

## Mercer Island City Code Criteria Compliance Matrix Chapter 19.08 MICC Subdivisions

**Project Name: Final Plat**  
**City File Number: SUB17-015**

**Date: 10/12/2023**

**Directions:** Please complete the code compliance matrix to identify conformity with city codes, standards, and policies. This will be required as part of the initial application. The code compliance matrix shall include specific details and examples about how the proposed development is consistent with Chapter 19.08 MICC. The applicant bears the burden of proof to ensure the application and associated materials are consistent with local laws, rules, and standards. The purpose of the code compliance matrix is to provide guidance to developers on the requirements for the development of property. This is a tool to ensure the proposed development is consistent with the requirements of Chapter 19.08 MICC, a guide and reference for developers to ensure all requirements are accounted for in application submittals, and a tool for staff to seamlessly review proposals and to enhance the quality and speed of the review process.

#	General	How the proposed development meets the provisions of the M.I.C.C.	City Review/Notes
1	The proposed subdivision shall comply with all applicable federal, state, and local laws.	<i>This final plat has been prepared in accordance with all standards and requirements of RCW 58.17, WAC 332-130, and MICC Title 19 as certified by a professional land surveyor licensed in the State of Washington on the face of the final plat drawings. This final plat complies with this condition.</i>	Complete
2	A final plat that is substantially consistent with the preliminary plat drawings attached as Exhibit X) and meeting the requirements of MICC 19.08, shall be submitted within five years of preliminary approval for review and approval by the City of Mercer Island City Council.	<i>The Mercer Island Hearing Examiner approved the preliminary subdivision on December 13, 2018. This final plat complies with this condition.</i>	Complete
3	No construction of structures, utilities, storm drainage, grading, excavation, filling, or land clearing on any land within the proposed long subdivision shall be allowed prior to preliminary approval of the application and until the applicant has secured the permits required under the Mercer Island City Code.	<i>The application received preliminary approval from the Mercer Island Hearing Examiner on December 13, 2018. All construction was started after issuance of Site Development Permit No. 2110-237 that was approved on 7/7/23. This final plat complies with this condition.</i>	Complete

#	Planning	How the proposed development meets the provisions of the M.I.C.C.	City Review/Notes
4	Prior to issuance of the Site Development Permit, the applicant shall submit a bond quantity worksheet reflecting the expected cost of implanting the mitigation plan, including plant material, maintenance, and monitoring costs.	<i>A Bond Quantity Worksheet, dated June 22, 2023, and a Permit Performance Bond, dated June 29, 2023, for \$1,136,397.64 was provided concurrent with the Site Development Permit: 2110-237. This final plat complies with this condition.</i>	Complete
5	Prior to the issuance of the Site Development Permit, the applicant shall revise the mitigation plan performance standards to require 30% cover of emergent plants by Year 3 and 60% cover by Year 5.	<i>This condition requires completion prior to issuance of the Site Development Permit. Site Development Permit No. 2110-237 was approved on 7/7/23 and provides evidence of compliance. This final plat complies with this condition.</i>	Complete. Applicant provided a financial guarantee covering the plat improvements.
6	Prior to issuance of the Site Development Permit, the applicant shall post a financial guarantee in the amount on 125% of the total shown on the bond quantity worksheet.	<i>This condition requires completion prior to issuance of the Site Development Permit. A Bond Quantity Worksheet, dated June 22, 2023, and a Permit Performance Bond, dated June 29, 2023, for \$1,136,397.64 was provided concurrent with the Site Development Permit: 2110-237. This final plat complies with this condition.</i>	Complete. Applicant provided a financial guarantee covering the plat improvements.
7	Prior to issuance of the Site Development Permit, the applicant shall provide proposed easement language for the access easement shared by the proposed lots for review and approval by the City.	<i>This condition requires completion prior to issuance of the Site Development Permit. Site Development Permit No. 2110-237 was approved on 7/7/23 and provides evidence of compliance. This easement language required by this condition is shown on page 2 of the final plat map. This final plat complies with this condition.</i>	Complete. Applicant provided a financial guarantee covering the plat improvements.
8	Prior to the recording of the final plat, the applicant shall identify the extent, limitations and terms of the proposed Native Growth Protection Easement, or equivalent restriction approved by the City, on the face of the final plat. Draft language shall be provided to the City for review and approval prior to final plat approval.	<i>This condition requires completion prior to issuance of the Site Development Permit. A Native Growth Protection easement has been provided on page 1 of the final plat. This final plat complies with this condition.</i>	Complete. Applicant provided a financial guarantee covering the plat improvements.

9	At building permit application, the applicant shall pay school impact fees based on the fee schedule in place at the time of application. A credit shall be applied for any dwelling unit that exists on the land within the subdivision prior to the subdivision if the dwelling unit is demolished. The credit shall apply to the first complete building permit application submitted to the city subsequent to demolition of the existing dwelling unit, unless otherwise allocated by the applicant of the subdivision as part of approval of the subdivision.	<i>This condition requires action at Building Permit approval. This final plat complies with this condition.</i>	Complete. Applicant provided a financial guarantee covering the plat improvements.
10	At building permit application, the applicant shall pay parks impact fees based on the fee schedule in place at the time of application. A credit shall be applied for any dwelling unit that exists on the land within the subdivision prior to the subdivision if the dwelling unit is demolished. The credit shall apply to the first complete building permit application submitted to the city subsequent to demolition of the existing dwelling unit, unless otherwise allocated by the applicant of the subdivision as part of approval of the subdivision.	<i>This condition requires action at Building Permit approval. This final plat complies with this condition.</i>	Complete. Applicant provided a financial guarantee covering the plat improvements.
11	At building permit application for the future residences, the applicant shall pay transportation impact fees based on the fee schedule in place at the time of application. A credit shall be applied for any dwelling unit that exists on the land within the subdivision prior to the subdivision if the dwelling unit is demolished. The credit shall apply to the first complete building permit application submitted to the city subsequent to demolition of the existing dwelling unit, unless otherwise allocated by the applicant of the subdivision as part of approval of the subdivision.	<i>This condition requires action at Building Permit approval. This final plat complies with this condition.</i>	Complete. Applicant provided a financial guarantee covering the plat improvements.

12	Prior to final inspection of plat improvements constructed under the Site Development Permit, the platlor shall stabilize all disturbed areas with erosion control measures acceptable to the City Engineer.	<i>The plat improvements have not been completed for final inspection. However, the City of Mercer Island has issued a waiver for construction during the wet season. A condition of approval requires confirmation of installation of Temporary Erosion and Sedimentation Control Plan measures together with compliance with the approved NPDES Permit WAR312702. Additionally, the City Engineer has agreed that improvements must be completed and approved within one year of issuance of the site development permit 2110-237 per MICC 19.08.040(B). The permit was issued on July 10, 2023 so the one-year period ends on July 9, 2024. Use of Performance Bond #5070146 issued for the site development permit will be acceptable as the guarantee. This final plat complies with this condition.</i>	Complete. Applicant provided a financial guarantee covering the plat improvements.
13	Prior to final inspection of plat improvements constructed under the Site Development Permit, all plantings as shown on the Mitigation and Restoration Plan prepared by The Watershed Company, dated April 18, 2018 shall be installed, inspected, and approved by the City, and the platlor shall submit as-built plans to the City.	<i>This condition requires action at final inspection of the plat improvements. A Bond Quantity Worksheet, dated June 22, 2023, and a Permit Performance Bond, dated June 29, 2023, for \$1,136,397.64 was provided concurrent with the Site Development Permit: 2110-237 and includes the installation of plantings as shown on the Mitigation and Restoration Plan. The City Engineer has agreed that improvements must be completed and approved within one year of issuance of the site development permit 2110-237 per MICC 19.08.040(B). The permit was issued on July 10, 2023 so the one-year period ends on July 9, 2024. Use of Performance Bond #5070146 issued for the site development permit will be acceptable as the guarantee. This final plat complies with this condition.</i>	Complete. Applicant provided a financial guarantee covering the plat improvements.
<b>#</b>	<b>Trees:</b>	<b>How the proposed development meets the provisions of the M.I.C.C.</b>	<b>City Review/Notes</b>
14	Only trees needing to be removed for site development improvements may be removed at Site Development Permit issuance. Tree removal shall be consistent with the Tree Preservation Plan on sheet W4.0 or as otherwise approved in writing by the City Arborist.	<i>Mercer Island Permit No. 2201-24 was issued on 7/7/2023 for the removal of 19 trees and 81 replacement trees. This final plat complies with this condition.</i>	Complete. Applicant provided a financial guarantee covering the plat improvements.

15	Only trees needing to be removed for future house construction may be removed at building permit issuance. Tree removal shall be consistent with the Tree Preservation Plan on sheet W4.0 of the Long Plat Mitigation and Restoration Plan dated April 18, 2018 or as otherwise approved in writing by the City Arborist.	<i>This condition requires action at Building Permit approval. The final plat identifies trees to be removed during the construction of improvements and prior to building permit issuance. This final plat complies with this condition.</i>	Complete. Applicant provided a financial guarantee covering the plat improvements.
16	Prior to Site Development Permit issuance, tree protection fencing shall be installed consistent with Sheet C4 of the plan set prepared by CHS Engineers dated April 18, 2018.	<i>This condition requires completion prior to issuance of the Site Development Permit. Site Development Permit No. 2110-237 was approved on 7/7/23 and provides evidence of compliance. This final plat complies with this condition.</i>	Complete. Applicant provided a financial guarantee covering the plat improvements.
17	Prior to recording of the final plat, the applicant shall include a sheet showing the locations and tree numbers of trees proposed for retention, consistent with the approved retention plan.	<i>The final plat identifies trees to be removed during the construction of improvements and prior to building permit issuance. This final plat complies with this condition.</i>	Complete
<b>#</b>	<b>Civil Engineering</b>	<b>How the proposed development meets the provisions of the M.I.C.C.</b>	<b>City Review/Notes</b>
18	Easements for shared access, utilities, and storm drainage facilities shall be depicted on the face of the final plat. Language which indicates joint rights and responsibilities of each lot with respect to all utilities and roadways shall be shown along with individual lot Joint Maintenance Easement Agreements (where applicable) for all shared usage and filed with the King County Recorder and noted on the final plat. The easement shall indicate whether it is public or private, existing, or proposed.	<i>This condition is shown on page 2 of the final plat map. This final plat complies with this condition.</i>	Complete

19	Damage to adjacent properties or public rights-of-way resulting from construction (e.g., siltation, mud, runoff, roadway damage caused by construction equipment or hauling) shall be expeditiously mitigated and repaired by the contractor, at no expense to the City. Failure to mitigate and repair said damage, or to comply with the approved construction plans, the permits issued by the City, or the City requirement for corrective action may be cause for the issuance of a "Stop Work" order, foreclosure on the plat bond/security, and/or other measures deemed appropriate by the City Engineer or Code Official to ensure construction consistent with the approved plans and protection of public safety.	<i>This condition requires a remedy as a result of damage to adjacent properties or public rights-of-way. To date no "Stop Work" order has been posted for work out of compliance with the City of Mercer Island Code. This final plat complies with this condition.</i>	Complete. Applicant provided a financial guarantee covering the plat improvements.
20	The final plat shall be prepared in conformance with Title 58 RCW and Surveys shall comply with Chapter 332-130 WAC. Submit using Mercer Island's datum and tie the plat to at least two City monuments.	<i>This final plat has been prepared in accordance with all standards and requirements of RCW 58.17, as certified by a professional land surveyor licensed in the State of Washington on the face of the final plat drawings. This final plat complies with this condition.</i>	Complete. Applicant provided a financial guarantee covering the plat improvements.
21	A City of Mercer Island title block for approval signatures (City Engineer and the Mayor) shall be provided on the final plat along with the designated Long Plat number.	<i>The City of Mercer Island title block for approval signatures of the City Engineer and Code Official have been added to sheet 1 of the final plat. An additional signature block for the Mayor has also been provided on page 1. This final plat complies with this condition.</i>	Complete. Applicant provided a financial guarantee covering the plat improvements.
22	A final traffic memorandum documenting the trip generation and sight distance evaluation shall be submitted as a part of the Site Development Permit submittal package. All mitigation measures recommended in the memorandum shall be incorporated into the Site Development Permit.	<i>This condition requires completion prior to issuance of the Site Development Permit. Site Development Permit No. 2110-237 was approved on 7/7/23 and provides evidence of compliance. This final plat complies with this condition.</i>	Complete. Applicant provided a financial guarantee covering the plat improvements.

23	Construction of all improvements for access, utilities, storm drainage, and site work shall comply with current City ordinances and the requirements of the City Engineer.	<i>The plat improvement plans were reviewed for code compliance and approved on July 5, 2023. The City Engineer has agreed that improvements must be completed and approved within one year of issuance of the site development permit 2110-237 per MICC 19.08.040(B). The permit was issued on July 10, 2023 so the one-year period ends on July 9, 2024. Use of Performance Bond #5070146 issued for the site development permit will be acceptable as the guarantee. This final plat complies with this condition.</i>	Complete. Applicant provided a financial guarantee covering the plat improvements.
24	All utilities serving the plat shall be under grounded (MICC 19.08.040) and shall be designed and constructed in accordance with City of Mercer Island Ordinances.	<i>Site Development Permit No. 2110-237 was approved on 7/7/23 and provides evidence of compliance. The utilities serving the plat were designed and installed per the approved Site Development Permit and in accordance with the City of Mercer Island Ordinances. This final plat complies with this condition.</i>	Complete. Applicant provided a financial guarantee covering the plat improvements.
25	<p>Plat improvement plans prepared by a Washington State licensed engineer shall be submitted for review and approval by the City Engineer. The improvement plans shall include, at a minimum, the following:</p> <ul style="list-style-type: none"> <li>a. Plat access road - Comply with the Fire Code requirements and standards contained in MICC 19.09.040. Site distance mitigation measures recommended by in the site distance evaluation.</li> <li>b. Temporary Erosion Control measurements.</li> <li>c. Grading Plan.</li> <li>d. Water main, water meters, and appurtenances <ul style="list-style-type: none"> <li>i. Provide water services for each lot. Locate water meters outside of the future driveway areas and any paved areas.</li> <li>ii. Abandon all existing water services currently serving the existing lot at the City water main.</li> </ul> </li> <li>e. Sanitary sewer and appurtenances <ul style="list-style-type: none"> <li>i. Provide sewer connections for each lot. Show the sanitary sewer stub outs.</li> <li>ii. Abandon all existing side sewers at the City sewer main.</li> <li>iii. The sanitary sewer system serving all lots will be a private sewer system.</li> </ul> </li> </ul>	<i>The plat improvement plans were reviewed for code compliance and approved on July 5, 2023. The City Engineer has agreed that improvements must be completed and approved within one year of issuance of the site development permit 2110-237 per MICC 19.08.040(B). The permit was issued on July 10, 2023 so the one-year period ends on July 9, 2024. Use of Performance Bond #5070146 issued for the site development permit will be acceptable as the guarantee. This final plat complies with this condition.</i>	Complete. Applicant provided a financial guarantee covering the plat improvements.

	<ul style="list-style-type: none"> <li>f. Stormwater <ul style="list-style-type: none"> <li>i. Provide drainage improvements in compliance with MICC 15.09.</li> <li>ii. Show the storm drainage stub outs for all lots.</li> <li>iii. A Department of Ecology Construction General Permit is required for this project.</li> </ul> </li> <li>g. Dry utilities <ul style="list-style-type: none"> <li>i. Show the proposed dry (power, gas, etc.) utility corridor on the plan.</li> </ul> </li> </ul>		
26	<p>Right of Way Restoration</p> <ul style="list-style-type: none"> <li>a. The existing driveway apron in the City Right of Way located at the south end of the property frontage must be removed.</li> <li>b. Roadway, sidewalk, and curb replacement limits shall be determined by the City Engineer and will likely include a full lane width grind and overlay of the existing roadway section on Island Crest Way and replacement of curb/gutter/sidewalk along the entire frontage of the property.</li> <li>c. Clearing and grading within the City Right of Way to achieve clear sight lines for the proposed driveway must be reviewed as a part of the Site Development Permit. Trimming of tree branches shall only be performed under the direction of a certified arborist.</li> </ul>	<p><i>The plat improvement plans were reviewed for code compliance and approved on July 5, 2023. The City Engineer has agreed that improvements must be completed and approved within one year of issuance of the site development permit 2110-237 per MICC 19.08.040(B). The permit was issued on July 10, 2023 so the one-year period ends on July 9, 2024. Use of Performance Bond #5070146 issued for the site development permit will be acceptable as the guarantee. This final plat complies with this condition.</i></p>	<p>Complete. Applicant provided a financial guarantee covering the plat improvements.</p>
27	<p>All plat improvements shall be completed prior to final plat approval or bonded and completed prior to issuance of building permits when allowed by the City Engineer. A survey grade as-built drawing in PDF format that shows all utilities and plat improvements shall be submitted to the City Engineer upon completion of the work.</p>	<p><i>The plat improvement plans were reviewed for code compliance and approved on July 5, 2023. The City Engineer has agreed that improvements must be completed and approved within one year of issuance of the site development permit 2110-237 per MICC 19.08.040(B). The permit was issued on July 10, 2023 so the one-year period ends on July 9, 2024. Use of Performance Bond #5070146 issued for the site development permit will be acceptable as the guarantee. This final plat complies with this condition.</i></p>	<p>Complete. Applicant provided a financial guarantee covering the plat improvements.</p>



#	<b><i>The following notes shall be placed on the final plat</i></b>		
1	Maintenance and repair of the private sanitary sewer system and joint use side sewers (sewer lines from the building to the private sewer main), shared roads, access easements, public trail, private storm drainage facilities shall be the responsibility of the owners of each lot served (with the exception that owners of any lot which is lower in elevation shall not be responsible for that portion of a private side sewer above their connection). If maintenance and repair of any facilities enumerated above are not performed to the satisfaction of the City Engineer, after a timely demand has been made for such action, the City or its agent shall have the right to enter upon the premises and perform the necessary maintenance and repair to protect the safety and general welfare of the public and shall have the right to charge the owner of each lot an equal share of the total maintenance and repair costs. The City or the owner of any lot within this plat shall have the right to bring action in Superior Court to require any maintenance or repair and to recover the costs incurred in making or effecting repairs to improvements.	<i>This condition of approval has been shown on sheet 1 of the final plat. This final plat complies with this condition.</i>	Complete
2	Private stormwater facilities shall be inspected and maintained in conformance with MICC 15.09.070.	<i>This condition of approval has been shown on sheet 1 of the final plat. This final plat complies with this condition.</i>	Complete
3	All staging for construction shall occur on site and shall not be located in the public right-of-way.	<i>This condition of approval has been shown on sheet 1 of the final plat. This final plat complies with this condition.</i>	Complete
4	No permanent landscaping, structures, or fences shall be placed on or within public utility, storm drainage, or pedestrian path easements without the written approval of the City Engineer.	<i>This condition of approval has been shown on sheet 1 of the final plat. This final plat complies with this condition.</i>	Complete
5	If in the opinion of the City Engineer, utilities or storm drainage facilities require maintenance, repair or replacement, the City or its agent shall have the right to enter those lots adjoining the facility for the purpose of maintaining, repairing, relocating, or replacing said facilities.	<i>This condition of approval has been shown on sheet 1 of the final plat. This final plat complies with this condition.</i>	Complete
6	Installation of landscaping and/or structures including trees, shrubs, rocks, berms, walls, gates, and other improvements are not allowed within the public right-of-way without an approved encroachment license agreement from the City prior to the work occurring (MICC 19.06.060).	<i>This condition of approval has been shown on sheet 1 of the final plat. This final plat complies with this condition.</i>	Complete
7	No tree identified for retention may be removed unless otherwise approved by the City arborist.	<i>This condition of approval has been shown on sheet 1 of the final plat. This final plat complies with this condition.</i>	Complete
8	All disturbed areas outside of building footprints and impervious surfaces on Lots 3 and 4 shall be landscaped.	<i>This condition of approval has been shown on sheet 1 of the final plat. This final plat complies with this condition.</i>	Complete
9	No change may be made to the configuration or maintenance requirements of Tract A without express approval from the City.	<i>This condition of approval has been shown on sheet 1 of the final plat. This final plat complies with this condition.</i>	Complete

10	All areas outside of building footprints and impervious surfaces shall be landscaped prior to final inspection of building permits on each lot. (MICC 19.07.060(D)(1)(d))	<i>This condition of approval has been shown on sheet 1 of the final plat. This final plat complies with this condition.</i>	Complete
11	The applicant shall include a note addressing maintenance and ownership of Tract A	<i>This condition of approval has been shown on sheet 1 of the final plat. This final plat complies with this condition.</i>	Complete
12	The applicant shall include a note addressing maintenance of the Native Growth Protection Easement.	<i>This condition of approval has been shown on sheet 1 of the final plat. This final plat complies with this condition.</i>	Complete
13	School, traffic, and park impact fees will be due at building permit issuance or may be deferred in accordance with MICC 19.17, 19.18, and 19.19.	<i>This condition of approval has been shown on sheet 1 of the final plat. This final plat complies with this condition.</i>	Complete