

1 **MICC 19.02.020 Development standards.**

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A. *Minimum net lot area.*

- R-8.4: The net lot area shall be at least 8,400 square feet. Lot width shall be at least 60 feet and lot depth shall be at least 80 feet.
- R-9.6: The net lot area shall be at least 9,600 square feet. Lot width shall be at least 75 feet and lot depth shall be at least 80 feet.
- R-12: The net lot area shall be at least 12,000 square feet. Lot width shall be at least 75 feet and lot depth shall be at least 80 feet.
- R-15: The net lot area shall be at least 15,000 square feet. Lot width shall be at least 90 feet and lot depth shall be at least 80 feet.

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- 1. Minimum net lot area requirements do not apply to any lot that came into existence before September 28, 1960. In order to be used as a building site, lots that do not meet minimum net lot area requirements shall comply with MICC 19.01.050 (G)(3).
- 2. In determining whether a lot complies with the minimum net lot area requirements, the following shall be excluded: the area between lateral lines of any such lot and any part of such lot which is part of a street.

14 B. *Street frontage.* No building will be permitted on a lot that does not front onto a street acceptable to the city as substantially complying with the standards established for streets.

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C. *Yard requirements.*

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- 1. *Minimum.* Except as otherwise provided in this section, each lot shall have front, rear, and side yards not less than the depths or widths following:
  - a. Front yard depth: 20 feet or more.
  - b. Rear yard depth: 25 feet or more.
  - c. Side yards shall be provided as follows:
    - i. *Total width.*
      - (a) For lots with a lot width of 90 feet or less, the sum of the side yards' width shall be at least 15 feet.
      - (b) For lots with a lot width of more than 90 feet, the sum of the side yards' width shall be a width that is equal to at least 17 percent of the lot width.

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2 ii. *Minimum side yard width.* The minimum side yard width is five feet or 33  
3 percent of the aggregate side yard total width, whichever is greater.  
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5 iii. *Variable side yard depth requirement.* For lots with an area of 6,000 square  
6 feet or more, the minimum side yard depth abutting an interior lot line shall be  
7 the greater of the minimum side yard depth required under subsection  
8 (C)(1)(c)(ii) of this section, or as follows:  
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10 (a) Single-family dwellings shall provide a minimum side yard depth of  
11 seven and one-half feet if the building:

12 (1) For nongabled roof end buildings, the height is more than 15  
13 feet measured from existing or finished grade, whichever is  
14 lower, to the top of the exterior wall facade adjoining the side  
15 yard; or  
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17 (2) For gabled roof end buildings, the height is more than 18 feet  
18 measured from existing or finished grade, whichever is lower, to  
19 the top of the gabled roof end adjoining the side yard.  
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21 (b) Single-family dwellings with a height of more than 25 feet measured  
22 from the existing or finished grade, whichever is lower, to the top of the  
23 exterior wall facade adjoining the side yard shall provide a minimum side  
24 yard depth of ten feet.  
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## 26 2. Yard determination.

### 27 a. Front yard.

28 i. *Front yard — General.* For lots that are not corner lots or waterfront lots, the  
29 front yard shall extend the full width of the lot and is determined using the  
30 following sequential approach, in descending order of preference, until a front  
31 yard is established:  
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33 (a) The yard abutting an improved street from which the lot gains primary  
34 access.  
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36 (b) The yard abutting the primary entrance to a building.  
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38 (c) The orientation of buildings on the surrounding lots and the means of  
39 access to the lot.  
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41 ii. *Front yard — Corner lots.* On corner lots the front yard shall be measured from  
42 the narrowest dimension of the lot abutting a street. The yard adjacent to the  
43 widest dimension of the lot abutting a street shall be a side yard; provided:  
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1 (a) If a setback equivalent to or greater than required for a front yard is  
2 provided along the property lines abutting both streets, then only one of  
3 the remaining setbacks must be a rear yard.  
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5 iii. *Front yard — Waterfront lots.* On a waterfront lot, regardless of the location  
6 of access to the lot, the front yard may be measured from the property line  
7 opposite and generally parallel to the ordinary high water line.  
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9 iv. This section shall apply except as provided for in MICC 19.08.030 (F)(1).  
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11 b. *Rear yard.* Except as allowed in subsections (C)(2)(a)(ii) and (iii) of this section, the rear  
12 yard is the yard opposite the front yard. The rear yard shall extend across the full width  
13 of the rear of the lot, and shall be measured between the rear line of the lot and the  
14 nearest point of the main building including an enclosed or covered porch. If this  
15 definition does not establish a rear yard setback for irregularly shaped lots, the code  
16 official shall establish the rear yard based on the following method: The rear yard shall be  
17 measured from a line or lines drawn from side lot line(s) to side lot line(s), at least ten  
18 feet in length, parallel to and at a maximum distance from the front lot line.  
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20 c. *Side yard.* Any yards not designated as a front or rear yard shall be defined as a side  
21 yard.  
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### 23 3. *Intrusions into required yards.* 24

#### 25 a. *Minor building elements.* 26

27 i. Except as provided in subsection (C)(3)(a)(ii) of this section, porches, chimney(s)  
28 and fireplace extensions, window wells, and unroofed, unenclosed outside  
29 stairways and decks shall not project more than three feet into any required yard.  
30 Eaves shall not protrude more than 18 inches into any required yard.  
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32 ii. No penetration shall be allowed into the minimum side yard setback abutting  
33 an interior lot line except where an existing flat-roofed house has been built to  
34 within 18 inches of the interior side yard setback line and the roof is changed to  
35 a pitched roof with a pitch of 2:12 or steeper, eaves may penetrate up to 18  
36 inches into the side yard setback.  
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38 b. *Hardscape and driveways.* Hardscape and driveways not more than 30 inches above  
39 existing grade or finished grade, whichever is lower, may be located in any required yard;  
40 provided, that driveways may exceed the 30-inch limit when a permit applicant  
41 demonstrates the proposed height is the minimum feasible to meet the standards in MICC  
42 19.09.040.  
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44 c. *Fences, retaining walls and rockeries.* Fences, retaining walls and rockeries are allowed  
45 in required yards as provided in MICC 19.02.050.  
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47 d. *Garages and other accessory buildings.* Garages and other accessory buildings are not  
48 allowed in required yards, except as provided in MICC 19.02.040.

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2 e. *Heat pumps, air compressors, air conditioning units, and other similar mechanical*  
3 *equipment.* Heat pumps, air compressors, air conditioning units, and other similar  
4 mechanical equipment may be located within any required yard provided they will not  
5 exceed the maximum permissible noise levels set forth in WAC 173-60-040, which is  
6 hereby incorporated as though fully set forth herein. Any such equipment shall not be  
7 located within three feet of any lot line.

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9 f. *Architectural features.* Detached, freestanding architectural features such as columns  
10 or pedestals that designate an entrance to a walkway or driveway and do not exceed 42  
11 inches in height are allowed in required yards.

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13 g. *Other structures.* Except as otherwise allowed in this subsection (C)(3), structures over  
14 30 inches in height from existing grade or finished grade, whichever is lower, may not be  
15 constructed in or otherwise intrude into a required yard.

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17 4. *Setback deviation.* The code official may approve a deviation to front, side, and rear setbacks  
18 pursuant to MICC 19.15.040.

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20 D. *Gross floor area.*

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22 1. Except as provided in subsection (D)(3) of this section, the gross floor area shall not exceed:

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24 a. R-8.4: 5,000 square feet or 40 percent of the lot area, whichever is less.

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26 b. R-9.6: 8,000 square feet or 40 percent of the lot area, whichever is less.

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28 c. R-12: 10,000 square feet or 40 percent of the lot area, whichever is less.

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30 d. R-15: 12,000 square feet or 40 percent of the lot area, whichever is less.

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32 2. *Gross floor area calculation.* The gross floor area is the sum of the floor area(s) bounded by the  
33 exterior faces of each building on a residential lot, provided:

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35 a. The gross floor area shall be 150 percent of the floor area of that portion of a room(s)  
36 with a ceiling height of 12 feet to 16 feet, measured from the floor surface to the ceiling.

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38 b. The gross floor area shall be 200 percent of the floor area of that portion of a room(s)  
39 with a ceiling height of more than 16 feet, measured from the floor surface to the ceiling.

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41 c. Staircases shall be counted as a single floor for the first two stories accessed by the  
42 staircase. For each additional story above two stories, the staircase shall count as a single  
43 floor area. For example, a staircase with a ten-foot by ten-foot dimension that accesses  
44 three stories shall be accounted as 200 square feet (100 square feet for the first two  
45 stories, and 100 square feet for the third story).

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47 d. For the purposes of calculating allowable gross floor area, lots created in a subdivision  
48 through MICC 19.08.030 (G), Optional standards for development, may apply the square

footage from the open space tract to the lot area not to exceed the minimum square footage of the zone in which the lot is located.

3. *Allowances.*

a. The gross floor area for lots with an area of 7,500 square feet or less may be the lesser of 3,000 square feet or 45 percent of the lot area; or

b. If an accessory dwelling unit is proposed, the 40 percent allowed gross floor area may be increased by the lesser of five percentage points or the actual floor area of the proposed accessory dwelling unit, provided:

i. The allowed gross floor area of accessory buildings that are not partially or entirely used for an accessory dwelling unit shall not be increased through the use of this provision;

ii. The lot will contain an accessory dwelling unit associated with the application for a new or remodeled single-family home; and

iii. The total gross floor area shall not exceed 4,500 square feet or 45 percent of the lot area, whichever is less.

E. *Building height limit.*

1. *Maximum building height.* No building shall exceed 30 feet in height above the average building elevation to the highest point of the roof.

2. *Maximum building height on downhill building facade.* The maximum building facade height on the downhill side of a sloping lot shall not exceed 30 feet in height. The building facade height shall be measured from the existing grade or finished grade, whichever is lower, at the furthest downhill extent of the proposed building, to the top of the exterior wall facade supporting the roof framing, rafters, trusses, etc.

3. Antennas, lightning rods, plumbing stacks, flagpoles, electrical service leads, chimneys and fireplaces, solar panels, and other similar appurtenances may extend to a maximum of five feet above the height allowed for the main structure in subsections (E)(1) and (2) of this section; provided:

a. Solar panels shall be designed to minimize their extension above the maximum allowed height, while still providing the optimum tilt angle for solar exposure.

b. Rooftop railings may not extend above the maximum allowed height for the main structure.

4. The formula for calculating average building elevation is as follows:

Formula: Average Building Elevation = (Weighted Sum of the Mid-point Elevations) ÷ (Total Length of Wall Segments)

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2 Where: Weighted Sum of the Mid-point Elevations = The sum of: ((Mid-point Elevation  
3 of Each Individual Wall Segment) × (Length of Each Individual Wall Segment))  
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5 For example for a house with ten wall segments:  
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$$7 \quad (A \times a) + (B \times b) + (C \times c) + (D \times d) + (E \times e) + (F \times f) + (G \times g) + (H \times h) + (I \times i) + (J \times j)$$

$$8 \quad a + b + c + d + e + f + g + h + i + j$$

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10 Where: A, B, C, D... = The existing or finished ground elevation, whichever is lower, at  
11 midpoint of wall segment.  
12

13 And: a, b, c, d... = The length of wall segment measured on outside of wall.  
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15 *F. Lot coverage—Single-family dwellings.*  
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17 1. *Applicability.* This section shall apply to the development of single-family dwellings including,  
18 but not limited to, the remodeling of existing single-family dwellings and construction of new  
19 single-family dwellings. This section does not apply to regulated improvements.  
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21 2. *Landscaping objective.*  
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23 a. To ensure that landscape design reinforces the natural and wooded character of  
24 Mercer Island, complements the site, the architecture of site structures and paved areas,  
25 while maintaining the visual appearance of the neighborhood.  
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27 b. To ensure that landscape design is based on a strong, unified, coherent, and  
28 aesthetically pleasing landscape concept.  
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30 c. To ensure that landscape plantings, earth forms, and outdoor spaces are designed to  
31 provide a transition between each other and between the built and natural environment.  
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33 d. To ensure suitable natural vegetation and landforms, particularly mature trees and  
34 topography, are preserved where feasible and integrated into the overall landscape  
35 design. Large trees and tree stands should be maintained in lieu of using new plantings.  
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37 e. To ensure planting designs include a suitable combination of trees, shrubs,  
38 groundcovers, vines, and herbaceous material; include a combination of deciduous and  
39 evergreen plant material; emphasize native plant material; provide drought-tolerant  
40 species; and exclude invasive species.  
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42 3. *Lot coverage—Landscaping required.*  
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44 a. *Minimum area required.* Development proposals for single-family dwellings shall  
45 comply with the following standards based on the net lot area:  
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Lot Slope	Maximum Lot Coverage (house, driving surfaces, and accessory buildings)	Required Landscaping Area
Less than 15%	40%	60%
15% to less than 30%	35%	65%
30% to 50%	30%	70%
Greater than 50% slope	20%	80%

b. *Hardscape.*

i. A maximum of nine percent of the net lot area may consist of hardscape improvements including, but not limited to, walkways, decks, etc., and provided:

(a) The hardscape for lots with a net lot area of 8,400 square feet or less may be the lesser of 755 square feet or 12 percent of the net lot area.

ii. Hardscape improvements are also permitted in the maximum lot coverage area established in subsection (F)(3)(a) of this section.

c. *Softscape and driveways.*

i. The required landscaping area in subsection (F)(3)(a) of this section shall consist of softscape improvements, except where used for hardscape improvements pursuant to subsection (F)(3)(b) of this section.

ii. Driveways and other driving surfaces are prohibited within the landscaping area.

For example, a flat lot with a net area of 10,000 square feet shall provide a minimum 6,000 square feet of landscaped area. Up to 900 square feet of the landscaped area may be used for a walkway, patio, or deck or other hardscape area. The remainder of the area shall be used for softscape improvements, such as landscaping, tree retention, etc.

d. Development proposals for a new single-family home shall remove Japanese knotweed (*Polygonum cuspidatum*) and Regulated Class A, Regulated Class B, and Regulated Class C weeds identified on the King County Noxious Weed list, as amended, from required landscaping areas established pursuant to subsection (F)(3)(a) of this section. New landscaping associated with new single-family home shall not incorporate any weeds identified on the King County Noxious Weed list, as amended. Provided, that removal shall

1 not be required if the removal will result in increased slope instability or risk of landslide  
2 or erosion.

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4 e. *Allowed adjustments.* A one-time reduction in required landscaping area and an  
5 increase in the maximum lot coverage are allowed, provided:

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7 i. The total reduction in the required landscaping area shall not exceed five  
8 percentage points, and the total increase in the maximum lot coverage shall not  
9 exceed five percentage points; and

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11 ii. The reduction in required landscaping area and increase in maximum lot  
12 coverage are associated with:

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14 (a) A development proposal that will result in a single-story single-family  
15 dwelling with a wheelchair accessible entry path, and may also include a  
16 single-story accessory building; or

17  
18 (b) A development proposal on a flag lot that, after optimizing driveway  
19 routing and minimizing driveway width, requires a driveway that  
20 occupies more than 25 percent of the otherwise allowed lot coverage  
21 area. The allowed reduction in the required landscaping area and  
22 increase in maximum lot coverage shall not exceed five percent, or the  
23 area of the driveway in excess of 25 percent of the lot coverage,  
24 whichever is less.

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26 For example, a development proposal with a driveway that occupies 27  
27 percent of the otherwise allowed lot coverage may increase the total lot  
28 coverage by two percent; and

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30 iii. A recorded notice on title, covenant, easement, or other documentation in a  
31 form approved by the city shall be required. The notice on title or other  
32 documentation shall describe the basis for the reduced landscaping area and  
33 increased lot coverage.

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35 **G. Parking.**

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37 1. *Applicability.* Subsection (G)(2) of this section shall apply to all new construction and remodels  
38 where more than 40 percent of the length of the structure's external walls have been intentionally  
39 structurally altered.

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41 2. *Parking required.*

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43 a. Each single-family dwelling with a gross floor area of 3,000 square feet or more shall  
44 have at least three parking spaces sufficient in size to park a passenger automobile;  
45 provided, at least two of the stalls shall be covered stalls.

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1           b. Each single-family dwelling with a gross floor area of less than 3,000 square feet shall  
2           have at least two parking spaces sufficient in size to park a passenger automobile;  
3           provided, at least one of the stalls shall be a covered stall.  
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5           3. No construction or remodel shall reduce the number of parking spaces on the lot below the  
6           number existing prior to the project unless the reduced parking still satisfies the requirements set  
7           out above.  
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9           4. Except as otherwise provided in this chapter, each lot shall provide parking deemed sufficient  
10          by the code official for the use occurring on the lot; provided, any lot that contains ten or more  
11          parking spaces shall also meet the parking lot requirements set out in appendix A of this  
12          development code.  
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14 H. *Easements*. Easements shall remain unobstructed.  
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16           1. *Vehicular access easements*. No structures shall be constructed on or over any vehicular access  
17           easement. A minimum five-foot yard setback from the edge of any easement that affords or could  
18           afford vehicular access to a property is required for all structures; provided, that improvements  
19           such as gates, fences, rockeries, retaining walls and landscaping may be installed within the five-  
20           foot yard setback so long as such improvements do not interfere with emergency vehicle access  
21           or sight distance for vehicles and pedestrians.  
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23           2. *Utility and other easements*. No structure shall be constructed on or over any easement for  
24           water, sewer, storm drainage, utilities, trail or other public purposes unless it is permitted within  
25           the language of the easement or is mutually agreed in writing between the grantee and grantor  
26           of the easement.  
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28 I. *Large lots*. The intent of this section is to ensure that the construction of a single-family dwelling on a  
29          large lot does not preclude compliance with applicable standards related to subdivision or short  
30          subdivision of the large lot. Prior to approval of a new single-family dwelling and associated site  
31          improvements, accessory buildings, and accessory structures on large lots, the applicant shall complete  
32          one of the following:  
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34           1. *Design for future subdivision*. The proposed site design that shall accommodate potential future  
35           subdivision of the lot as follows:  
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37           a. The proposed site design shall comply with the applicable design requirements of  
38           chapters 19.08, Subdivision, 19.09, Development, and 19.10, Trees, MICC.  
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40           b. The proposed site design shall not result in a circumstance that would require the  
41           removal of trees identified for retention, as part of a future subdivision.  
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43           c. The proposed site design shall not result in a circumstance that would require  
44           modifications to wetlands, watercourses, and associated buffers as part of a future  
45           subdivision.  
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1 d. Approval of a site design that could accommodate a potential future subdivision does  
2 not guarantee approval of such future subdivision, nor does it confer or vest any rights to  
3 a future subdivision.  
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5 2. *Subdivide*. Prior to application for a new single-family dwelling, the property is subdivided or  
6 short platted to create all potential lots and building pads permitted by zoning. The proposed  
7 single-family dwelling shall be located on a lot and within a building pad resulting from a recorded  
8 final plat.  
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10 3. *Limit subdivision*. Record a notice on title, or execute a covenant, easement, or other  
11 documentation approved by the city, prohibiting further subdivision of the large lot for a period  
12 of five years from the date of final inspection or certificate of occupancy.  
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14 J. Building pad. New buildings shall be located within a building pad established pursuant to chapter 19.09  
15 MICC. Intrusions into yard setbacks authorized pursuant to MICC 19.02.020(C)(3) may be located outside  
16 of the boundaries of the building pad.  
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18 K. Exterior Lighting.  
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20 1. Applicability. This section applies to all exterior lighting installed after the effective date of this  
21 ordinance in the R-8.4, R-9.6, R-12, and R-15 zones. The following lighting types are exempt:  
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23 a. Lighting within a public right-of-way or easement for the purpose of illuminating roads,  
24 trails, and pedestrian ways;  
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26 b. Repair of lighting fixtures existing prior to the effective date of this ordinance;  
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28 c. Emergency lighting;  
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30 d. Temporary seasonal lighting; and  
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32 e. lighting required by state or federal law.  
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34 2. Standards.  
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36 a. All exterior lighting shall be designed to minimize light trespass onto neighboring  
37 properties.  
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39 b. All exterior lighting must be either fully or partially shielded except that one unshielded  
40 lighting fixture not exceeding 450 lumens is allowed at the main entry of each residence.  
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42 i. Fully shielded means the lighting fixture has a solid opaque barrier at the top of  
43 the fixture in which the bulb is located and the fixture is angled so the bulb is not  
44 visible below the barrier.  
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46 ii. Partially shielded means the fixture is shielded by a solid opaque barrier or  
47 angled no more than 45 degrees above straight down, which is half-way between  
48 perpendicular and parallel to the adjacent grade.

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c. Each exterior lighting fixture shall not exceed 1,600 lumens.

d. Exterior lighting fixtures shall be designed so that they do not project their output:

i. Onto neighboring properties;

ii. Past the object being illuminated;

ii. Skyward;

iii. Onto a public roadway; or

iv. Onto a trail or pedestrian way.

e. Exterior lighting fixtures with a motion sensor must not be activated by off-site movement.

