

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 (PRE23-030)

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:	1945 82 nd Ave SE	Parcel Number	544930-0092
Lot Size:	42584 SF	Zoning:	R-12 (Single Family)
Brief Project Description:	Dredging of 385 cubic yards of mud lake bottom to allow for moorage of vessel. No work to existing pier or bulkhead proposed.	Documents Provided:	1. Development Application 2. Pre-App Meeting Request Form 3. Questions 4. Plans 5. PDCS
Applicant Information:			
Name: Mark Kushino (Waterfront Construction LLC)		Email: mark@waterfrontconstruction.com	Phone: (206)407-5859
Second Pre-application Meeting Required:	Not Applicable		

Applicant Questions:

1. *Will a Shoreline Substantial Development Permit or a Shoreline Exemption be required for the proposed scope of work (dredging)?*

Staff Response: Dredging is a Permitted use in the Urban Residential shoreline designation which requires a [Shoreline Substantial Development Permit](#), unless the applicant can demonstrate that the project meets one of the criteria in [WAC 173-27-040](#) for developments exempt from shoreline substantial development permit requirements.

The proposed scope of work will also require [SEPA Review](#).

2. *Which biological reports, (if any) will be required for this project, and what contents will be required in those reports?*

Staff Response: MICC 19.13.050(J) contains development standards for Dredging:

J. Dredging.

1. Dredging shall be permitted only if navigational access has been unduly restricted or other extraordinary conditions in conjunction with water-dependent use; provided, that the use meets all state and federal regulations.
2. Dredging shall be the minimum necessary to accommodate the proposed use.

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3. Dredging shall utilize techniques that cause the least possible environmental and aesthetic impact.
4. Dredging is prohibited in the following locations:
 - i. Fish spawning areas except when the applicant conclusively demonstrated that fish habitat will be significantly improved as a result of the project.
 - ii. In unique environments such as lake logging of the underwater forest.
5. Dredging and the disposal of dredged material shall comply with ecology water quality certification process and U.S. Army Corps of Engineers permit requirements. The location and manner of the disposal shall be approved by the city.

The burden of proof is on the applicant to show that the proposal meets all of the above requirements.

The application will need a No Net Loss Report, Biological Evaluation, and SEPA Permit.

No Net Loss standards and Mitigation Sequencing can be found in [MICC 19.13.020\(C\)](#) - No development shall be approved unless the applicant demonstrates to the code official's satisfaction that the shoreline development will not create a net loss of ecological function in the shorelands.

1. Standards presumed to meet no net loss. When all individual development standards that apply to a development project do not explicitly require a determination of no net loss and the project conforms with all such standards, there is a rebuttable presumption that the project does not create a net loss of ecological function to the shorelands.
2. No net loss plan. Whenever an applicant seeks a variance or conditional use permit or an applicable development standard explicitly requires a determination of no net loss of ecological function, the applicant shall provide the city with a plan that demonstrates the proposed project will not create a net loss in ecological function to the shorelands. The plan shall accomplish no net loss of ecological function by avoiding adverse ecological impacts that are not reasonably necessary to complete the project, minimizing adverse ecological impacts that are reasonably necessary to complete the project, and mitigating or offsetting any adverse impacts to ecological functions or ecosystem-wide processes caused by the project. The code official may require the plan to include reports from qualified professionals with expertise in ecological function. The plan's compliance with the no net loss requirement may be considered through the SEPA process.
 - i. Off-site mitigation permitted. While on-site mitigation is preferred, off-site mitigation may be permitted at the discretion of the code official.
 - ii. Demonstration of no net loss supported by a qualified professional. The code official may require any applicant to provide reports by qualified professionals that demonstrate to the code official's satisfaction that the applicant's proposed plan avoids a net loss in ecological function.

The Biological Evaluation should determine whether the proposed development will take place in a fish-spawning area or unique environment.

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Review Comments:

Civil Engineering Comments:

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

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.

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.

1. This, or similar scope, was omitted from the project under permit number 1707-164. At that time, the following comment was provided to the applicant:

Provide the following:

1. *Parameters for which the proposed dredging profile was developed (vessel draft, profile, etc.)*
2. *Geotechnical recommendations on dredged profile vs anticipated final grade (1:1 open faced cuts are not conventional final grades on soils without geotech approval)*
3. *Geotechnical investigation of the effects of the dredging adjacent to the existing pier (embedment capacity of existing piles may or may not be affected by reducing grade elevation adjacent to existing piles)*
4. *Evaluation of final (existing or modified) proposed structure for the intended use considering vessel and geotechnical information above.*

These issues will need to be addressed as part of a future dredging project.

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.

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- A. 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: See Staff Response to Question 2 above for Dredging standards.

Other Regulations:

1. Underlying Plat limits
 - a. Conditions: None found at this time.
 - b. Covenants: None found at this time.
 - 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
 - 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

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- 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.

2023 Pre-application Fees	
Type 1 Pre-Application Meeting: \$954 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 \$159/hour.	Type 2 Pre-Application Meeting: \$1,908 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 \$159/hour.

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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.

Sincerely,

Molly McGuire
Planner
Community Planning & Development
City of Mercer Island

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July 25, 2023

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Electrical Requirements for Private Boat Docks

- All Electrical work requires a permit, (some exceptions for like in kind device replacements) all work shall be performed by a licensed electrician or homeowner performing their own work. Inspections are required throughout all stages of work, and nothing shall be concealed prior to inspections.
- All electrical installations shall follow the 2020 National Electrical Code (or current) and as amended by the Washington Cities Electrical code.
- A grounding electrode (in compliance with NEC 250.52 and 250.53) shall be installed at the onshore overcurrent device(s) or disconnecting means.
- All non-current carrying metal parts of the docking facility such as metal piping, metal equipment enclosures, metal frames of the structure and ramps, metal swim ladders, boat lifts and other metals in contact with the water or may become electrically energized shall be electrically bonded to the equipment grounding system in the panel board with solid copper #8 minimum.
- All receptacle outlets shall be GFCI protected for personnel unless the outlet is for a dedicated purpose and installed in an enclosed area of the structure protected from the weather. All receptacle outlets and switches shall be installed at least 12 inches above the finish dock surface.
- All "Marine Shore Power Outlets" shall be GFCI protected for personnel with a disconnecting means within 30 inches and readily identified.
- All conductors from the shore to the docking facility shall be protected from physical damage. Conduits shall be approved for the conditions of use (weatherproof, sunlight resistance, etc.)

- A permanent safety sign is required to give notice of electrical shock hazard risks to persons using or swimming near the dock. "WARNING-POTENTIAL SHOCK HAZARD-ELECTRICAL CURRENTS MAY BE PRESENT IN THE WATER" see NEC 555.10 for details.
- All electrical enclosures must be corrosion resistant, and devices rated for wet locations.
- Electrical connections allowed below Datum plane when located within junction boxes identified for wet locations and utilizing sealed wire connections listed and identified for submersion. WCEC amended.
- GFCI protection is required for boat hoists not exceeding 240V
- All transformer terminations must be located a minimum of 12" above deck. i.e., low voltage puck light transformers.

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Inspection Requests: Online: www.mybuildingpermit.com VM: 206.275.7730



Residential Dock Design

Guidance for the preparation of a building permit application

The Mercer Island Community Planning and Development department's Building team has the following guidelines and expectations for permit applications for residential dock repairs, alterations, and new construction. The guidelines below are intended to assist applicants by anticipating the likely thresholds for requiring design and are broken down into three categories of project scope.

When preparing the construction documents and supplemental information to apply for a building permit involving docks, please determine which of the following categories of work applies to the scope and review the specific guidance. In order to assist city staff during review, it may also be helpful to clarify in your construction documents which of these categories your project falls under in a scoping statement on the drawings.

1. For repairs and re-decking of existing docks without any reconfiguration of the dock shape:

- A. The scope of work should be identified prior to permit application. These permits cannot be issued with a vague description of the work. If up to 50% of the piles or 50% of the framing is to be replaced as part of the project, the specific components should be identified on a framing plan. If this scope of work changes as damage is discovered during construction, a revised plan should be submitted.
- B. Gravity calculations should be provided for any framing members being replaced, and the size, location, and material of the new framing should be identified on plan. Depending on the configuration of the dock, the appropriate live load may be 40 psf for piers or 60 psf, the same as applies to residential decks.
- C. All details for re-attachment of framing should be provided where repairs are made.
- D. Pile repair is a common need for these projects. It will be very important to identify the need and purpose for any work done to piles, as it will affect review.
 - a. In cases where the existing pile is suitable for re-use from lake bed to pile cap, but voluntary protection against decay is being installed, this should be identified as "decay prevention," "protection," or other similar notes.
 - b. In cases where the pile is being modified or cut below the waterline to competent material and spliced with new material, an engineered solution needs to be provided for the pile splice. This doesn't have to be specific to the project (a generic stamped letter for the splice of a 12" pile will work), but the pile splice detail needs to be submitted along with an engineer's stamped review of the specific assembly, and that assembly need to be followed in the field.

- c. In cases where a pile is replaced in-kind, complete specifications for the pile and its installation should be included (material, size, embedment, etc)

2. For reconfiguration of a dock shape to accommodate any new use:

- A. If a dock is being modified or reconfigured, the new uses should be identified in the documents. (e.g. if the dock is being extended to provide additional draft for mooring, or extended for access to a lake-bed supported boat lift, this type of use should be noted).
- B. All docks with new structure being proposed to accommodate the new use or configuration should be accompanied by gravity calculations for the new framing members, pile calculations, and details for all connections.
- C. Moorage of recreational boats 25 feet and less is considered incidental and will not require specific engineering consideration.
- D. If the new use for a dock is to accommodate (or appears to accommodate) vessels exceeding 25 feet, a professional engineer should evaluate the proposal to a recognized standard for fixed, permanent moorages of boats. Examples of this are UFC 4-152-07 "Design: Small Craft Berthing Facilities," NAVFAC Design Manual 26, or ASCE Manual 50 "Planning and Design Guidelines for Small Craft Harbors." The City of Mercer Island has not adopted a code which includes dock design, so it will be the responsibility of your engineer to determine the appropriate standard. Design criteria for building construction contained in ASCE 7 are not appropriate for most docks mooring vessels over 25 feet.
- E. In cases where a dock appears to accommodate a vessel larger than 25 feet, but there is no intent to do so, the Building Official may require that the drawings and the dock itself be labelled with the capacity that the engineer has considered in the design, or with "No moorage of vessels longer than 25 feet."

3. For new dock construction, or for complete dock replacement:

- A. All new dock designs should be accompanied by complete framing plans, gravity calculations for the framing members, pile calculations, and details for all connections.
- B. Moorage of recreational boats 25 feet and less is considered incidental and will not require specific engineering consideration.
- C. If the new dock accommodates (or appears to accommodate) vessels exceeding 25 feet, a professional engineer should evaluate the proposal to a recognized standard for fixed moorages of boats. Examples of this are UFC 4-152-07 "Design: Small Craft Berthing Facilities," NAVFAC Design Manual 26, or ASCE Manual 50 "Planning and Design Guidelines for Small Craft Harbors." The City of Mercer Island has not adopted a code which includes dock design, so it will be the responsibility of your engineer to determine the appropriate standard. Design criteria for building construction contained in ASCE 7 are not appropriate for most docks mooring vessels over 25 feet.
- D. In cases where a proposed dock appears to accommodate a vessel larger than 25 feet, but there is no intent to do so, the Building Official may require that the drawings and the dock itself be labelled with the capacity that a professional engineer has considered in the design, or with "No moorage of vessels longer than 25 feet."