

CITY OF MERCER ISLAND

COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

PHONE: 206.275.7605 | www.mercerisland.gov



Pre-Application Meeting (PRE22-051)

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

Summary:

Site Location:	6025 & 6027 SE 32 nd St	Parcel Number	3708900042 & 3708900040
Lot Size:	24,278 & 16,450 sf.	Zoning:	R-15 (Single Family)
Brief Project Description:	New 650.75 sf. Joint use dock	Documents Provided:	Narrative, Site Plan, Questions, Tree Plan
Applicant Information:			
Name: Sam Hagen	Email: sam@waterfrontconstruction.com	Phone: (206) 681-5559	
Second Pre-application Meeting Required:	Not Applicable		

Applicant Questions:

1. *What type of easement will be required when the applicant owns both parcels? Can you provide an example of the necessary documentation?*

Staff Response: A joint-use agreement must be obtained involving both properties and recorded with King County. The agreement will run with the properties, not the owners. The City does not have examples, however you may be able to find some past agreements at the King County Recorder's Office or by submitting a Public Records Request with the City.

2. *What is the anticipated timeline/benchmarks for local permit review and issuance?*

Staff Response: See below for permit review timeline information.

Review Comments:

Fire Comments:

Fire Contact: Jeromy.Hicks@mercerisland.gov or 206-275-7966.

For additional information please refer to this helpful webpage:

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

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Tree Comments:

Tree Contact: John.Kenney@mercerisland.gov or 206-275-7713.

1. Please refer to MICC 19.10 for our tree code.
2. 30% of trees with a diameter of 10 inches or greater is required; additionally, development must be designed to minimize tree removal.
3. Replacement is required for any trees that are removed, according to the replacement ratios in MICC 19.10.070.
4. Tree protection (typically at tree dripline) of retained trees will be required
5. Sequential (phased) tree removal may be required (only remove trees necessary at each step of the review process)

For shoreline development, please provide the following:

3. Please illustrate existing trees (type, diameter, driplines) located near the proposed development.
4. If there is a recent building permit for an addition or new house: if the property has a required shoreline planting plan per MICC 19.07.110(E)(9)(d), please illustrate the existing shoreline plantings and integrate the proposed vegetation with this project. (E)(9)(d) requires all development adding over 500sf of GFA or impervious surface requires a native shoreline vegetation plan.
5. Please provide a tree protection plan for all development that will impact regulated trees.

For additional information please refer to this helpful webpage:

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

Civil Engineering Comments:

Civil Contact: Ruji.Ding@mercerisland.gov or 206-275-7703 Kevin.Nguyen@mercerisland.gov or 206-275-7706.

1. Please refer to MICC Title 15 for our Water, Sewers, and Public Utilities code.

For more information on Stormwater Permits please visit here:

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

Building Comments:

Building Contact: Gareth.Reece@mercerisland.gov or 206-275-7710 Jacob.Halverson@mercerisland.gov or 206-275-7718.

For additional information please refer to this helpful webpage:

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

Planning Comments:

Planning Contact: Molly.McGuire@mercerisland.gov or 206-275-7712.

19.13.050 – Shoreline Master Program, Shoreland development standards.

- A. Requirements for development waterward of the OHWM.

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1. Setbacks for Docks, Covered Moorages, and Floating Platforms
 - a. 10 feet from the lateral line (excepts where the moorage facility is built pursuant to the agreement between the owners of adjoining lots on the shoreline as shown in Figure B).
 2. Length or Maximum Distance Waterward from the OHWM for Docks, Covered Moorage, Boatlifts and Floating Platforms
 - a. 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.
 3. Width of Docks within 30 Feet Waterward from the OHWM
 - a. 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 the 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 in 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.
 4. Width of Moorage Facilities More Than 30 Feet Waterward from the OHWM
 - a. Maximum 6 feet wide. Moorage facility width shall not include pilings, boat ramps and boatlifts.
 5. Height Limits for Walls, Handrails and Storage Containers Located on Piers
 - a. 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.
 6. Height Limits for Mooring Piles, Diving Boards and Diving Platforms
 - a. 10 feet above the elevation of the OHWM
 7. Minimum Water Frontage for Docks
 - a. Shared – Two adjoining lots on the shoreline: 40 feet combined.
 8. Covered Moorage
 - a. Permitted on single-family residential lots subject to the following:
 1. Maximum height above the OHWM: 16 feet; 16 to 21 feet subject to criteria of subsection (E)(1) of this section.
 2. Location/area requirements: See Figure A for single-family lots and Figure B for shared moorage.
 3. 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.
 4. Covered moorage shall have open sides.
 5. Prohibited in semi-private recreational tracts and noncommercial recreational areas.
 6. Translucent coverings are required.
- B. Moorage Facilities. All permits for new and expanded moorage facility, other than public access piers or boardwalks, shall meet the following standards prescribed in subsection (F)(1) or (F)(2) of this section, or the “alternative development standards” in subsection (F)(3) of this section.

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1. Development standards for new and expanded moorage facilities. A proposed moorage facility shall be presumed to not create a net loss of ecological functions pursuant to subsection (B)(2) of this section if:
 - a. The surface coverage of the moorage facility is seven hundred square feet or less for two residential property owners.
 2. Piers, docks, and platform lifts must be fully grated with materials that allow a minimum of 40 percent light transmittance.
 3. Vegetation. The code official approves a vegetation plan that conforms to the following: Vegetation must be planted as provided in Figure C and as follows: Within the 25-foot shoreline setback, a 20-foot vegetation area shall be established, measured landward from the OHWM. Twenty-five percent of the area shall contain vegetation coverage. The five feet nearest the OHWM shall contain at least 25 percent native vegetation coverage. A shoreline planting plan shall be submitted to the city for approval. The vegetation coverage shall consist of a variety of ground cover shrubs and trees, excluding nonnative grasses. No plants on the current King County noxious weed lists shall be planted within the shorelands.
 4. Only docks, ramps, and boatlifts may be within the first 30 feet from the OHWM. No skirting is allowed on any structure.
 5. The height above the OHWM for docks shall be a minimum of one and one-half feet and a maximum of five feet.
 6. The first in-water (nearest the OHWM) set of pilings shall be steel, ten inches in diameter or less, and at least 18 feet from the OHWM. Piling sets beyond the first shall also be spaced at least 18 feet apart and shall not be greater than 12 inches in diameter. 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 outlines in the amended Best Management Practices of the Western Wood Preservers. All piling sizes are in nominal diameter.
 7. Any paint, stain or preservative applied to the components of the dock must be leach resistant, completely dried or cured prior to installation. Materials shall not be treated with pentachlorophenol, creosote, CCA or comparably toxic compounds.
 8. No more than two mooring piles shall be installed per structure. Joint-use structures may have up to four mooring piles. The limits include existing mooring piles. Moorage piling shall not be installed within 30 feet of the OHWM. These piles shall be as far offshore as possible.
 9. 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.
 10. 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.
- C. 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. The following requirements and all other applicable provisions in this chapter shall be met:
1. The dock must be no larger than authorized through state and federal approval;

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2. The maximum width must comply with the width of moorage facilities standards specified in standards in Table D;
 3. The minimum water depth must be no shallower than authorized through state and federal approval;
 4. The applicant must demonstrate to the code official's satisfaction that the proposed project will not create a net loss in ecological function of the shorelands; and
 5. The applicant must provide the city with documentation of approval of the moorage facilities by both the U.S. Army Corps of Engineers and the Washington Department of Fish and Wildlife.
- D. State Environmental Policy Act (SEPA) Review.
1. The proposed scope of work requires SEPA review pursuant to WAC 197-11-800.
 2. If the scope of work changes, SEPA review may not be required.
 3. If wetlands or watercourses are found on site, SEPA review will likely be required.

Notes: NA

Other Regulations:

1. Underlying Plat limits
 - a. Conditions: NA
 - b. Covenants: NA
 - c. Easements:
 - i. Vehicular Access Easements: No structures shall be constructed on or over any vehicular access easements. A minimum 5-foot yard setback from the edge of any easement that affords or could afford vehicular access to a property is required for all structures; provided that improvements such as gates, fences, rockeries, retaining walls and landscaping may be installed within the 5-foot yard setback so long as improvements do not interfere with emergency vehicle access or sight distance for vehicles and pedestrians.
 - ii. Utility and Other Easements: 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.
 - iii. Since multiple property owners share an interest in the easement, all parties with an interest must agree to the change.
2. Nonconforming issues
 - a. MICC 19.01.050
3. Vesting: Please see the standards in MICC 19.15.170.
4. Application fees
 - a. Deposit due at 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.
5. Land Use Application Process and Estimated Timeline:
 - a. Required land use approvals
 - i. [Shoreline Substantial Development Permit](#)
 - ii. [SEPA Threshold Determination](#)

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- b. [Consolidated Review](#)
- c. Summary of procedural steps
 - i. Pre-Application meeting
 - ii. Submit application electronically
 - iii. Application Completeness check
 - iv. Notice of Application (public notice via sign on site, mailing, notice in bulletin), begin 30-day comment period
 - v. Review
 - vi. Review comments sent out if needed and subsequent submissions returned by applicant
 - vii. Notice of Decision
 - viii. Appeal period
- d. Land use approvals are valid for a period of 3 years from the date of approval.

Land Use Decisions

Type of Review	Target
Completeness Review	4 weeks
First review	8-12 weeks
Second and subsequent reviews	6 weeks
Staff Report / Decision (following completion of review)	3-4 weeks
Single Family Residential	
First Review	8-12 weeks
Second Review	3 weeks
Third and subsequent reviews	2 weeks
Revisions	2-3 weeks
Express Reviews (see note below)**	4 weeks

For more information on Land Use and Planning please refer to this useful webpage:
<https://www.mercerisland.gov/cpd/page/land-use-application-forms-and-submittal-requirements>

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.

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2022 Pre-application Fees	
Type 1 Pre-Application Meeting: \$900 minimum fee, plus charges for any staff time spent on the pre-application over 6 hours. Any additional staff time is charged at a rate of \$150/hour.	Type 2 Pre-Application Meeting: \$1,800 minimum fee, plus charges for any staff time spent on the pre-application over 12 hours. Any additional staff time is charged at a rate of \$150/hour.
<i>Please Note: Fees will continue to accrue, post pre-application meeting, in situations where the applicant requests follow up or has additional questions that require additional staff time. Fees will be assessed at the hourly staff rate in place at the time of accrual and invoiced via email.</i>	

Sincerely,

Molly McGuire
 Planner
 Community Planning & Development
 City of Mercer Island

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