?*

Staff Response: Beyond the layer provided in the GIS, the city does not have additional information about this specific nest. A qualified professional will have to submit a report detailing the impact of the development on the eagle nest. Please have a biologist meeting the standards in [MICC 19.16.010](#) submit a study meeting the standards in [MICC 19.07.170\(B\)](#).

6. *Have any changes been made to the wetland categorization system, buffers, buffer setbacks or other wetland code requirements that may change the area encumbered by the wetland?*

Staff Response: The last update to the wetland code was adopted in 2019 under No. 19C-05. The update altered setback requirements for piped watercourses. To view the ordinance, please see [the form here](#). It appears the watercourse affecting this property is an open watercourse so the updated code section may not affect the development.

7. *Is there reason to believe that the wetland category and stream type have changed since 2020?*

Staff Response: The stream type could have changed. It is Type Np which indicates a continuous non-seasonal watercourse that does not go dry at any time of a year of normal rainfall. If the watercourse has began going dry, it would be considered a Type Ns. Type F is if there are fish present, and piped watercourses are when surface waters are constrained in a conveyance system. Please have the appropriate qualified professional speak to the watercourse. There is also a high probability of a wetland on site so please include a report about the wetland.

8. *Please provide copies of public comments received during review of the previous development attempt. We have received copies of the responses to them already, but not the comments themselves.*

Staff Response: There appears to be one public comment submitted under 2206-099. The original comment will be sent with these planning notes. The comment had some concern about the larger size of the proposed home and the impact that development

would have on the critical areas on-site. They were specifically concerned about road stability and road access on SE 64th St during construction.

9. *Please confirm that a reasonable use exception will not be required, assuming that the project is able to remain outside the wetland buffer area.*

Staff Response: To fully conform, the project would have to be located outside of the wetland buffer, watercourse buffer, and steep slope buffer. The wetland buffer would depend on the delineation of the wetland by the qualified professional and varies between 40 feet up to 110 feet, per [MICC 19.07.190](#)(C). The steep slope buffer width shall be equal to the height of the step slope, limited to 75 feet and applied to the top and toe of slope. Lastly, the submitted geotechnical report needs to conclude that the development will be performed in a way that will render the development as safe as if it were not located in a geologically hazardous area and do not adversely impact adjacent properties, per [MICC 19.07.160](#)(B)(3)(c).

10. *Is environmental review required for this project?*

Staff Response: It appears there are critical areas such as potential slides, steep slope, seismic, erosion, and a watercourse encumbering the property. Per [MICC 19.07.090](#), a Critical Area Review will be needed. This project may be eligible for a [Critical Area Review 1](#) if it meets the standards in [MICC 19.07.130](#). If it does not meet this section, please apply for a [Critical Area Review 2](#). If the project meets [MICC 19.07.110](#)(A), then a critical area study will be needed. Please see the [Critical Areas Tip Sheet](#) for guidance. This permit will need to be applied for prior or concurrently to the building permit.

11. *Can utility infrastructure and stormwater drainage be placed in a wetland buffer?*

Staff Response: per [MICC 19.07.190](#)(C)(3), The following uses are prohibited within any wetland or associated buffer: removal, excavation, grading, or dredging of material; draining flooding or disturbing the wetland, water level or water table; construction, reconstruction, demolition, or expansion of any structure. However, per the exemptions chapter [MICC 19.07.120](#)(D)(2), Minor expansion of public utility structures and conveyance systems and their associated facilities including service lines, pipes, mains, poles, equipment and appurtenances, both above and below ground, following consultation with the code official; shall be exempt from Critical Area Review.

12. *Can the structure be built in the steep slope or steep slope buffer?*

Staff Response: If a complete critical area review is approved per [MICC 19.07.110](#), then the proposed plans may be implemented. As part of [MICC 19.07.110](#), please ensure a Statement of Minimum risk is provided.

REVIEW COMMENTS

FIRE: Mark Jung mjung@esf-r.org (206) 833-6929

1. Questions from applicant: No Questions.
2. **Fire requirements do not appear to have changed from prior proposal:**
 - a. **NFPA 13R fire sprinkler system – due to fire flow**
 - b. **3 additional deficiencies (only one available hydrant, no conforming turn around, and access road grade >10%)**
 - i. **NFPA 72 (Chapter 29) household fire alarm system**
 - ii. **Code alternate #1 (solid core doors)**
 - iii. **Code alternate #2 (5/8" Type-x GWB)**

3. Developer Guide:
https://www.mercerisland.gov/sites/default/files/fileattachments/community_planning_amp_development/page/24371/residential_development_guide_2022.pdf
4. Building Information. Buildings constructed on residential lots must conform the International Fire Code as follows:
 - a. Section 503 – Fire apparatus access roads as amended by the City of Mercer Island
 - b. Appendix D – Fire apparatus access roads as adopted by the City of Mercer Island
 - c. Section 507 – Fire protection water supplies as amended by the City of Mercer Island
 - d. Appendix B – Fire flow requirements for buildings as adopted by the City of Mercer Island
 - e. Appendix C – Fire hydrant locations and distribution as adopted by the City of Mercer Island
5. Special Considerations:
6. Sprinkler Information:
 - a. All New Single Family Dwellings require a minimum of a NFPA 13D sprinkler system. An exterior bell is required to be installed and must activate upon water flow. Interior smoke detectors or sounders must also be interconnected with the water flow switch.
 - b. Additional systems may be required as part of a code alternative.
7. Fire Alarm Information:
 - a. May be required as part of an approved code alternative.
8. Hydrant and Fire Flow Information (IFC Appendix B, C):
 - a. Hydrants are evaluated on fire-flow for a specific square footage of residential unit. This information is found in Appendix B of the IFC.
 - b. Residential units must be 300' (600' sprinklered), from the furthest part of the home.
 - c. Hydrants must be located within 250' (225' for larger homes) of the driveway of approved fire access road.
9. Access Road Information (IFC Appendix D):
 - a. Turn Around must be provided for access roads longer than 150'.
 - b. Width. All access roads over 500 feet in length are required to be 26 feet in width. If the access road is under 500', a reduced access road of 20' may be allowed. Note, fire access roads must be paved across the entire required width.
 - c. Slope. Must not exceed 10% grade. Angle of approach and departure shall not exceed 5%.
10. Code Alternative Requests:
 - a. In accordance with IFC Sections 501.1 and 104.9, the Fire Code Official may approve individual modifications to fire code requirements where such modifications are shown to not lessen health, life, and safety requirements.
 - b. Code alternative requests may be applied for and evaluated by the Fire Code Official. Information may be found at:
https://www.mercerisland.gov/sites/default/files/fileattachments/community_planning_amp_development/page/24371/code_alternative_help_sheet-2022.pdf

**Subject to change pending submittal of plans and plan review. Plan approval/ Plan review does not relieve the designer/contractor from complying with all applicable codes and requirements as adopted by the City of Mercer Island and the State of Washington, nor does it abrogate the requirements of other authorities having jurisdiction.*

For additional information please refer to this helpful webpage:

<https://www.mercerisland.gov/cpd/page/fire-permits-and-prevention-information>

CIVIL: Ruji Ding ruji.ding@mercerisland.gov (206) 275-7703

1. XX
- 2.

For more information on Stormwater Permits please visit:

<https://www.mercerisland.gov/cpd/page/stormwater-permits>

BUILDING: Gareth Reece gareth.reece@mercerisland.gov (206) 275-7710

1. The project will need to be updated to conform to applicable codes in effect on the date of a complete application. Construction codes in effect at the time of this meeting are found here: <https://www.mercerisland.gov/cpd/page/codes-design-criteria-research>
2. A summary of substantial changes to construction codes between 2018 and 2021 cycles is here: https://www.mercerisland.gov/sites/default/files/fileattachments/community_planning_amp_development/page/1981/significant_code_changes_2021.pdf
3. A narrative describing each change to the drawings, elective or as a result of a change in construction codes, will be helpful during review
4. Substantial comments remained at the expiration of the prior building permit application. An itemized letter identifying how each remaining comment is addressed will be helpful during review.

Mapping and Design Criteria: Complete information on codes adopted by Mercer Island and available City mapping is available here: <https://www.mercerisland.gov/cpd/page/codes-design-criteria-research>

[Mercer Island City Code 19.07.160](#) requires a geotechnical engineer's assessment of certain types of work if located within a mapped geologic hazard area. Please review city mapping to determine if landslide hazards, seismic hazards, or erosion hazards are mapped on the property.

ASCE-7 wind design for structures involves topographic and exposure effects. The City has mapping available for accepted values to be used in design. Please refer to the link above for design criteria.

For additional information please refer to this helpful webpage:

<https://www.mercerisland.gov/cpd/page/codes-design-criteria-research>

TREE: Madelyn Nelson madelyn.nelson@mercerisland.gov (206) 275-7704

1. Please refer to [Chapter 19.10 MICC](#) for our tree code.
2. The application must include, at a minimum, the following. Please see [MICC 19.10.090](#) for a list of the full application materials required.
 - a. Property owner information
 - b. The proposed location, species, diameter, and number of trees proposed to be cut (tree inventory).
 - c. The proposed location, number, and size of any required replacement trees.
 - d. A detailed site plan including the items listed in MICC 19.10.090(C)(1).

- e. A tree retention plan and arborist report including the items listed in MICC 19.10.090(C)(2).
 - f. A [Tree Inventory Worksheet](#)
3. [MICC 19.10.060](#) requires the retention of a minimum of 30 percent of trees with a diameter of ten inches or greater, or that otherwise meet the definition of a large tree over a rolling five-year period.
4. Replacement is required for any trees that are removed, according to the replacement ratios in [MICC 19.10.070](#):

Diameter of removed tree	Number of replacement trees required
Less than 10 inches	1
10 inches up to 24 inches	2
24 inches up to 36 inches	3
More than 36 inches and any exceptional tree(s)	6

- a. Replacement trees shall be primarily species native to the PNW. Coniferous trees shall be at least six feet tall and deciduous trees shall be at least one and one-half inches in caliper.
 - b. The arborist may reduce the number of replacement trees considering the measures listed in MICC 19.10.070(B)(4).
 - c. Replacement trees must be planted in the wet season (October 1 through April 1), following applicable tree removal, or completion of the development work.
5. Tree protection consistent with [MICC 19.10.080](#) is required.

PLANNING: Madelyn Nelson madelyn.nelson@mercerisland.gov (206) 275-7704

[MICC 19.02.020](#) – Development standards.

1. (C) Yard requirements.
- a. Front yard depth: 20 feet
 - b. Rear yard depth: 25 feet
 - c. Side yards:
 - i. Total width:
 - (a) For lots with a lot width of 90 feet or less, the sum of the side yards' width shall be at least 15 feet.
 - (b) For lots with a lot width of more than 90 feet, the sum of the side yards' width shall be a width that is equal to at least 17 percent of the lot width.
 - ii. Minimum side yard width: 5 feet or 33 percent of the aggregate side yard total width, whichever is greater.
 - iii. Variable side yard depth:
 - (a) 7.5 feet if the building exceeds 15 feet for a non-gabled roof end measured to the top of the exterior wall façade, or 18 feet for gabled roof ends measured to the top of the gabled roof end, from existing or finished grade, whichever is lower.

(b) 10 feet if the building exceeds 25 feet from existing or finished grade, whichever is lower, to the top of the exterior wall façade adjoining the side yard.

2. Yard determination.

- a. Front yard: where the lot gains access from.
- b. Rear yard: the opposite from the front yard
- c. Side yards: any yard that is not a front or rear yard.

3. Minor building elements (porches, chimneys, fireplace extensions, window wells, and unroofed, unenclosed outside stairways and decks shall not project more than 3 feet into any required yard. Eaves may protrude up to 18 inches into any required yard, except on interior lot lines.

- a. Hardscape and driveways not more than 30 inches above existing or finished grade, whichever is lower, may be located in any required yard. Driveways may exceed the 30-inch limit when the applicant demonstrates the proposed height is the minimum feasibly to meet the standards in [MICC 19.09.040](#).
- b. Fences, retaining walls, and rockeries are allowed in required yards as provided in [MICC 19.02.050](#).

Notes:

4. (D) Gross floor area (GFA).

GFA shall not exceed 7,454 SF or 40% of the lot area (12,000 SF), whichever is less.

- a. The GFA is the sum of the floor area(s) bounded by the exterior faces of each building on a residential lot. GFA includes:
 - i. That portion of a room(s) with a ceiling height of 12 – 16 feet shall be counted as 150% of the floor area.
 - ii. That portion of the room(s) with a ceiling height of greater than 16 feet shall be counted as 200% of the floor area.
 - iii. Staircases shall be counted as a single floor for the first two stories. For each additional story above two stories, the staircase shall count as a single floor area.
 - iv. All garages and covered parking areas, and detached accessory building with a GFA over 120 square feet.
 - v. The portion of a basement which projects above the lower of existing or finished grade as defined and calculated in [Appendix B](#).
 - vi. Decks that are attached to the second or third level and are covered by a roof.
 - vii. Space under stairways or stairwells that is used as a closet or storage space if that space meets the definition of “floor”.
 - viii. GFA does not include: Second or third level uncovered decks or uncovered rooftop decks, or first level covered decks and/or patios.

Notes:

5. (E) Building height limit.

- a. 30 feet above the Average Building Elevation (ABE) to the highest point of the roof;
AND

- b. 30 feet measured from existing or finished grade, whichever is lower, at the furthest downhill extent of the proposed building, to the top of the exterior wall façade supporting the roof framing, rafters, trusses, etc.
- c. Antennas, lightning rods, plumbing stacks, flagpoles, electrical service leads, chimneys and fireplaces, solar panels, and other similar appurtenances may extend to a maximum of 5 feet above the height allowed, however, rooftop railings may not.

Notes:

- 6. (F) Lot coverage.
 - a. Maximum varies between 20 – 40 percent depending on the slope of the lot. Lot coverage is calculated by totaling (1) all drivable surfaces (driveway, parking pads, turn-arounds, etc. regardless of material type) and (2) all roof areas, including eaves.
 - b. A maximum of 9 percent (1,677 SF) of the net lot area may consist of hardscape improvements. Hardscape includes the solid, hard elements or structures that are incorporated into landscaping. The hardscape includes, but is not limited to, structures other than buildings, paved areas other than driving surfaces, stairs, walkways, decks, patios, and similar constructed elements. The hardscape within landscaping is usually made up of materials that include, but are not limited to, wood, stone, concrete, gravel, artificial turf, and permeable pavements or pavers, and similar materials. Hardscape does not include solid, hard elements or structures that are covered by a minimum of two feet of soil intended for softscape (for example, a septic tank or detention tank covered with at least two feet of soil and planted shrubs is not hardscape).
 - c. If the proposed lot coverage is less than the maximum allowed lot coverage, the difference may be used for additional hardscape in excess of the 9% allowed.

Notes:

- 7. (G) Parking.

All new construction and remodels where more than 40 percent of the length of the structure's external walls have been intentionally structurally altered must comply with the following parking requirements:

- a. Each single-family residence with a GFA of 3,000 SF or more requires 3 parking spaces.
- b. Each single-family residence with a GFA of less than 3,000 SF requires 2 parking spaces.

Notes:

- 8. (H) Easements.
 - a. A minimum five-foot setback from the edge of any easement that affords or could afford vehicular access to a property is required for all structures. Improvements such as gates, fences, rockeries, retaining walls, and landscaping may be installed with the five-foot setback as long as such improvements do not interfere with emergency vehicle access or sight distance for vehicles and pedestrians.
 - b. No structure shall be constructed on or over any easement for water, sewer, storm drainage, utilities, trail or other public purposes unless it is permitted within the language of the easement or is mutually agreed in writing between the grantee and grantor of the easement.

MICC 19.02.025 – Middle housing.

9. Middle housing is subject to the same development regulations as detached single-family homes for the purposes of review for consistency with this chapter.
10. (D) Middle housing types. The following housing types are considered middle housing, subject to the unit densities below:
 - a. Duplexes, Triplexes, Fourplexes, Townhouses, Stacked flats, and Courtyard apartments.
11. (E) Unit density.
 - a. Two (2) units per lot, or four (4) units per lot on all lots within one-quarter mile walking distance from a major transit stop.
 - b. Four (4) units per lot if at least one unit on the lot is affordable housing meeting the requirements of MICC 19.02.025(F)(1) – (F)(6).
 - c. Accessory Dwelling Units (ADU) are considered units for the purposes of calculating unit density.
 - d. Single-family dwellings do not count as units.
12. (G) Parking standards.
 - a. No off-street parking shall be required within on-half mile walking distance to a major transit stop.
 - b. One off-street parking space per unit shall be required on lots of 6,000 SF or smaller, before any zero lot line subdivisions or lot splits.
 - c. Two off-street parking spaces per unit shall be required on lots greater than 6,000 SF before any zero lot line subdivisions or lot splits.

Notes:

MICC 19.02.030 – Accessory dwelling units.

13. (B) Requirements for accessory dwelling units (ADU).
 - a. The minimum lot size for the principal unit under MICC 19.02.020(A) is satisfied.
 - b. Up to two attached or detached ADUs are permitted per lot.
 - c. The ADU shall be a minimum of 220 SF and a maximum of 1,000 SF, excluding any garage area.
 - d. ADUs are subject to the same development standards as the principal unit as defined in MICC 19.02.020, except otherwise stated.
 - e. Detached ADUs may be sited at a lot line if the lot line abuts a public alley.
 - f. All single-family dwellings with an ADU shall meet the parking requirements in MICC 19.02.020(G) applicable to the dwelling if it did not have such an ADU, except:
 - i. ADUs within one-half mile walking distance of a major transit stop are not required to provide additional parking.
 - ii. One off-street parking space is required per unit with development of ADUs on lots of 6,000 SF or smaller before any zero lot line subdivisions or lot splits.
 - iii. Two off-street parking spaces are required per unit with development of ADUs on lots greater than 6,000 SF before any zero lot line subdivisions or lot splits.
 - g. Existing structures, including legally nonconforming structures, may be converted into ADUs.

14. (E) Sale of ADUs. ADUs located on a unit lot may be sold individually from the principal unit. Condominium units originally constructed as ADUs may be sold or otherwise conveyed individually from the principal unit.

Notes:

MICC 19.02.040 – Garages, other accessory buildings and accessory structures.

15. (C) Detached accessory buildings and accessory structures.
- a. The combined GFA for one or more accessory building(s) shall not exceed 25% of the total GFA allowed in MICC 19.02.020.
 - b. The GFA for a detached accessory building that is entirely or partly used for an ADU may be increase by the additional floor area authorized pursuant to MICC 19.02.020(D)(3)(b).
 - c. Detached accessory buildings, except for buildings that contain an ADU, are limited to a single-story and shall not exceed 17 feet in height above ABE.
 - d. Detached accessory buildings with a GFA of 200 SF or less and a height of 12 feet or less may be erected in the rear yard setback. If the building is to be located less than five feet from any property line, a joint agreement with the adjoining property owner(s) must be executed and recorded with the King County department of records and filed with the City.

Notes: XX

MICC 19.07 – Environment.

MICC 19.07.060 – Critical area maps and inventories.

Geologically Hazardous Areas	Watercourses	Wetland Probability
<input type="checkbox"/> None Mapped	<input type="checkbox"/> None Mapped	<input type="checkbox"/> Low
<input checked="" type="checkbox"/> Potential Slide	<input type="checkbox"/> Type F	<input type="checkbox"/> Low-Moderate
<input checked="" type="checkbox"/> Steep Slope	<input checked="" type="checkbox"/> Type Np	<input type="checkbox"/> Moderate
<input checked="" type="checkbox"/> Seismic	<input type="checkbox"/> Type Ns	<input checked="" type="checkbox"/> Moderate-High
<input checked="" type="checkbox"/> Erosion	<input type="checkbox"/> Piped	<input checked="" type="checkbox"/> High
		<input type="checkbox"/> Mapped: Category XX

MICC 19.07.070 – Disclosure and notice on title.

16. The owner of any property containing critical areas and/or buffers on which a development proposal is submitted shall file a notice approved by the city with the records and elections of division of King County. The notice shall inform the public of the presence of critical areas, buffers, and/or mitigation sites on the property, of the application of the city’s critical areas code to the property and that limitations on actions in or affecting such critical areas and/or buffers may exist. The notice shall run with the land in perpetuity.
- a. Please submit a draft notice to your assigned land use planner following application submittal.

MICC 19.07.090 – Critical area reviews.

17. A Critical Area Review 1 (CAR1) is used to review activities listed as modifications in [MICC 19.07.130](#), to review the verification of the presence or absence of a critical area, or the verification of the delineation and/or type of a wetland or watercourse.
- If a building permit is required for the proposed scope of work associated with the CAR1, then the substance of the review shall take place concurrently with the building permit review and no separate land use review application is required.

More information is required to determine whether or not the proposed development meets the criteria for modifications in [MICC 19.07.130](#):

- Additions to or reconstruction of an existing legally established structure or building constructed on or before January 1, 2005, provided the criteria in MICC 19.07.130(A)(1) – (4) are met.

18. A Critical Area Review 2 (CAR2) is used to review critical area studies and mitigation plans in support of proposed buffer averaging and reduction of wetland and watercourse buffers.

- When development and/or activity is proposed on a site containing only geologically hazardous areas, an applicant has the option of either (1) applying for a CAR2 review in advance of construction permits using the procedures for a type III land use review, or (2) requesting consolidation of the review of geologically hazardous areas together with construction permit review.
- Requirements for a complete application include a critical area study meeting the requirements in [MICC 19.07.110](#) and [MICC 19.07.100](#) (mitigation sequencing).

[MICC 19.07.160](#) – Geologically hazardous areas.

19. Alterations to the geologically hazardous areas listed above shall meet the applicable requirements in MICC 19.07.160.

[MICC 19.07.180](#) – Watercourses.

20. Development standards for properties containing watercourses can be found in MICC 19.07.180.

Watercourse Type	Standard Buffer
F	120 feet
Np	60 feet
Ns	60 feet
Piped	No buffer

21.

[MICC 19.07.190](#) – Wetlands

22. Development standards for properties containing wetlands can be found in MICC 19.07.190.

Wetland Category	Standard Buffer	
	With 3–5 habitat points	With 6–7 habitat points
Category I	75 feet	110 feet
Category II	75 feet	110 feet
Category III	60 feet	110 feet
Category IV	40 feet	

23.

Notes:

MICC 19.08.080 – Fee Simple Unit Lot Subdivisions.

24. Development standards: Overall development standards of the parent lot shall meet the bulk development and design standards of the underlying land use district applicable at the time the permit application is vested. As a result of the subdivision, development on individual unit lots may be nonconforming as to some or all of the development standards of this title based on analysis of the individual unit lot, provided that development standards for the parent lot are met.
25. Unit lot subdivisions and subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot.
26. Access: Private access drives are allowed to provide access to dwellings and off-street parking areas within a unit lot subdivision. Access, joint use and maintenance agreements shall be executed for use of common garage or parking areas, common open area and other similar features, and the agreement recorded with King County. The proposed unit lot subdivision shall incorporate preferred development practices pursuant to [MICC 19.09.100](#) where feasible.
27. Parking: Within the parent lot, required parking for a dwelling unit may be provided on a different unit lot or tract other than the lot with the dwelling unit, if the right to use that parking is formalized by an easement or otherwise defined on the final plat, and recorded with King County.
28. The following shall be recorded on the face of the final plat:
 - a. Each unit lot is not a separate buildable lot, and
 - b. Additional development of unit lots may be limited as a result of the application of development standards to the parent lot.
29. The approval process and criteria for fee simple unit lot subdivisions shall be consistent with the requirements for short plats established in [MICC 19.08.020](#).

Notes:

MICC 19.09.040 – Private access roads and driveways.

30. The following are the minimum requirements for private access roads. To accommodate fire suppression and rescue activities, the Mercer Island fire chief may require that the widths of private access roads or driveways or the size of turnarounds be increased or that turnarounds be provided when not otherwise required by this section.
31. All private access roads serving three or more single-family dwellings shall be at least 20 feet in width. All private access roads serving two single-family dwellings shall be at least 16 feet in width, with at least 12 feet of that width consisting of pavement and the balance consisting of well compacted shoulders.
32. All corners shall have a minimum inside turning radius of 28 feet.
33. All private access roads in excess of 150 feet in length, measured along the centerline of the access road from the edge of city street to the end of the access road, shall have a turnaround with an inside turning radius of 28 feet.
34. All cul-de-sacs shall be at least 70 feet in diameter; provided, cul-de-sacs providing access to three or more single-family dwellings shall be at least 90 feet in diameter.
35. Driveways serving one single-family dwelling shall be at least eight feet in width. Driveways providing vehicle access to parking for regulated improvements shall comply with the parking lot dimension requirements of appendix A.

36. Gradient: No access road or driveway shall have a gradient of greater than 20 percent. For all access roads and driveways with a gradient exceeding 15 percent, the road surface shall be cement concrete pavement with a brushed surface for traction. Access roads and driveways with gradients of 15 percent or less may have asphalt concrete surface.

Notes:

[MICC 19.21](#) – Environmental procedures.

[MICC 19.21.100](#) – Determination of categorical exemption.

37. State Environmental Policy Act (SEPA) Review may be required for the proposed development. If the applicant can demonstrate that the proposed development meets one or more of the criteria in [WAC 197-11-800](#) for categorical exemptions, SEPA Review would not be required.

Notes:

Other Considerations:

38. If the existing structures, sites, lots, and/or uses are legally nonconforming according to [MICC 19.01.050](#)(A)(2), and the proposed development consists of exterior alteration or enlargement of nonconforming structures, or alteration to the site, compliance with the requirements below are required:
- a. A legally nonconforming detached single-family dwelling may be intentionally altered or enlarged without losing its legal nonconforming status as long as no more than 40% of the length of the dwelling's existing exterior walls, excluding attached accessory buildings, is structurally altered. An increase in height of that portion of a structure that is legally nonconforming because it intrudes into a required yard is in increase in the nonconformity and is not allowed unless the additional height meets the current yard requirements.
 - i. "Structurally altered" is a wall segment that is completely demolished.
 - ii. "Completely demolished" is when any portion of the wall is completely removed, such that no structural elements remain.
 - b. A site developed with a single-family dwelling that is legally nonconforming because the required landscaping area in [MICC 19.02.020](#)(F) has not been provided, or because maximum allowable hardscape has been exceeded, can be increased in height and gross floor area (up to the maximum height and gross floor area permitted). No new hardscape or further reduction in landscaping area is permitted, unless:
 - i. The site is brought into conformance;
 - ii. For lots where the maximum hardscape is exceeded, two square feet of legally existing hardscape are removed for every one square foot of new hardscape; or
 - iii. For lots where maximum lot coverage is exceeded, two square feet of landscaping area are provided for every one square foot of additional nonlandscaping area.
39. **Impact Fees:** Future construction on a vacant/new lot(s), commercial development, redevelopment, and/or tenant improvements will need to pay transportation, school, and park impact fees listed in the [Fee Schedule](#). Note: fees are due at the time they are assessed. They do not vest to the time of completed subdivision or building permit application.
40. **[MICC 19.20](#) – Transportation Concurrency.** Transportation concurrency review is required for the following:

- a. Preliminary long and short plats and revisions or alterations thereof which will increase the number of dwelling units or net new trips.
 - b. Development agreements.
 - c. Design review or conditional use permits.
 - d. Any other land use approval or building permit that will result in net new trips.
41. **MICC 19.15.170 – Vesting.** Complete applications for land use review of Type I land use reviews, building permits, conditional use permits, design review, short subdivisions and long subdivisions shall vest on the date a complete application is filed. The department's issuance of a letter of completion for Type III and IV land use decisions, as provided in Chapter 19.15, or the failure of the department to provide such a letter as provided in this chapter, shall cause an application to be conclusively deemed to be vested as provided herein.

LAND USE APPLICATION PROCESS

Required Land Use Approvals. See the [City's Permit Forms](#) list for application forms.

Certain land use applications may be consolidated. Please see [MICC 19.15.030\(F\)](#) for more information on consolidated permit processing. If the applicant wishes to consolidate reviews, a Concurrent Review Form is required.

- a. Building Permit
- b. Accessory Dwelling Unit Permit
- c. Critical Area Review 1 or 2
- d. Shoreline Substantial Development Permit or Shoreline Exemption
- e. SEPA Review (unless categorically exempt)
- f. Transportation Concurrency Certificate
- g. Site Development Permit

Application Fees. [Fee Schedule](#).

- a. Deposit due at the time of application.
- b. Review time is billed hourly against the deposit; additional fees may be requested if additional review time is required.
- c. When third-party technical review is required (e.g. geotechnical, wetland, watercourse, etc.), this is billed separately, in addition to staff review time.

Summary of Procedural Steps.

1. Pre-Application Meeting
2. Intake Screening (if required)
3. Submit application electronically using our [Permit Submittal Portal](#)
4. Completeness Check (within 28 days of application submittal)
 - a. If the application is deemed incomplete, the City has 14 days to review subsequent submittals for completeness)
5. Notice of Application (within 14 days of determination of completeness)

6. 30-day Public Comment Period (begins when Notice of Application is mailed to neighboring properties within 300 feet of the subject property, posted on the site, and uploaded to the City's Weekly Permit Bulletin)
7. 1st Review typically coincides with 30-day Public Comment Period
8. Public Hearing (for Type IV land use reviews)
9. Notice of Decision
 - a. Land use approvals are valid for a period of 3 years from the date of decision, unless otherwise stated in [MICC 19.15.150](#)
10. Appeal Period (typically 14-days except for shoreline decisions)
11. Final Plat Review and Recording (if applicable)

Target Review Timelines. Target review timelines are available on the [City's Review Timelines webpage](#).

Pre-Application Fees.

The minimum fee for the pre-application meeting must be paid to initiate the pre-application process. If staff time exceeds the minimum hours allotted, the applicant will be invoiced via email for additional staff hours at the current hourly rate. Note: All involved staff members track time spent researching and preparing, attending the meeting, corresponding, responding to questions pre and post meeting, and/or on any other activity related to the pre-application process for the project. Applicants who continue to discuss the meeting with staff should expect to be invoiced for additional staff time.

***PLEASE NOTE:** These pre-application meeting notes have been prepared to assist the applicant in completing and submitting the application in a manner that complies with applicable development standards and permit processing requirements. Although care has been taken, in the event of a conflict between these notes and any applicable law, regulation, or decision criteria, the latter shall prevail. The City of Mercer Island makes no warranty of any kind to the accuracy of the information contained in these notes. The information herein notwithstanding, it is the applicant's sole duty to ensure that the proposed development complies with all applicable laws, regulations, and decision criteria. Neither the discussions nor the notes provided at the pre-application meeting shall bind the City in any manner or prevent the City's future application or enforcements of all laws, regulations, and decision criteria.*