



CITY OF MERCER ISLAND

9611 SE 36th Street • Mercer Island, WA 98040-3732

PHONE (206) 275-7605 • FAX (206) 275-7726

www.mercergov.org

Wet Season Grading Restriction (October 1 through April 1) Seasonal Development Limitation Waiver CHECKLIST FOR SUBMITTAL

Mercer Island Municipal Code Section 19.07.060.4

SUBMITTAL REQUIREMENTS:

- Development Application (in addition to Building Permit application)
- Application Fee (see attached Development Application for fees)
- Letter to the Building Official Requesting the Waiver- The letter should summarize the construction schedule from start-up until foundation walls are back-filled and wet season erosion control measures are operational; summarize the types of geologic hazards (steep slope, landslide, erosion) and how these hazards are to be mitigated to allow for wet season construction; summarize potential adverse effects the proposed construction may have on adjacent properties (with respective mitigation measures); and provide other information that justifies the safety of the proposed work within the wet season.
- Geotechnical Report- Must specifically address the risk of wet season construction with respect to slope stability and erosion control.
- Working Drawings- Drawings necessary to convey construction methods.
- Construction Schedule
- Erosion Control Plan
- Emergency Procedures- In case of soil failure.
- Emergency Contact Information Form- For posting on the site.

ADDITIONAL SITE SPECIFIC INFORMATION THAT MAY BE REQUESTED PRIOR TO APPROVAL OF THE DEVIATION:

- Survey
- Storm Detention Design and Hydrology Report
- Tree Inventory
- Permanent Site Restoration Methods
- Soil Removal Evaluation
- Liability Insurance
- Performance Bond (or Assignment of Funds Account)



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Wet Season Grading Restriction: Seasonal Development Limitation Waiver

Mercer Island Municipal Code Section 19.07.060.4

Land clearing, grading, filling, and foundation work are not permitted between October 1 and April 1 on lots considered as an Erosion, Potential Slide, or Steep Slope Hazard. A waiver to this seasonal development limitation may be granted if compelling justification is demonstrated and supported by a geotechnical evaluation of the site and proposed construction activities.

All site-related activities on affected sites must be completed outside of the October 1 to April 1 moratorium period to avoid the requirement for a waiver after August 1. All permit applications on affected sites must be submitted along with an application for a seasonal development limitation waiver or construction activities cannot commence until after the end of the wet season.

Affected sites:

1. Sites subject to an Erosion Hazard with soils having “severe” rill and inter-rill erosion hazard, typically slopes of 15 percent or greater over any 30-foot horizontal run. Also, see Mercer Island’s Erosion Hazard Map.
2. Sites subject to a Potential Slide Hazard with a slope of 15 percent or greater over any 30-foot horizontal run and with other geologic concerns warranting a potential slide hazard. Also, see Mercer Island’s Landslide Hazard Map.
3. Sites subject to a Steep Slope Hazard with a slope of 40 percent or greater and having vertical relief of 10 feet or more. These sites are defined as Critical Slopes. Critical Slopes may cross property lines and the Critical Slope Hazard Area includes the Critical Slope and the land that extends 10 feet past the top and toe of the slope. Also, see Mercer Island’s Landslide Hazard Map.
4. Any site that is considered by the Building Official or City Engineer to be subject to the seasonal development limitation.

Application Process:

1. You must provide the requested information to be reviewed by the Development Services Group which will determine if a waiver can be granted. The process of consideration typically takes 2 to 4 weeks.
2. To apply for a seasonal development limitation waiver, the permit applicant must submit a letter of request to the Building Official that includes the site address, permit number, date, and signature. The following is a list of information that must be submitted along with the letter requesting the waiver.

- **Geotechnical Report.** This report must include an analysis of slope stability and erosion-control requirements for the wet season. The geotechnical engineer needs to specifically state why the work can be performed during the seasonal development limitation period and specify all necessary construction limitations. The geotechnical engineer may be asked to meet with DSG staff discuss the project.
 - **Working Drawings.** Submit building plans and a complete site plan that locates all proposed structures and cross sections and fully describe all cuts. The critical slopes and geologic hazard areas should be clearly indicated on the site plan. Shoring walls on cantilevered retaining wall designs will need to be utilized for the site to permit expeditious backfill placement and limit exposed cuts.
 - **Construction Schedule.** Provide a construction schedule to show the duration of all site and foundation work to the point where the foundation is complete, backfill is in, and all erosion-control methods are completely and properly installed.
 - **Erosion Control Plan.** This is part of your Stormwater Permit and may be made part of your site plan. Include detailed information on silt fence placement and construction; protection of construction access road; location of spoils and erosion protection methods; erosion protection of exposed ground; etc.
 - **Emergency Procedures:** This is a written description that you will assemble which describes actions to be taken on site in the event of natural or man-made disasters such as a landslide or erosion-control problem. Priority actions and who is to be contacted must be listed. Include contact name and phone numbers on site with the building permit at all times for the general contractor, excavation subcontractor, City Police, Fire Department, Maintenance Department, and Development Services Department.
 - **Emergency Contact Information:** See attached form.
3. Once the waiver is received and reviewed, you will receive a letter from DSG either granting the deviation request pending the submittal of additional information or denying it. If the waiver request is granted, you may be asked to provide some or all of the following:
- **Storm Detention Design and Hydrology Report:** Provide calculations and design for the detention system and its use during the wet season to attenuate stormwater flows offsite and capture sediment. Describe frequency and extent of maintenance required.
 - **Survey:** Provide a boundary and topographical survey by a Washington State licensed professional land surveyor. The contour lines are to be at 2-foot maximum intervals across the entire site.
 - **Tree Inventory:** Show all deciduous trees that are 6 inches or greater in diameter measured at 4.5 feet above the ground and all evergreens that are 6-feet tall or greater. Clearly mark which trees are to be removed. Only trees which are in building areas or can be demonstrated by a Certified Arborist to be diseased or a hazard may be removed.
 - **Permanent Site Restoration Methods:** This should be a separate site plan that describes what the finished building site will look like at the time of final inspection by the City. If temporary erosion-control methods are required to remain in place at this time, then a short-term bond tied to the cost of hydroseeding the entire site area will be needed.
 - **Soil Removal Evaluation:** Provide a calculation of the amount of soil to be removed from the site.
 - **Hillside Support:** Provide a full description of how the hillside will be supported during excavation.

- **Soil Disposal:** Describe how excavation and construction spoils will be disposed. The excavated soil may not be taken to any other location on Mercer Island without first obtaining a grading permit from the City for each receiving site.
 - **Liability Insurance:** You may be required to provide a copy of liability insurance in the amount of \$1,000,000 with the City of Mercer Island named as an additional insured.
 - **Performance Bond or Assign of Funds Account:** You may be required to provide a bond or assignment of funds account in the amount of the total value of all work related to erosion control. This will include the cost of all measures required to prevent and limit erosion control and will include the costs of any structure required in the support of soils such as retaining walls, shoring walls, rockeries, or any others determined.
 - **Site Reports.** During the wet season, submit weekly site reports from your geotechnical engineer and daily reports during rainfall events to the Building Official.
 - **Additional Information.** Additional information may be required as determined by the Building Official or City Engineer.
4. Appeals of a seasonal development limitation waiver decision can be made to the Building Board of Appeals. There is a process for filing an appeal with the Board of Appeals, which normally takes up to 45 days. Refer to MICC Chapter 3.28.



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Seasonal Development Emergency Contact

PLEASE POST THIS INFORMATION ON SITE

Emergency Procedures

Mercer Island Municipal Code Section 19.07.020

Please complete the following emergency contact information.

► **Contractor:** _____

Phone: _____

► **Site Superintendent:**

Phone: _____

► **Excavation Subcontractor:**

Phone: _____

► **Owner:** _____

Phone: _____

City of Mercer Island	
Department	Phone
City Police	(206) 275-7610
Fire Department	(206) 275-7607
Maintenance	(206) 275-7608
Building Department (DSG)	(206) 275-7605

Describe the actions required to be taken on site in the event of a natural or man-made disaster such as a landslide or erosion-control problem: _____

