



Code Compliance Narrative

Date: May 13, 2025

Project Name: 7422 E Mercer Way Dock Repair

The project scope is to repair (4) timber pile caps on an existing dock with steel channels through bolted to each side. This proposed dock repair complies with Mercer Island Code as described below.

19.13.050 - Shoreland development standards.

All development within the shoreline jurisdiction shall be in compliance with all development requirements specified in this chapter.

A. Standards landward of the OHWM. The standards in Table C shall apply to development located landward of the OHWM:

Not applicable. No development is proposed landward of the OHWM.

B. Bulkheads and shoreline stabilization structure.

Not applicable. No bulkheads or shoreline stabilization proposed.

C. Transportation and parking.

Not applicable. No transportation or parking proposed.

D. Standards waterward of the OHWM. Moorage facilities may be developed and used as an accessory to dwellings on shoreline lots. Only one noncommercial, residential moorage facility per upland residential waterfront lot authorized. The standards in Table D shall apply to development located waterward of the OHWM:

Table D – Requirements for Moorage Facilities and Development Located Waterward from the OHWM.

Setbacks for Docks, Covered Moorages, and Floating Platforms: 10 feet from the lateral line (except where moorage facility is built pursuant to the agreement between the owners of adjoining lots on the shoreline as shown in Figure B below). Where a property shares a common boundary with the urban park environment, the setback shall be 50 feet from the lateral line or 50% of the water frontage of the property, whichever is less.

Not applicable. No new structures or change to existing footprints proposed.



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Setbacks for Boat Ramps and Other Facilities for Launching Boats by Auto or Hand, Including Parking and Maneuvering Space:

25 feet from any adjacent private property line.

Not applicable. No boat ramps or launches proposed.

Length or Maximum Distance Waterward from the OHWM for Docks, Covered Moorage, Boatlifts and Floating Platforms: Maximum 100 feet, but in cases where water depth is less than 11.85 feet below OHWM, length may extend up to 150 feet or to the point where water depth is 11.85 feet at OHWM, whichever is less.

Existing structures are located within 100' of the OHWM.

Width of Docks within 30 Feet Waterward from the OHWM: Maximum 4 feet. Width may increase to 5 feet if one of the following is met:

- 1) Water depth is 4.85 feet or more, as measured from the OHWM; or
- 2) A moorage facility is required to comply with Americans with Disabilities Act (ADA) requirements; or
- 3) A resident of the property has a documented permanent state disability as defined in WAC 308-96B-010(5); or
- 4) The proposed project includes mitigation option A, B or C listed in Table E; and for replacement actions, there is either a net reduction in overwater coverage within 30 feet waterward from the OHWM, or a site-specific report is prepared by a qualified professional demonstrating no net loss of ecological function of the shorelands. Moorage facility width shall not include pilings, boat ramps and boatlifts.

Not applicable. No new docks proposed.

Width of Moorage Facilities More Than 30 Feet Waterward from the OHWM: Maximum 6 feet wide. Moorage facility width shall not include pilings, boat ramps

Not applicable. No new moorage facilities proposed.

Height Limits for Walls, Handrails and Storage Containers Located on Piers: 3.5 feet above the surface of a dock or pier.

4 feet for ramps and gangways designed to span the area 0 feet to 30 feet from the OHWM.

Not applicable. No walls, handrails or storage containers proposed.

Height Limits for Mooring Piles, Diving Boards and Diving Platforms:

10 feet above the elevation of the OHWM.



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Height Limits for Light Rail Transit Facilities within the Existing I-90 Corridor

Not applicable. No bulkheads or shoreline stabilization proposed.

Minimum Water Frontage for Docks: Shared – Two adjoining lots on the shoreline: 40 feet combined.

Not applicable. No new dock is proposed. The existing dock was constructed before the adoption of the Shoreline Management Act and the City's Shoreline Master Program. .

Covered Moorage: Permitted on single-family residential lots subject to the following:

- (a) Maximum height above the OHWM: 16 feet; 16 to 21 feet subject to criteria of subsection (E)(1) of this section.
- (b) Location/area requirements: See Figure A for single-family lots and Figure B for shared moorage.
- (c) Building area: 600 square feet; however, a covered moorage may be built larger than 600 square feet within the triangle subject to a shoreline conditional use permit.
- (d) Covered moorage shall have open sides.
- (e) Prohibited in semi-private recreational tracts and noncommercial recreational areas.
- (f) Translucent coverings are required.

Not applicable. No covered moorage proposed.

Table E – Dock Width Mitigation Options

Not applicable. No dock width mitigation required.

E. The covered portion of a moorage shall be restricted to the area lying within a triangle as illustrated in Figure A, except as otherwise provided in subsection (E)(1) of this section.

Not applicable. No new or expanded covered moorage proposed.

F. *Moorage facilities.* All permits for new and expanded moorage facility, other than marinas and public access piers or boardwalks, shall meet the following standards unless otherwise exempted. Moorage facilities have the option of meeting either the development standards prescribed in subsection (F)(1) or (F)(2) of this section, or the "alternative development standards" in subsection (F)(3) of this section.

1. *Development standards for new and expanded moorage facilities.*

Not applicable. No new or expanded moorage facilities proposed.



2. *Development standards for replacement, repair and maintenance of overwater structures, including moorage facilities.* The maintenance, repair and complete replacement of legally existing overwater structures is permitted; provided, that:

i. All permit requirements of federal and state agencies are met;

All required state and federal permits have been approved.

ii. The area, width, or length of the structure is not increased, but may be decreased;

No change to the structure size is proposed.

iii. The height of any structure is not increased, but may be decreased; provided, that the height above the OHWM may be increased as provided in subsection (F)(2)(ix)(b) of this section;

No change to the structure height is proposed.

iv. The location of any structure is not changed unless the applicant demonstrates to the director's satisfaction that the proposed change in location results in: (A) a net gain in ecological function, and (B) a higher degree of conformity with the location standards for a new overwater structure;

No change to the structure location is proposed.

v. Piles shall not be treated with pentachlorophenol, creosote, CCA or comparably toxic compounds. If ammoniacal copper zinc arsenate (ACZA) pilings are proposed, the applicant shall meet all of the best management practices, including a post-treatment procedure, as outlined in the amended best management practices of the Western Wood Preservers. All piling sizes are in nominal diameter;

No treatment or change to piles are proposed. Proposal is to reinforce existing pile caps with steel channels.

vi. Any paint, stain or preservative applied to components of the overwater structure must be leach resistant, completely dried or cured prior to installation. Materials shall not be treated with pentachlorophenol, creosote, CCA or comparably toxic compounds;

No paint, stain, or preservative proposed.

vii. The applicant shall abide by the work windows for listed species established by the U.S. Army Corps of Engineers and Washington Fish and Wildlife;

The construction timeline complies with work windows established by the USACE.

viii. Disturbance of bank vegetation shall be limited to the minimum amount necessary to accomplish the project. Disturbed bank vegetation shall be replaced with native, locally adapted herbaceous and/or woody vegetation. Herbaceous plantings shall occur within 48 hours of the completion of construction. Woody vegetation components shall be planted in the fall or early winter, whichever occurs first. The applicant shall take appropriate measures to ensure revegetation success;

No disturbance of bank vegetation is proposed.



ix. *Structural repair.* The structural repair, which may include replacement of framing elements, of moorage facilities that results in the repair of more than 50 percent of the structure's framing elements within a five-year period shall comply with subsections (F)(2)(ix)(a) through (F)(2)(ix)(c) of this section. For this section, framing elements include, but are not limited to, stringers, piles, pile caps, and attachment brackets, as shown in Figure D:

Not applicable. The proposed work does not result in the repair of more than 50 percent of the structure's framing elements within a five-year period.

x. *Exterior surface repair.* The exterior surface repair, which may include the replacement of exterior surface materials of moorage facilities that results in the repair of more than 50 percent of the surface area of the moorage facility's decking, fascia, and platform lifts within a five-year period (see Figure D), shall be required to utilize materials that allow a minimum of 40 percent light transmittance over 100 percent of the dock; and

Not applicable. The proposed work is not to the dock surface.

xi. Any decking that is removed in the course of repair shall be replaced with decking materials that allow a minimum of 40 percent light transmittance.

Not applicable. No decking is proposed to be removed as part of the work.

3. *Alternative development standards.* The code official shall approve moorage facilities not in compliance with the development standards in subsection (F)(1) or (F)(2) of this section subject to both U.S. Army Corps of Engineers and Washington Department of Fish and Wildlife approval to an alternate project design.

Not applicable. Project complies with development standards in subsection (F)(2).

G. *Breakwaters, jetties, groins, and weirs.* Breakwaters, jetties, groins, weirs, and similar structures are prohibited, except for those structures installed to protect or restore ecological functions, such as woody debris installed in streams. Breakwaters, jetties, groins, and weirs shall be designed to protect critical areas and shall provide for mitigation according to the sequence defined in WAC 173-26-201(2)(e).

Not applicable. No breakwaters, jetties, groins or weirs proposed.

H. *Public access piers, docks, or boardwalk.* New public access piers, docks, or boardwalks on public lands shall comply with the following:

Not applicable. No public access piers, docks, or boardwalks are proposed.



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I. *Restoration of ecological functions.* The code official may grant relief from shoreline master program development standards and use regulations resulting from shoreline restoration projects consistent with the criteria and procedures in WAC 173-27-215.

Not applicable. No restoration proposed.

J. *Dredging.*

Not applicable. No dredging proposed.

K. *General requirements.* The following requirements apply to the following types of activities that may be waterward and/or landward of the OHWM:

1. Critical areas within the shorelands are regulated by [Chapter 19.07](#) MICC, as adopted in the MICC on June 18, 2019, except: MICC 19.06.110(B), Variances; MICC [19.06.110\(C\)](#), Setback deviations; and MICC [19.07.140](#), Reasonable use exception.

Not applicable. No work in critical areas proposed.

2. *Utilities.*

- i. Utilities shall be placed underground and in common rights-of-way wherever economically and technically practical.
- ii. Shoreline public access shall be encouraged on publicly owned utility rights-of-way, when such access will not unduly interfere with utility operations or endanger public health and safety. Utility easements on private property will not be used for public access, unless otherwise provided for in such easement.
- iii. Restoration of the site is required upon completion of utility installation.

Not applicable. No utility work proposed.

3. *Archaeological and historic resources.*

- i. If archaeological resources are uncovered during excavation, the developer and property owner shall immediately stop work and notify the city, the office of archaeology and historic preservation, and affected Indian tribes.
- ii. In areas documented to contain archaeological resources by the office of archaeology and historic preservation, a site inspection or evaluation is required by a professional archaeologist in coordination with affected Indian tribes.

Not applicable. No excavation proposed.

4. New development totaling 500 square feet or more of any combination of additional gross floor area, lot coverage or hardscape, including the primary structures and appurtenances, shall be required to provide native vegetation coverage over 50 percent of the 20-foot vegetation area shown on Figure C. This total shall include all gross floor area, lot coverage, and hardscape added in the five years immediately prior to the development proposal.



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- i. New development totaling 1,000 square feet or more of any combination of additional gross floor area, lot coverage or hardscape, including the primary structures and appurtenances, shall be required to provide native vegetation coverage over 75 percent of the 20-foot vegetation area shown in Figure C.
- ii. A shoreline vegetation plan shall be submitted to the city for approval.
- iii. The vegetation coverage shall consist of a variety of ground cover shrubs and trees indigenous to the central Puget Sound lowland ecoregion and suitable to the specific site conditions. Existing mature trees and shrubs, but excluding noxious weeds, may be included in the coverage requirement if located in the 20-foot vegetation area shown in Figure C.
- iv. No plants on the current King County noxious weed lists shall be planted within the shorelands.

Not applicable. No new development proposed.

L. *Marinas.*

Not applicable. No marinas proposed.