



PLANNING COMMISSION REGULAR MEETING AGENDA

Wednesday, November 16, 2016
Mercer Island City Hall

CALL TO ORDER & ROLL CALL

6:00 PM

APPEARANCES

This is the time set aside for members of the public to speak to the Commission about issues of concern. If you wish to speak, please consider the following points:

- Speak audibly into the podium microphone
- State your name and address for the record
- Limit your comments to three minutes

*The Commission may limit the number of speakers and modify the time allotted.
Total time for appearances: 15 minutes*

APPROVAL OF MINUTES

Minutes from October 19, 2016

Minutes from November 2, 2016

REGULAR BUSINESS

6:15 PM

Agenda Item #1: ZTR16-004: Residential Design Standards: Community Outreach Approach

Review by the Planning Commission of the anticipated schedule for the Community meetings in 2017 and proposed notice.

Agenda Item #2: ZTR16-004: Residential Design Standards: Review of Site Design and Subdivision regulations and possible regulatory adjustments

Review of the existing regulatory requirements, other regulatory tool options, and identification of possible solutions related to building design.

OTHER BUSINESS

Staff Comments

Planned Absences for Future Meetings

Announcements & Communications

Next Special Meeting: November 30, 2016

Next Regularly Scheduled Meeting: December 7, 2016

ADJOURN

PLANNING COMMISSIONERS

Bryan Cairns

Tiffin Goodman

Daniel Hubbell

Jennifer Mechem

Lucia Pirzio-Biroli

Suzanne Skone, Chair

Richard Weinman, Vice-Chair

PHONE: 206-275-7729

WEB: www.mercergov.org

AGENDA TIMES ARE APPROXIMATE

CITY COUNCIL CHAMBERS - MERCER ISLAND CITY HALL
9611 SE 36TH STREET; MERCER ISLAND, WA 98040



PLANNING COMMISSION MEETING MINUTES OCTOBER 19, 2016

CALL TO ORDER:

Chair Skone called the regular meeting to order at 7:03 PM in the Council Chambers at 9611 SE 36th Street, Mercer Island, Washington.

ROLL CALL:

Chair Suzanne Skone, Vice Chair Richard Weinman and Commissioners Bryan Cairns, Tiffin Goodman, Daniel Hubbell, Jennifer Mechem and Lucia Pirzio-Biroli were present. City staff was represented by Scott Greenberg, Development Services Director, Alison Van Gorp, Administrative Services Manager/Ombudsman, Evan Maxim, Planning Manager and Nicole Gaudette, Senior Planner.

APPEARANCES:

Carv Zwingle, 6250 East Mercer Way spoke regarding the Mercer Island Center for the Arts (MICA) and the proposed Comprehensive Plan docket.

Peter Struck 9130 SE 54th Street spoke regarding MICA and the proposed Comprehensive Plan docket.

Tracy Granbois, 8440 SE 82nd Street spoke regarding MICA's proposed code amendment and parking.

Leon Cohen, 9219 SE 33rd Place thanked the Commission for their service.

Alan Reed, Emmanuel Church spoke regarding the proposed code amendment related to religious institutions.

REGULAR BUSINESS:

Agenda Item #1: Preliminary Docket – 2017 Comprehensive Plan Amendments

Evan Maxim, Planning Manager presented the proposed preliminary docket of Comprehensive Plan Amendments to the Planning Commission. He explained the process for creating a preliminary docket and a final docket. The basic question: "Is it worth spending additional time reviewing these proposed preliminary docket items in 2017?". Mr. Maxim responded to questions from the Planning Commission.

Commissioner Hubbell moved to recommend approval of the preliminary docket of Comprehensive Plan Amendments to the City Council for creation of a final docket of Comprehensive Plan Amendments, for review in 2017. The motion was seconded by Commissioner Goodman.

Vice-Chair Weinman expressed concern related to the timing and lack of specifics in several of the proposed docket items. He felt that amending the Comprehensive Plan should occur prior to considering code amendments. He would like more details in future docket items but is willing to be lenient for the first time this new docketing process is being used.

Motion passes 6-1 (Weinman opposed)

Agenda Item #2: ZTR16-005: Zoning Code Text Amendment related to Religious Institutions

Nicole Gaudette, Senior Planner introduced the proposed amendment. She provided an overview of the 2005 code amendment and described the resulting problem for rectories / parsonages. She requested that the Commission identify what, if any, additional information they needed for review of the proposed amendments on November 30. Ms. Gaudette responded to questions from the Planning Commission.

Agenda Item #3: ZTR16-004: Zoning Code Text Amendment related to Residential Design Standards

Evan Maxim, Planning Manager presented an overview of the Binder Materials contained in the packet.

Alison van Gorp described the proposed agenda and process for the community kickoff meeting on October 26.

STAFF COMMENTS:

Evan Maxim, Planning Manager reviewed the Planning Commission's calendar. The Planning Commission added a special meeting on Wednesday, November 30, 2016, and a special meeting on Monday, December 12, 2016.

PLANNED ABSENCES FOR FUTURE MEETINGS:

NONE

ANNOUNCEMENTS AND COMMUNICATIONS:

None.

NEXT MEETING:

The next Planning Commission meeting is scheduled for October 26, 2016 at 6:30 p.m. at MICEC

ADJOURNMENT:

Chair Skone adjourned the meeting at 9:54 PM.



PLANNING COMMISSION MEETING MINUTES NOVEMBER 2, 2016

CALL TO ORDER:

Chair Skone called the regular meeting to order at 7:03 PM in the Council Chambers at 9611 SE 36th Street, Mercer Island, Washington.

ROLL CALL:

Chair Suzanne Skone, Vice Chair Richard Weinman and Commissioners Bryan Cairns, Daniel Hubbell and Lucia Pirzio-Biroli were present. Commissioner Tiffin Goodman arrived at 7:04 pm. Commissioner Jennifer Mechem arrived at 7:11 pm. City staff was represented by Scott Greenberg, Development Services Director, Alison Van Gorp, Administrative Services Manager/Ombudsman, and Evan Maxim.

APPEARANCES:

Lloyd Gilman, 7217 80th Ave. SE spoke regarding people in the south end and a proposed project adjacent to his house.

REGULAR BUSINESS:

Agenda Item #1: ZTR16-004: Residential Design Standards: Planning Commission Debrief on Community Kickoff

Evan Maxim, Planning Manager discussed the binder materials and logistics, and the proposed meeting and topic calendar. The Commission directed staff to schedule appearances for every other meeting and attempt to schedule future community meetings for periods when appearances would not be scheduled.

The Commission discussed what each member heard at the October 26, 2016 community meeting.

The Commission agreed that the City Council-approved scope of work should remain. Other items to be considered as part of the process are: describe the roles of CC, PC, staff; history of code—on web and boards at community meetings; and consider sustainability as part of evaluation criteria.

Parking lot: alternative housing types (cottage housing).

Agenda Item #2: ZTR16-004: Residential Design Standards: Planning Commission Discussion on Neighborhood Character

Evan Maxim, Planning Manager presented several slides related to Commission discussion of neighborhood character.

Agenda Item #3: Residential Design Standards: Review of Building Design regulations and possible regulatory adjustments

Evan Maxim, Planning Manager presented information related to the purpose of having building design regulations. The Commission discussed key concepts (lot coverage, gross floor area, height / roofline, and a neighborhood average approach) for staff to use in drafting a proposed purpose

statement. Mr. Maxim described existing regulations for maximum building height, gross floor area, and impervious surface area. He described several regulations being used by other local cities that could be appropriate for Mercer Island: lot coverage by buildings, “yard” requirements, trade-offs and architectural detail requirements. He also described some alternative approaches that could be used in future regulations.

The Commission directed staff to look at relationship between gross floor area and how much of the lot is covered by structures; clarification of gross floor area definition and calculation; reviewing building height limit and how it is calculated; consider different standards for accessory structures.

Commissioner Pirzio-Biroli left the meeting at 9:34 pm.

New tools for staff to review include pitched roofs, neighborhood average, and yard/open space requirements.

STAFF COMMENTS:

None.

PLANNED ABSENCES FOR FUTURE MEETINGS:

SS-Feb 1, Feb 15; RW-Nov. 30

ANNOUNCEMENTS AND COMMUNICATIONS:

None.

NEXT MEETING:

The next Planning Commission meeting is scheduled for November 16, 2016 at 6:00 p.m. at Mercer Island City Hall.

ADJOURNMENT:

Chair Skone adjourned the meeting at 9:50 PM.



DEVELOPMENT SERVICES GROUP

9611 SE 36TH ST., MERCER ISLAND, WA 98040
(206) 275-7605



TO: Planning Commission

FROM: Evan Maxim, Planning Manager

DATE: November 16, 2016

RE: ZTR16-004 - Residential Development Standards – Building Design Cover Memo

Summary

This memo is intended to provide an overview of the items that the Planning Commission will discuss on November 16, 2016. Following the meeting, staff desires the following from the Planning Commission (as more fully described below):

1. Review of the proposed community meeting, community roadshow, and public approach for late 2016 and early 2017.
2. Discussion of the problems related to site design, and identification of possible solutions.
3. Discussion of the problems related to subdivision design, and identification of possible solutions.

Review of Proposed Community Meetings and Roadshows

Staff is preparing for the second and third community meetings, which are tentatively scheduled for January and February of 2017. Staff is seeking input on the format of the meetings, and the proposed outreach approach. Finally, staff intends to initiate the “road show” community outreach in December and continue through March of 2017. Staff will provide a brief overview of the road show format for Planning Commission review.

Review of Site Design and Subdivision Regulatory Tools

The City recommends that the Planning Commission use the approach initially used on November 2, 2016 to identify the components of the purpose statement before beginning review of the existing and available regulatory tools. To aid in this discussion, staff notes that the following terms were identified on November 2:

- Compatibility with the existing neighborhood;
- Size, scale, and proportion;
- Compatibility in the building through the use of landscaping and trees;
- Volume, massing, and roofline; and
- Manage the change that achieves compatibility.

Staff has prepared two memorandum (part of the PC Binder Materials – Tab 4), which provides for a broad overview of the existing regulatory tools and possible options. Staff has consciously limited the number of additional resource documents for the binder and instead referenced materials already

present or provided links. Once the Planning Commission has begun to identify the problems associated with site design and the subdivision design and process, a review of this material may allow for identification of possible solutions.

Binder Material Update:

- Table of Contents
- Tab 4 Insert – Site Design Memorandum, dated November 16, 2016
- Tab 4 Insert – Subdivision Design Memorandum, dated November 16, 2016
- Tab 6 Update – Public Comment table
- Tab 8 – Site Design and Subdivision resource materials



DEVELOPMENT SERVICES GROUP

9611 SE 36TH ST., MERCER ISLAND, WA 98040
(206) 275-7605



TO: Planning Commission

FROM: Evan Maxim, Planning Manager

DATE: November 16, 2016

RE: ZTR16-004 - Residential Development Standards – Single Family Site Design
Existing Regulations and Peer Jurisdictions

Standard Regulatory Tools - Overview

The following is a summary of standard regulatory tools used by cities in East King County currently.

Building Setback Requirements. Building setback requirements are typically used to establish the minimum distance between a property line (e.g. shared back or side property lines) and the closest building (e.g. shed, single family home, etc). Typically some site improvements and buildings may extend partially into setbacks (e.g. air conditioners, fences, chimneys, etc). The front setback is 20 feet, the rear setback is 25 feet, and the side setback is 15 feet (cumulative, no side less than 5 feet). In the R-15 zone, approximately 39% to 60% of the lot may be within areas constrained by setbacks, while in the R-8.4 zone approximately 49% to 63% of the lot may be within areas constrained by setbacks.

Yard Requirement. Yard is typically expressed as a percentage of the total lot area. Yard area is typically area that is designated for open space or landscaping, but is not impervious or covered by a building. The application of setbacks will result in some area that is effectively “yard”, although this area may have a minimum dimension of 5 feet.

Minimum Lot Width and Depth. Minimum lot width and depth are used to describe the minimum dimensions a lot may have in a particular zoning designation. The minimum depth (measured from front to back) is 80 feet. The minimum width varies a bit from R-8.4 to R-15, with a range of 60 feet to 90 feet. Minimum width and depth does not include any portion of the lot that is in a street (e.g. an easement for access to other lots).

Minimum Lot Area. The minimum lot area is the minimum area a lot must have, based upon its zoning designation, in order to accommodate new construction. For the R-8.4 zone, the minimum area is 8,400 square feet; for the R-9.6 zone, the minimum area is 9,600 square feet; for the R-12 zone, the minimum area is 12,000 square feet; for the R-15 zone, the minimum area is 15,000 square feet.

Building Pad. During review of land divisions, the City of Mercer Island establishes a building pad. Buildings pads are located outside of setbacks and critical areas and take into account vegetation. Additional review of this standard is appropriate to ensure it is functioning as intended.

The following table is a simplified comparison of several East King County jurisdictions and their use of these regulatory tools in residential zoning designations comparable to Mercer Island's R-8.4 to R-15 zoning designation.

	Mercer Island (Currently)	Kirkland	Redmond	Issaquah	Medina	Sammamish	Bellevue
<i>Minimum lot width</i>	60 to 90 feet	n/a	40 feet	70 feet	70 feet	30 feet	60 to 90 feet
<i>Setback (Front / Side* / Rear)</i>	20/15/25 feet	20/15/10 feet	15/15/10 feet	20/8/10 feet	25-30/20-40/25-30 feet	Street: 10 feet Interior: 5-7-15 feet	20/15/20-25
<i>Required landscaping</i>	n/a	n/a	n/a	n/a	n/a	Yes – 30% of Front Yard	Yes – 50% of Front Yard
<i>Yard Requirement</i>	n/a	n/a	20%	70 to 50%	n/a	35 to 45%	n/a
<i>Minimum lot area</i>	8,400 to 15,000 square feet	5,000 to 12,500 square feet	7,000 to 18,000 square feet	6,000 to 9,600 square feet	16,000 to 20,000 square feet	n/a	8,500 to 13,500 square feet

* Cumulative width of setback on both sides of the lot

Non-Standard Regulatory Tools – Overview

The following is a summary of non- standard regulatory tools used by different jurisdictions (as noted).

Required Landscaping. The Cities of Sammamish and Bellevue require that a percentage of the front yard setback area is landscaped following construction. This results in an overall limit on the amount of space in the front yard that is used for driveway or non-vegetated purposes (e.g. patios, deck areas, etc). Another approach is to require a percentage of side property lines be landscaped with landscaping intended to provide for privacy screening.

- Bellevue’s regulations (20.20.005): <http://www.codepublishing.com/WA/Bellevue/?BellevueLUC2020.html>
- Sammamish’s regulations (21A.25.030): <http://www.codepublishing.com/WA/Sammamish/?Sammamish21A/Sammamish21A25.html>

Site Design for Large Lots. In some instances, the City of Redmond requires that the site design for a subdivision address the possibility of further subdivision. This subject is also discussed in the November 16, 2016 Subdivision Memorandum. The goal of this type of regulation is to require that new single family home design on a lot that may be further subdivided at a later date meet additional design criteria that contemplate a subdivision. For example, such standards may require the location of the house to be adjusted to allow for a second driveway access to a future rear lot.

- Redmond’s regulations (21.74.020): <http://online.encodeplus.com/regs/redmond-wa/doc-viewer.aspx#secid-1921>

Neighborhood Average. As noted in the building design discussion, the City of Santa Barbara and the City of Larkspur (CA) require that new homes evaluate the existing pattern of single family home development in the surrounding neighborhood as part of the design process. For example, street setbacks could be established based upon the existing street setbacks on neighboring lots fronting the same street.

Minimum Usable Open Space. The City of Sammamish requires that the site be designed to ensure that in addition to a minimum yard area (percentage), there is a minimum usable open space area established by providing minimum dimensions. For example, the minimum usable open space would have a required dimension of 30 feet on all sides, with a minimum area of at least 10 percent of the area of the lot.

- Sammamish’s regulations (21B.30.270(8)): <http://www.codepublishing.com/WA/Sammamish/?Sammamish21B/Sammamish21B30.html>

Street Presence. The City of Mercer Island limits the height of fences within 20 feet of an improved street to a maximum of 42 inches (3.5 feet). This standard may be intended to provide a “street presence” in some neighborhoods. Other methods for creating a street presence, include requirements for porches within a certain distance of the street, requiring a percentage of the building be transparent (e.g. 15% of the street façade is transparent), or by minimizing the height of landscaping in the front yard setback areas.



DEVELOPMENT SERVICES GROUP

9611 SE 36TH ST., MERCER ISLAND, WA 98040
(206) 275-7605



TO: Planning Commission

FROM: Evan Maxim, Planning Manager

DATE: November 16, 2016

RE: ZTR16-004 - Residential Development Standards – Subdivision Process and Design
Existing Regulations and Peer Jurisdictions

“Subdivision” Process

The Planning Commission and City have been using the term “subdivision” to cover a broad range of public concerns around the division or consolidation of land (lots). Although the term is a misnomer, the City is using it in this memo to include a variety of issues related to short subdivisions, subdivisions, and lot consolidations. The following is provided for clarification on the technical terminology and regulatory process.

Under state law, subdivisions are the division of one property into 5 or more resulting lots. Short subdivisions are the division of one property into 2 to 4 lots. The process for review of subdivisions is established primarily by state law. The process of review for short subdivisions is established primarily by local jurisdictions, with some limits. An overview of subdivision process is provided in Tab 8 – “Subdivision” by the Municipal Research and Services Center (MRSC).

Lot consolidations, sometimes referred to as lot line adjustments, lot line revisions, or boundary line adjustments are actually referring to the process of modifying two or more lots to either: a) reconfigure the property line shared by both lots; or b) consolidate two or more lots into a single lot. The review for boundary line adjustments is typically a review to determine that the proposed boundary line adjustment is exempt from the requirements of subdivision or short subdivision.

In the review of the standards related to subdivisions, the Planning Commission may identify procedural concerns that should be addressed through the code amendment process or reviewed further; the City will keep a running tally of these concerns for further review with the Planning Commission during its process discussion. As needed, the City will also provide feedback from the City Attorney.

Standard Regulatory Tools - Overview

The following is a summary of standard regulatory tools used by cities in East King County currently.

Minimum Lot Width and Depth. Minimum lot width and depth are used to describe the minimum dimensions a lot may have in a particular zoning designation. The minimum depth (measured from front to back) is 80 feet. The minimum width varies a bit from R-8.4 to R-15, with a range of 60 feet to 90

feet. Minimum width and depth does not include any portion of the lot that is in a street (e.g. an easement for access to other lots). The City of Mercer Island currently uses this tool.

Minimum Lot Area. The minimum lot area is the minimum area a lot must have, based upon its zoning designation, in order to accommodate new construction. For the R-8.4 zone, the minimum area is 8,400 square feet; for the R-9.6 zone, the minimum area is 9,600 square feet; for the R-12 zone, the minimum area is 12,000 square feet; for the R-15 zone, the minimum area is 15,000 square feet. The City of Mercer Island currently uses this tool.

Building Pad. During review of land divisions, the City of Mercer Island establishes a building pad. Buildings pads are located outside of setbacks and critical areas and take into account vegetation. Additional review of this standard is appropriate to ensure it is functioning as intended.

Community Benefit Tracts. Community benefit tracts may take several forms, but commonly include the provision of small neighborhood parks, shared open space areas, or tree retention tracts. Community benefit tracts do not typically include tracts that are needed to protect critical areas or support infrastructure for the proposed subdivision (for example, stormwater, street access, etc). Tracts are similar to a lot, but the ownership may be held in an undivided interest by the property owners within the subdivision or in some cases is dedicated to the local jurisdiction. For example, a city may require that subdivisions resulting in more than 4 lots provide 3,000 square feet of shared open space per lot. The City of Mercer Island does not currently use this tool.

Planned Unit Development. Some cities use a Planned Unit Development (PUD) approach to subdivision to address the limits of traditional subdivision. PUDs are intended to encourage a unified plan to development (subdivision). PUDs require that the City allow for some flexibility in its current development standards (e.g. lot area) in return for a community benefit in design (e.g. open space area). The City of Mercer Island does not currently use this tool.

The following table is a simplified comparison of several East King County jurisdictions and their use of these regulatory tools in residential zoning designations comparable to Mercer Island's R-8.4 to R-15 zoning designation.

	Mercer Island (Currently)	Kirkland	Redmond	Issaquah	Medina	Sammamish	Bellevue
<i>Minimum lot width</i>	60 to 90 feet	n/a	40 feet	70 feet	70 feet	30 feet	60 to 90 feet
<i>Minimum lot area</i>	8,400 to 15,000 square feet	5,000 to 12,500 square feet	7,000 to 18,000 square feet	6,000 to 9,600 square feet	16,000 to 20,000 square feet	n/a (limited by density only)	8,500 to 13,500 square feet
<i>Building pads required?</i>	Yes	No	No	No	No	No	No
<i>Community benefit tracts</i>	No	No	No	Yes	No	Yes	Yes
<i>PUD option</i>	No	Yes	No	No	No	No	Yes

Non-Standard Regulatory Tools – Overview

The following is a summary of non- standard regulatory tools used by different jurisdictions (as noted).

Lot Diversity Requirements. The City of Sumner (Tab 8 - page 13 of the Sumner Standards) promotes some diversity in the lots and development resulting from a subdivision. Building diversity can encouraged by variable setbacks, lot sizes (i.e. an average area instead of a minimum area), and variable sized houses.

Site Design for Large Lots. In some instances, the City of Redmond requires that the site design for a subdivision address the possibility of further subdivision. This subject is also discussed in the November 16, 2016 Subdivision Memorandum. The goal of this type of regulation is to require that new single family home design on a lot that may be further subdivided at a later date meet additional design criteria that contemplate a subdivision. For example, such standards may require the location of the house to be adjusted to allow for a second driveway access to a future rear lot.

- Redmond's regulations (21.74.020): <http://online.encodeplus.com/regs/redmond-wa/doc-viewer.aspx#secid-1921>

Neighborhood Average. As noted in the building design discussion, the City of Santa Barbara and the City of Larkspur (CA) require that new homes evaluate the existing pattern of single family home development in the surrounding neighborhood as part of the design process. For example, street setbacks could be established based upon the existing street setbacks on neighboring lots fronting the same street.

Design Standards with Subdivision. The City of Surprise, AZ (Tab 8) conducts site and building design review as part of the subdivision process. For example, the City could conduct a review of the proposed site design single family home design resulting from a subdivision, to further inform the subdivision design requirements. In particular, for a subdivision designed to accommodate taller homes, the City may require modified grading within the subdivision to reduce the visual bulk resulting from the larger building. Conversely, for a subdivision designed to accommodate relatively large building pads, the City may require additional privacy landscaping and tree retention.



DEVELOPMENT SERVICES GROUP
9611 SE 36TH ST., MERCER ISLAND, WA 98040
(206) 275-7605

	Date	Name	Comment	Related Topic	Staff Comment
1.	8/29/2016	Jim Stanton	<p>The current code should be altered to provide for mutli-generaltional families to live on Mercer island by encouraging smaller bungalows with shared communal spaces. Particularly on the north end.</p> <p>If the current trend continues the mix of housing on the Island will consist solely of McMansions and traffic will continue to get worse.</p> <p>The current code operates against the interests of both 1) north end families with school age children and 2) south end empty nesters seeking to downsize to the north end of the Island. The code should be changed to discourage buying smaller bungalows on the north end to convert into McMansions. Instead the code should encourage building smaller houses on the north end.</p> <p>On the south end of the Island there a numerous empty nesters living in larger houses on larger lots with close proximity to schools, parks, play fields, and south end amenities. Many of them are actively looking for smaller homes on the north end.</p> <p>On the north end smaller houses are being purchased by developers such as JayMarc to tear down to build McMansions which are then purchased by families with school age children. Traffic on north end residential streets can be intense and increasing the number of large houses on the north end adds to automobile traffic around our schools, particularly on ICW.</p> <p>This situation either keeps empty nesters in south end houses too large for their needs or moves long term residents off the Island.</p> <p>The decision to restrict the number of houses on the Coval site is an example of the city's encouraging fewer, larger houses on the north end rather encouraging smaller homes more attractive to empty nesters. This may serve the interests of developers, but not long time Island residents.</p>		
2.	8/30/2016	Kristin Hart	<p>While I understand the desire to update the codes to keep tacky monstrous houses out of Mercer Island, I worry that you are going to create more codes and harsher rules. Harsher rules punishes remodels even further. I don't think people are mad at remodels. I think they are mad at the tear downs.</p> <p>We have been shopping for a waterfront house for 3 years. I have been into the city several times to understand the rules of remodeling on various lots. My general rule is 1) you have to take the house as it is or 2) knock it down and start fresh. It seems that the city has a bias for new houses is against remodels. You have created a system for contractors. The average joe who wants to add something to the house (enclose a car port, enclose a covered impervious area, add a story to an existing house that is still in compliance) encounters an INSANE amount of rules. The result is that you encourage contractors to tear things down (and normal people too!) and start fresh. These fresh starts open the flood gates to changing the character of the neighborhood. Why do you make remodeling so difficult for the normal person? I feel the city has created the environment for tear downs. I feel you have allowed JayMarc etc. to bend the rules and exploit loopholes while the normal people who just want subtle remodels are left frustrated with no options.</p>		

	Date	Name	Comment	Related Topic	Staff Comment
			I look at the list below and I see you again making my desire to buy and remodel difficult/impossible. But we are not the enemy, are we? Do you want to discourage remodels as well? If you are discouraging remodels that is a shame in my opinion. There are a lot of houses that weren't built well (thin windows, bizarre covered areas, and strange layouts). If you aren't discouraging remodels, maybe you could make some rules more lax somehow. Make sure you are addressing the problem which seems to be the tear downs. You already have too many rules in my opinion.		
3.	9/7/2016	Terry & Morrene Jacobson	Building height - 2 stories maximum above ground. Height should fit in with rest of neighborhood. Impervious surface should not exceed percentage currently allowed, and variances should be granted rarely if at all, not routinely as now seems to happen. Tree retention is essential both aesthetically and environmentally. And the city needs to enforce requirements for protecting trees during construction, preventing builders who move protective fencing to allow machinery to run over roots, then replace fencing to preserve the appearance of compliance. Size of lots should be comparable to others on the street - severely restrict short platting and sub-dividing. Ensure adequate open space on both sides and in front of the structure - no zero lot lines. In general, do not permit deviations. Decide on good rules and let people stick to them. When someone applies for a permit to tear down or enlarge an existing house, neighboring homeowners should be notified by individual letters, not just a sign on the affected property. And those signs must be easily visible, not obscured by vegetation or placed in an out-of-the-way location. Fence height deviations should be allowed only if the owners of properties adjacent to the fence agree.		
4.	9/7/2016	Peter Donaldson	Please include much strong green building codes with as many incentives as possible. All buildings should be EV charging ready and solar ready with at least 20% roof sloop facing south. Also provide creative ways for cottage housing, tiny houses, attachments, and community living to keep a diverse mix of affordable housing on the island.		
5.	9/7/2016	Aurora Bearse	Please reduce the hours allowed for construction. We just suffered through 10 months of construction noise due to a neighbor's remodel-- into the evenings and full weekend days. Limit it to regular daytime working hours, even if it continues to be allowed on weekends.		
6.	9/7/2016	Thomas Imrich	Building height Building heights should only be permitted that are consistent with the norms of the overall neighborhood, and nearby adjacent homes and structures. ?Mega houses? out of character with the adjacent homes, or with the affected neighborhood(s) should be prohibited. Exceptions or deviations should only be approved with specific reasonable justification, as well as with concurrence of any and all adjacent properties, including the opportunity for broad MI citizen public input on the deviation or exception. Following broad MI public input (not just using the minuscule ?non-descriptive? signs typically presently posted, with even washed away print that is unreadable, as on the City approved actions on 68th near QFC), the City then should document, widely publicize, and justifying any decision allowing any exceptions or deviations. ? Gross floor area Gross floor area fractions should only be permitted that are consistent with the norms of the overall neighborhood, and nearby adjacent homes and structures. ?Mega houses? out of character with the adjacent homes, or with the affected neighborhood(s) should be prohibited. Exceptions or deviations should only be approved with specific reasonable justification, as well as with concurrence of any and all adjacent properties, including the opportunity for broad MI citizen public input on the deviation or exception. Following broad MI public input (not just using the miniscule ?non-descriptive? signs typically presently posted, with even washed away print that is unreadable, as on the City approved actions on 68th near QFC), the City then should document, widely publicize, and justifying any decision allowing any exceptions or deviations. ? Lot coverage (impervious surface) Lot coverage fractions should only be permitted that are consistent with the norms of the overall neighborhood, and nearby adjacent homes and structures. ?Mega houses? Out of character with the adjacent homes, or with the affected neighborhood(s) should be prohibited. Exceptions or deviations should only be approved with specific reasonable justification, as well as with concurrence of any and all adjacent properties, including the opportunity for broad MI citizen public input on the deviation or exception. Following broad MI public input (not just using the miniscule ?non-descriptive? signs typically presently posted, with even washed away print that is unreadable, as on the City approved actions on 68th near QFC), the City then should document, widely publicize, and justifying any decision allowing any exceptions or deviations. ? Minimum setbacks Minimum setbacks should only be permitted that are consistent with the norms of the overall neighborhood, and nearby adjacent homes and structures. ?Mega houses? out of character with the adjacent homes, or with		

	Date	Name	Comment	Related Topic	Staff Comment
			<p>the affected neighborhood(s) should be prohibited. Exceptions or deviations should only be approved with specific reasonable justification, as well as with concurrence of any and all adjacent properties, including the opportunity for broad MI citizen public input on the deviation or exception. Following broad MI public input, the City then should document, widely publicize, and justifying any decision allowing any exceptions or deviations.</p> <p>? Tree retention Large mature tree removal of healthy trees should generally NOT BE PERMITTED. Critical large mature trees that affect the wind safety of adjacent stands, slope stability, water retention, critical wildlife habitat, or root system interaction with soil drainage should NOT EVER be permitted unless an immediate and proximate greater safety risk of leaving the tree(s) standing is demonstrated. Further, any tree removal that is out of character with the adjacent homes, or with the affected neighborhood(s) should be prohibited. Exceptions or deviations should only be approved with specific reasonable justification, as well as with concurrence of any and all adjacent properties, including the opportunity for broad MI citizen public input on the deviation or exception. Following broad MI public input, the City (arborist) then should document, widely publicize, and justifying any decision allowing any exceptions or deviations.</p> <p>? Minimum lot width and depth Any reduction of lot width or depth from the boundaries of existing properties should generally NOT BE PERMITTED (e.g., any additional short platting should general be prohibited). Exceptions or deviations should only be approved with specific reasonable justification, as well as with concurrence of any and all adjacent properties, including the opportunity for broad MI citizen public input on the deviation or exception. Following broad MI public input, the City then should document, widely publicize, and justifying any decision allowing any exceptions or deviations. ? The definition of a single-family residence as related to very large homes (e.g., is a 15,000 square foot house with 12 bedrooms, 12 bathrooms, and 3 kitchens a single-family home or something else?) Any new home or remodel that is proposing greater than 6000 sq ft of living space, or has more than 25% greater amount of living space (measured in terms of square feet) than the average of the immediately adjacent properties (to be determined by the City), whichever is LESS, must require specific concurrence of ALL adjacent neighboring properties before a building permit can even be considered to be issued by the City. Exceptions or deviations should only be approved by the City with specific reasonable justification, as well as with written input of any and all adjacent properties, including the opportunity for broad MI citizen public input on the deviation or exception. Following broad MI public input, the City then should document, widely publicize, and justifying any decision allowing any exceptions or deviations.</p> <p>? Lot consolidation / Maximum lot area (impact of creating larger lots resulting in larger homes that are different from the existing neighborhood pattern) Any consolidation of lots, or reduction of lot size from the boundaries of existing properties should generally NOT BE PERMITTED (e.g., any additional short platting should general be prohibited). Exceptions or deviations should only be approved with specific reasonable justification, as well as with input from and concurrence by any and all adjacent affected properties. This should also include the opportunity for broad MI citizen public input on the deviation or exception. Following broad MI public input, the City then should document, widely publicize, and justifying any decision allowing any exceptions or deviations.</p> <p>? Construction related impacts (hours of operation, parking, length of construction activity, etc.) The City should directly specify publicly vetted guidelines for, and requirements for, construction hours, duration, and minimum disruption to adjacent properties as well as traffic arteries. In no case should any future multi year projects be allowed to even be started that disrupt entire neighborhoods for years, with exceedingly loud noise, and machinery and truck operations, especially at early morning hours, as the ?Funny Farm? has obtrusively done now on ICW, since its inception.</p> <p>? Deviations (process and criteria) See above ? Large residential accessory structures and uses (e.g., 30-foot-high gazebos, 12-car garages, etc.) Any large accessory structures to residences out of scale with the neighborhood should generally NOT BE PERMITTED (e.g., any additional commercial scale or museum scale garages, storage facilities, non-residential use buildings). Exceptions or deviations should only be approved with specific reasonable justification, as well as with input from and concurrence by any and all adjacent affected properties. This should also include the opportunity for broad MI citizen public input on the deviation or exception. Following broad MI public input, the City then should document, widely publicize, and justifying any decision allowing any exceptions or deviations.</p> <p>? Enforcement Tools including penalties Severe fines as well as tax penalties, and legal action for removal, should be used as needed.</p>		

	Date	Name	Comment	Related Topic	Staff Comment
			<p>? Building Permit Process: Public Notice, Public Input, and Right to Appeal Enforcement of existing code, and revised code, particularly with respect to builders, and short plat actions, should be vigorous and serious. Just as an example, RKK construction recently (July ?16) ILLEGALLY dumped over ~100 tons of dirt and debris from a different construction site on their recently purchased lot (6223 86th Ave SE) without any City permit whatsoever. Even worse, that dirt and debris potentially even containing asbestos pipe material (as reported to authorities), with the City of Mercer Island apparently taking no penalty or fine action (to date) against RKK Construction, whatsoever.</p> <p>? Short Plats - Ensuring that short plat process is not circumvented by, for example, applying for a building permit for one part of a lot with the intention of short platting the property after that permit is granted. Short platting should now generally be prohibited on Mercer Island. We cannot afford any further population increases on Mercer Island without severe safety risks (seismic, volcanic, and storm) due to potential bridge isolation, and access, lack of ?on-Island? medical facilities, and very limited police and fire capability to deal with a major region wide emergency. Further, any significant increase in population of Mercer Island will permanently risk massive additional traffic congestion with the Council induced I-90 access mess, the evolving center lane closures, the light rail train fiasco situation, leading to essentially severely degraded if not even loss of timely critical access to medical services, as well as serious additional environmental damage. THERE ARE LIIMITS TO GROWTH. It is time for MI to recognize the time las long come, and passed, where MI can successfully tolerate ANY further growth. Period.</p> <p>? Other suggestions? Perhaps for starters, new City Council members, who actually respond to the long term needs of citizens and society, fiscal and tax responsibility, and actual Islander governmental critical needs, ...and not be primarily driven by developers interests and personal pet agendas, and ?regional interests?, over Mercer Island?s interests?</p>		
7.	9/8/2016	Christine Kenyon	I don't know anything about code or what it entails, but the downtown area development is a serious concern. The streets are not designed for safety, several 3 and 4 way stops are unsafe for pedestrians. It is hard to imagine what the single lane streets will be like once a new complex is full. And there is no character in the new developments. They have no outdoor seating, spots to hang out, pedestrian friendly space. There are some very intelligent people from MI who are trying to guide the council and city to make the best choices for our island. Please know that they speak for all of us.		
8.	9/8/2016	Tempe Evans	I am quite ignorant about all of this, but just wanted to comment that this last apartment building is a monster and I sort of cringe every time I drive by it. It is not at all visually appealing to me, and way too big. I would request limitations on building something so tall and so large. All of the other apartment buildings built thus far appear much more reasonable. Anything bigger than those are too large in my opinion. I am not big on this new style of building apartment buildings with a few shops below. I think we could do a much better job of making Mercer Island much more unique and quaint. I am concerned about the direction that things are going after this last building.		
9.	9/8/2016	Derek Cheshire	I feel that many of our development standards and building codes are too strict. For example, I don't believe that fire sprinklers should be required in all new homes when the data clearly shows that newer homes, single family homes, equipped with smoke alarms, have a low risk of occupant injury. Additionally, in a current home expansion project I'm pursuing, code compliance (widening driveways, adding sprinklers, using expensive windows to meet energy code, etc.) will add \$200-300 thousand dollars to my home project, and make my home a worse place to live. While the development services staff is very helpful, I really feel that we are overregulated and it's making it harder and harder for even upper middle class families to have a home to live in. You will be lobbied by people who will argue for "just one more rule" and it will perhaps appear that the cost of imposing that additional rule will be small, but the totality of rules that a homeowner has to comply with to improve their home are simply staggering.		
10.	9/16/2016	Scott & Jean Majury	Increase the setbacks unless we want haystacks and no greenery and no environmental protection. Mega-houses pouring out into the road and alongside other homes diminishes the Island and the environment.		
11.	9/19/2016	Dina Jeppesen	I would like to comment about the setback requirements for existing conditions. I have an existing house where the combination of side setbacks are less than 15'. I wanted to remodel the house because it looks like a double wide mobile home but if I want to change the design, I would have to alter the house and cut either the garage or side of the house by 2' to make the total of 15'. This would be costly because on one side, I have a basement and the other side, I have a retaining wall. I am an architect and have worked in other jurisdictions where the existing side setback is maintained and allowed. My house has been sited on this lot for years and the neighbors are not complaining. In fact, they would like to see a nicer house in the		

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			neighborhood. I can see that new construction or an addition would have to meet the 15' criteria but it makes no sense to me to have to "slice" my house in order to remodel the house. According to the code, if I do not change (I thin k it was 40%, structurally), then I do not have to change the setbacks. What if I do not want my house to look like a mobile home? What about houses that do not have the 20' front setback? Why should they have to move their house inches from the front in order to remodel their house? Nobody would do this. I can see why homeowners just sell to developers like JayMarc. If you don't want to see developer houses take over the island and want to see some variety and some quality homes, please consider changing the zoning rules. You can research other jurisdictions zoning rules and see that they accept the original setback. If you have any questions or would like more feedback, I would be happy to talk about this further.		
12.	9/20/2016	Lynn Hagerman	<p>I have submitted comments at public meetings in the past and have described my dismay at the changes in our neighborhoods fueled by rapid development. I have lived here on Mercer Island in the East Seattle neighborhood in 3 different houses for over 35 years. The character of the neighborhoods, that many residents desire in locating to MI, is changing dramatically due to a) loss of vegetation and large canopy trees including evergreens, b) houses built out to lot lines, and c) combining lots to build structures that are commercial in size and scale. I am writing to encourage the Planning Commission and City to: fund the "Development Services" department in some other way besides development fees; change the focus and the name of the department, and Identify ways that the planning and development function for the City can be serving the long term interests of communities on MI, its neighborhoods, in a way that prioritizes community residents first, rather than 'serving' the primarily the interests of those who profit from development. The most egregious consequences of the current code that need changing are:</p> <p>1) Tree removal. Currently trees are removed with some plan to re-plant. There seems to be no oversight and the 1-1 replanting does not take into account the beauty, and stage/age of trees that are providing canopy, as well as the reality that many trees (firs) must stand as a group. Residents and developers remove trees and then the 'penalty' if applied is so small that there is slight incentive to follow the rules. Our canopy is being desecrated. No one is watching the community interest; each individual owner is doing what the City allows, (except for those who flagrantly ignore the regulations) without anyone (the City) managing the collective impact. Tree removal needs to be more strictly enforced and also the code must be changed to emphasize tree retention.</p> <p>2) Impervious Surface and House / Lot ratio: Houses are being built out to the very limits (or more with deviations for permeable surfaces) of the lot lines. I would like the City to change the code to influence the size and scale of homes so that there is more space between houses and /or so that the homes are more in keeping with neighboring houses.</p> <p>3) Figure out the definition of a single family residence. I live nearby a 'house' that is being built that will have 12 bedrooms and 12 bathrooms. This, apparently, is allowed under our current code and is viewed as a single family residence? It will look more like a 'motel' in the middle of a lovely single family neighborhood.</p> <p>4) Figure out how to manage the definition of other permitted structures. I live across the street now from a commercial size building project that has a 32 car garage (10,000 sq feet) garage. This structure will be in the middle of a lovely single family neighborhood. It also has a 'gazebo' that is a concrete structure 30 feet high by 21feet and 26 feet. It will be an eyesore, and will be out of keeping with the character of the neighboring houses and structures.</p> <p>5) Lot consolidation: IF lots are consolidated, the municipal code should not be the same as for single lots. The setbacks need to be greater, The look and feel of the property needs to reflect the neighboring houses... Now, this project looks like a commercial site and even when completed will be completely out of scale and character of the neighborhood.</p> <p>7) and the timeline for construction should not be permitted to carry on over years. There needs to be a limit! I am living across the street from a commercial size project (Proctor) that has carried on and impacted us from 6:30 am - sundown every day for 3 1/2 years! 6 days a week, for what will be up to 4 years.</p> <p>8) Notices and communication: neighbors did not get sufficient notice for this project, nor did we have sufficient time to respond when notices of deviations were issued.</p> <p>9) Fees: the projects of the grand scale that involve consolidating lots are conducted by owners for which money is no object. The City must understand that the fees to influence building permitting are not sufficient to sway or address the issues that protect the neighborhood. Fees that are issued for single family / single lots are not sufficient for projects that are commercial in scale. Under no circumstances should a project of this scale (Proctor) ever be approved in a residential neighborhood, ever. Whatever the City has at its disposal to preclude this from happening again, it should put in place.</p> <p>10) Walls and Block wall / Concrete fences: The City should take another look at fence type and heights that are permitted, especially for the large and/or multiple lot projects. If not, it will seem like we are living in a location of walled communities and neighborhoods. I don't think that is what most of MI residents want. In sum: there has been so much development in my East Seattle neighborhood and nearby</p>		

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			First Hill that for many reasons it may seem too late to make changes, but this kind of development is occurring all over the Island. I hope the City will take a long view and a broad view of its role: each neighbor or neighborhood only considers what it is doing, and doesn't see the collective impact. The only place for the collective impact to be considered is at the Planning Commission, the City Council and the City government. To preserve the very things that most people move here to find, it is imperative that the collective impact and implications be at the forefront. We no longer can plan and develop in this Island by looking at each project or house by house. We must look at the collective in order to preserve what is attractive about the Island for generations to come. If not, it will be like any other place that many of us moved from, to be here.		
13.	9/21/2016	Colin Brandt	I would add building mass to the discussion. Not just height or setbacks, but the mass/boxyness of the building.		
14.	9/30/2016	Carolyn Boatsman	<p>Several of us have gotten together to discuss the draft scope of work in an effort to provide to the City some more broadly-shared viewpoints. We also consulted with several who were unable to meet with us and have attempted to assess whether their concerns are covered in the draft Scope of Work. We hope to continue this group effort throughout the code update process.</p> <p>While we considered a broad collection of specific concerns, we concluded that most of them fall, in a general sense, under the topics that are listed below in the City's draft scope of work.</p> <p>The only topic we would request be added is "tree replacement". While "tree retention" is on the list, a number of us have issues with the tree replacement aspects of the code, which we will address when specific input is sought.</p>		
15.	10/7/2016	Ben Warriner	<p>Zoning should have the same minimum that we have today, but new construction should have some percentage limits related to existing actual use</p> <p>Impervious surface deviations should not be the norm, but the exception</p> <p>Paved surfaces should never be open-space *Minimum Lots and setbacks should not decrease</p> <p>I think that "Very Large Homes" should be categorized differently</p> <p>I am OK with lot consolidation as long as we change the definition for "Very Large Homes"</p>		
16.	10/10/2016	William McDonald	I believe the description of the Residential Development Standards process biases the discussion--specifically the preservationist viewpoint embedded in the characterization "concerns around the rapidly changing character of Mercer Island's neighborhoods". Certainly some residents (myself) have "concerns around the slow pace of development in Mercer Island's neighborhoods". Starting with the assumption of maintaining the status quo weakens opportunities for improvements when we've never been perfect. Specifically, I'm interested in opportunities for leveraging the mass transit resources opening in the next decade by encouraging increased housing density around the light rail station.		
17.	10/13/2016	Ka Anderson	The Proctor Landing residential project across the street is approaching its 4th year of construction, noise, disruption to my neighborhood and my quality of life. I was told by the owners it would be an 18 month to 2 year project. Hundreds of workers a day, a commercial endeavor in a residential neighborhood. Many variances were granted by the City, including an 8 foot high cement fence. A large gate will be added soon separating this property from the neighbors/neighborhood. Down the street a 24,000 sf monstrosity is being built, further down the street 3 adjoining lots with houses on them have been purchased, I shudder to think what will be happening there. The character and quality of life in this once peaceful neighborhood is currently destroyed and will continue to be a nightmare of construction for at least the next 3 years if not longer. Very sad and very hard to live through on a daily basis of truck noise, back up beeping, dust and disruption.		
18.	10/13/2016	Mercer Island Resident	Construction related impacts: (a) Construction signs and contractors vehicles should not obstruct traffic view and force bikers onto road of oncoming cars.		

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			<p>Building heights (new/remodeled): (a) restrict heights that block views of existing homes; (b) reinforced to prevent collapse from earthquake/slide.</p> <p>Air BnB type rentals not permitted. If allowed, there must be following: requirement/regulations/restrictions/ordinance (e.g.(a) must vett applicants, (b) provide applicants rules of neighborhood regarding noise/overparking-blocking/trash/property boundaries etc, (c) notify neighbors information on temporary tenant (names who will be staying/length of stay/# of cars/contact if problem, etc) and (d) fees (business license, deposit to defray cost of enforcement, neighborhood damage, etc).</p> <p>Drones: (a) must be registered (regardless of size) with City; (b) enforceable rules restricting where drones allowed/not allowed to fly (e.g. residential areas to protect the privacy of neighborhood). (c) If there is business need to fly in off limit areas: must visibly display drone city registration #, file a request to fly with information: location of flight area, date/time of flight, purpose of the flight, how data collected (video/recording) will be used, kept secured, and require permission of the target of the data before releasing in any media, where drone control located, address/owner/contact info of the drone owner/operator, etc), and post refundable damage deposit (in the event the drone damages Cell tower, windows, etc)</p> <p>No marijuana sold or grown for commercial purpose within/on a residential home/property.</p> <p>Traffic obstruction: Signs reminding bikers to obey rules of the road, stay on shoulder, not ride side by side obstructing motor vehicles, obey stop signs/intersections right of way rules.</p>		
19.	10/19/2016	Lynn Hagerman & Jim Hummer	<p>My thoughts on residential development code changes:</p> <p>Multiple Tax Parcels</p> <p>Side Setbacks should be cumulative.</p> <p>If basic side setback is 10’ on each side, with 2 lots it should be 20’ on each side.</p> <p>If 3 lots, 30’ on each side.</p> <p>Variable Side Setbacks eliminated.</p> <p>I have heard that side backs must total 15’ (minimum 5’ on one side, 10’ on the other; 7.5’ on both sides etc.</p> <p>Should be a minimum of 10’ or 15’ on both sides.</p> <p>Variances</p> <p>Approved at a higher level than now, such as Planning Commission or City Counsel.</p> <p>Trees</p> <p>Significant trees (an appropriate measure of height) in a parcel’s current setback must be retained if parcels are combined.</p> <p>Scale of Projects</p> <p>Permits/fees good for 1 year only</p> <p>Increase cost of fees/permits as construction period lengthens</p> <p>Permit for Year 2 = Same as Year 1 fees/permits</p> <p>Permit for Year 3 = 2 x Year 1 fees/permits</p> <p>Permit for Year 4 = 3x Year 1 fees/permits</p> <p>No extensions beyond 4 years.</p> <p>No additional permits for 2 years</p> <p>Increase cost of fees/permits by size</p> <p>Up to 2,500 SF Base Fee/Permits</p> <p>Up to 3,000 SF 1.20 x Base</p> <p>Up to 4,000 SF 1.50 x Base</p> <p>Up to 5,000 SF 1.75 x Base</p> <p>Up to 6,000 SF 2.00 x Base</p>		

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			Up to 7,000 SF 2.50 x Base Up to 8,000 SF 3.00 x Base Up to 9,000 SF 3.50 x Base Up to 10,000 SF 4.00 x Base Up to 11,000 SF 4.50 x Base Up to 12,000 SF 5.00 x Base Up to 13,000 SF 5.50 x Base Up to 14,000 SF 6.00 x Base Up to 15,000 SF 7.00 x Base Above 15,000 SF 10.0 x Base Non-Habitable Structures (Garages, barbeque areas) Reduced Height limitations say 12' Maximum Garage size say 2,500 SF		
20.	10/21/2016	Joy Matsuura	<p>The current residential plan has been failing to maintain the character in our neighborhoods. A lot of people think that the only appeal of Mercer Island is that its good schools keep property values high, but there are people who move here for other reasons, such as the:</p> <ul style="list-style-type: none">- Greenery. Parts are like Carnation. MI is a bit of country minutes from Seattle or Bellevue.- Large lots and large setbacks. We chose MI over Bellevue because we wanted space around our home and didn't want to be right up against our neighbor. That is quickly being lost.- Safety. <p>There are many other reasons to move here, but I'll focus on these 3, which are being affected by failures in the current residential plan.</p> <p>1) Greenery. The tall firs and pines that we have here add to the beauty of the island and announce to the world that we are in the Pacific Northwest. Other types of trees and bushes add to the beauty. The overall vegetation provides cooling shade, helps cleanse the air and provides habitat for birds, bees and other animals. It is fabulous that we have eagles and other birds on the island, and that they are not limited to the formal parks. Although some of the older homes may have garages or buildings that are close to (or over the setbacks), most older homes were not built to the maximum that the law allows. The extra space is not wasted. It can provide yards for kids to play in. It is this extra space that has enabled much of the greenery on the island and is where many of the taller trees are. When older homes are torn down and replaced with newer homes, the result tends to be fewer tall trees. In some cases, even if the tree remains, the construction may damage the roots and the tree may need to be taken down later. We talk about saving the rainforests in Brazil--but what about the forests on Mercer Island?</p> <p>2) Setbacks and large lots. I believe that the current plan says that side setbacks can be as little as 5 feet (20 feet total, so it can be 5 feet on one side and 15 on the other). There are some very tiny lots on the island (e.g. over on 88th Ave SE, by the Shorewood Apartments), that can't afford a bigger setback. We generally have larger lots on the island and most of these are ample to allow a larger setback. I recommend that side setbacks be increased, maybe a 15 foot minimum. It is worth considering the impact on neighboring property too. As older homes are often not built to the maximum setback, with the current setbacks and current height restrictions, when a small home is replaced with a maximum new home, it can have a tremendous deleterious impact on the livability of a house next door. E.g. after our previous home was bought and bulldozed, the new structure was built to maximum height 5 feet from our neighbor's property, whose home was built close to the setback on their side. Theirs was a tiny, charming home on a little lot. The bit of land facing our old house used to get sunshine, so they were able to grow some beans and lettuce. After our old house was bulldozed, that bit of land suddenly had a 30-foot wall 5 feet from the property line. No more sunshine. No more vegetables. They also lost all the privacy in their backyard, so I assume this has affected the marketability of their home. If you don't change the setback, then change the height allowance. Perhaps people can build to 5 feet of their neighbor, but are limited to ONE story. This gives some flexibility. What might be better is to have</p>		

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			<p>larger side setbacks, but allow people to get exemptions if they can get written approval of the neighbor on that side. I think that insufficient setbacks have been causing a lot of harm to the character of the island. Most of the new development is built to the maximum size that setbacks will allow, especially when short platting occurs. Small homes come on the market and are snapped up before young families have a chance to see them. The buyer is just interested in a quick buck, bulldozes and builds something that he thinks will give him the most profit. It doesn't always work out this way. The builder sometimes sells for a loss and moves on, but the neighborhood is stuck with the result. It doesn't have to be this way, sometimes people have bought property, torn down and built a smaller, beautiful home that enhances the neighborhood. These tend to be people building their dream home, which means they have a commitment to living here long-term. This type of building should be encouraged. Larger lots are good for the island. A lot of them have extra greenery that is good for the planet and good for the soul. btw: developers are not evil. It's not bad to want to make money. If what they are building is ruining the neighborhoods, then the fault lies more in the guidelines that the City has provided than in the businessmen who are following those guidelines.</p> <p>3) Safety. Sadly, one of the reasons we get targeted by burglars is that people feel so safe here, they tend to leave doors unlocked. Based on all the posts, crime is becoming an increasing problem. Other places may be worse, but crime here has been better. Crime can and is being addressed in other ways, but failures in addressing the above two issues I've mentioned may be contributing to an increase in crime. One of the things that makes neighborhoods safer is neighbors knowing each other and looking out for each other. This is helped by people being here for a longer time, moving here with a desire to become part of our community and staying because they like the place and the people. Older families also tend to be home more. When people are around in the day, that can dissuade burglars. When the character of the neighborhood changes, that gives people more incentive to move away. Why stay and pay the high taxes here when it's no longer as nice? When the trees and privacy are gone? As some people move, others do too. If the only reason to move here is for the schools, then people will move here for the schools, stay for the few years necessary for their kids to get educated, then sell (for a profit) and buy a home in a cheaper area. A revolving door community doesn't tend to know each other. People need time to get acquainted. If the houses are large with no space around them, people don't tend to be outside their homes much (or they get in their cars inside their sealed garages, open the door and drive away, perhaps to a park to experience some greenery). We shouldn't need National Night Out for people to meet their neighbors. Having room for greenery helps. People can chat or wave while out raking the leaves from a beautiful fall.</p>						
21.	10/25/2016	<div>Carolyn and Mark Boatsman</div> <div>Anne Fox</div> <div>Lynn Hagerman and Jim Hummer</div> <div>Barbara VanDyke Shuman and Jim Shuman</div> <div>Molly and Dirk Van der Burch</div>	<div>Recommended changes in Mercer Island Residential Development Standards</div> <div>*Note: City names in parentheses are those which have comparable standard</div> <table><tr><td>1. Building height</td><td><div>ESTABLISH 30 FOOT HEIGHT LIMIT</div><ul style="list-style-type: none">No height above 30 feet - eliminate current provisions which allow up to 35 feet in some situations (Issaquah, Newcastle, Renton)Measure building height from the average building elevation of the existing or finished grade, whichever is lower (Issaquah)Include an appropriate height to account for roof top decks in measuring building elevation</td></tr><tr><td>2. Lot Coverage (Impervious Surface)</td><td><div>DIFFERENTIATE BETWEEN MAXIMUM BUILDING COVERAGE AND MAXIMUM IMPERVIOUS SURFACE</div><ul style="list-style-type: none">Establish a building coverage standard of 35% separate and distinct from the impervious surface standard (Newcastle, Bellevue, Renton, Redmond)Eliminate impervious surface deviations on lots with slopes less than 15%; Establish clear purposes for impervious surface deviations, if any, and limit them to lots with unique geographic attributes that would justify a deviationRequire as-built certification from surveyor as to final amount of impervious surface</td></tr></table>	1. Building height	<div>ESTABLISH 30 FOOT HEIGHT LIMIT</div> <ul style="list-style-type: none">No height above 30 feet - eliminate current provisions which allow up to 35 feet in some situations (Issaquah, Newcastle, Renton)Measure building height from the average building elevation of the existing or finished grade, whichever is lower (Issaquah)Include an appropriate height to account for roof top decks in measuring building elevation	2. Lot Coverage (Impervious Surface)	<div>DIFFERENTIATE BETWEEN MAXIMUM BUILDING COVERAGE AND MAXIMUM IMPERVIOUS SURFACE</div> <ul style="list-style-type: none">Establish a building coverage standard of 35% separate and distinct from the impervious surface standard (Newcastle, Bellevue, Renton, Redmond)Eliminate impervious surface deviations on lots with slopes less than 15%; Establish clear purposes for impervious surface deviations, if any, and limit them to lots with unique geographic attributes that would justify a deviationRequire as-built certification from surveyor as to final amount of impervious surface		
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	Date	Name	Comment		Related Topic	Staff Comment
		Sue and TJ Stewart				
		Elizabeth Malone	3. Gross Floor Area	ELIMINATE GROSS FLOOR AREA EXEMPTIONS; REDUCE GFA; ENSURE COMPLIANCE <ul style="list-style-type: none">• Include the “second level” of multi-story open spaces in the calculation of gross floor area, i.e. revise current practice which counts only the lowest level• Include all floor area of basements in the calculation of gross floor area, i.e. do not exclude part of daylight basement from gross floor area calculation on theory that it is partially below existing grade• Include roof decks in the calculation of gross floor area• Consider reducing GFA to below 45%• Require as-built certification from architect as to the final GFA		
		Erik Jansen	4. Minimum Setbacks	INCREASE SIDE YARD SETBACK Increase side yard setbacks to at least 20’ (from 15’) with a minimum of 7.5’ on any side (Renton 7.5’ any side/20’ total and Issaquah 8’ any side)		
			5. Tree Retention	PRESERVE TREES <ul style="list-style-type: none">• Amend purpose section of tree regulations to include community resource values of reducing global warming and preservation of canopy (Issaquah), native trees (Victoria), and landmark trees• Establish minimum large tree density for City zones, e.g. 2 trees/5000 ft. sq., etc. based upon lot size (Renton)• Establish a maximum large tree removal rate without a permit, e.g. for lots up 9600 ft. sq., removal of two trees/year, 4 trees per five years• Prohibit removal of large trees during development unless the development potential of the property cannot be reached; place burden upon developer to prove that the location of the building pad and design cannot be modified to permit retention of large trees• Consider departures from development standards to preserve a large tree when development potential of the property cannot otherwise be reached• Prohibit removal of large trees from undeveloped land• Ensure adequate tree protection during construction TREE REPLACEMENT <ul style="list-style-type: none">• Establish incentives and require, in appropriate circumstances, replacement with native species• Required replacement trees cannot be removed without providing new replacement trees or, if not feasible, a fee in lieu is paid into the Tree Fund (see below) (Seattle, Issaquah, Lynnwood) PROTECT LANDMARK TREES <ul style="list-style-type: none">• Define landmark tree based upon species characteristics rather than size and vague references to distinction and beauty; eliminate the cumbersome ineffective nomination and approval process (Seattle, Issaquah, Renton, Victoria) IMPROVE TREE REGULATORY PROGRAM <ul style="list-style-type: none">• Require Tree Removal Review (no-fee review of plans to remove trees to determine if a permit is required) (Issaquah)• Notify property owners and residents within 300 feet of a tree if removal requires a permit; allow a public comment period		

	Date	Name	Comment		Related Topic	Staff Comment
				<ul style="list-style-type: none">Ensure that penalties for illegal tree removal are significant, that replacement trees under such circumstances are mature, and that the development be designed as if the tree had not been removed ESTABLISH A TREE FUND <ul style="list-style-type: none">Establish a Tree Fund with monies collected from<ul style="list-style-type: none">civil penalties for illegal tree removalfee in lieu for removal of large trees, whether or not removed incident to development, if not replacedfee in lieu for removal of replacement trees if the placing of new replacement trees is not feasibleUse Tree Fund to educate the public regarding the value of trees, tree preservation, and to plant trees and remove invasive species from parks and City property		
			6. Building pad	NEED TO ENSURE THAT BUILDING PADS ARE ALWAYS LOCATED IN THE BEST POSSIBLE LOCATION FROM AN ENVIRONMENTAL STANDPOINT <ul style="list-style-type: none">Require City approval as to location or relocating of any building pad under any circumstances to ensure minimal impacts on trees and critical areas.Building pad cannot be located in a place that would result in the loss of any significant tree unless there is no feasible alternative.		
			7. Minimum lot width and depth			
			8. The definition of a single-family residence as related to very large homes (e.g., is 15,000 square foot house with 12 bedrooms, 12 bathrooms and 3 kitchens a single-family home or something else?)	RECOGNIZE THAT PROJECTS OVER A CERTAIN SIZE ARE NOT THE SAME AS A TYPICAL SINGLE FAMILY RESIDENCE AND HAVE TO BE EVALUATED DIFFERENTLY <ul style="list-style-type: none">Establish a maximum size for single family residencesConsider undergrounding utilities incident to construction of extremely large residencesSEPA review for projects of a certain size or greaterRequire a community impact mitigation plan involving such issues as truck traffic, noise and other construction impacts, parking of construction vehicles, work times, etc.		
			9. Lot consolidation / Maximum lot area	ESTABLISH A MAXIMUM STRUCTURE SIZE IN RESIDENTIAL ZONES		
			10. Construction related impacts (hours of operation, parking, length of construction activity, etc.)	NEED TO ENSURE THAT CONSTRUCTION ACTIVITY DOES NOT UNDULY IMPACT THE ABILITY OF RESIDENTS TO ENJOY THEIR HOMES AND LIVE THE LIFE THEY ARE ENTITLED TO IN A RESIDENTIAL NEIGHBORHOOD <ul style="list-style-type: none">No work on Sundays or legal holidaysNo work before 8am or after 7pmMake it clear that property owner/developer is financially responsible for physical damage to neighborhood properties caused by construction		
			11. Deviations (process and criteria)	UPDATE REGULATORY GOALS AND CRITERIA FOR GRANTING DEVIATIONS <ul style="list-style-type: none">Establish clear goals for granting deviations		

	Date	Name	Comment		Related Topic	Staff Comment
				<ul style="list-style-type: none">• Adopt specific criteria that establish the unique circumstances that justify a deviation• The existing 5% impervious surface deviation on flat or low angle lots serves no regulatory purpose and should be deleted from the code• Require applicants to document that the application satisfies all criteria• City decisions to grant a deviation must document the criteria that allow the deviation based upon information provided by the applicant• Ensure that all application materials are readily available on the City website so that citizens can review during the comment period• Communicate City decision to those who comment on a deviation request with explanation		
			12. Large residential accessory structures and use (e.g., 30-foot-high gazebos, 12 car garages, etc.)	Establish a maximum size for accessory structures in residential zones		
			13. Enforcement tools including penalties	TOUGHEN ENFORCEMENT TOOLS SO THEY CREATE A MEANINGFUL DETERRENCE TO ILLEGAL CONDUCT <ul style="list-style-type: none">• Enforcement tools must include penalty that precludes someone from being able to benefit from a violation – being able to do something that one could not have done if they had complied with legal requirements.• Citizens must have simple means to report suspected violations and be able to learn about the timely disposition of complaints• Environmental damage should result in criminal prosecution.		
			14. Building Permit Process: Public notice, public input and right to appeal	NEED FOR TRANSPARENCY AS TO BUILDING AND SIMILAR LAND USE PERMITS <ul style="list-style-type: none">• Notice of building and similar land use permits must go to property owners within 300 feet of any property boundary with a sign also required advising people of the pending permit application• Sufficient opportunity must be provided for people to comment on and object to permit applications and to appeal decisions before an administrative law judge.• All materials relating to building permit applications have to be viewable online as of the first day of any comment period.		
			15. Fence height deviations	RETAIN A COMMUNITY OF OPENNESS AND WELCOMING NEIGHBORS RATHER THAN WALLS AND GATES <ul style="list-style-type: none">• Establish clear goals for granting deviations• Adopt specific criteria that establish the unique circumstances that justify a deviation• The existing ease of obtaining a fence height deviation serves no regulatory purpose and should be amended• Require applicants to document that the application satisfies all criteria• City decisions to grant a deviation must document the criteria that allow the deviation based upon information provided by the applicant		

	Date	Name	Comment		Related Topic	Staff Comment
				<ul style="list-style-type: none">• Ensure that all application materials are readily available on the City website so that citizens can review during the comment period• Communicate City decision to those who comment on a deviation request with explanation		
			16. Time Limit on Validity of Building Permits	PENALTY FOR EXCEEDING INITIAL PERMIT PERIOD Should be a monetary penalty for exceeding permit duration which includes putting a daily amount into an impact fund that can be paid to impacted neighbors		
			17. Short Plats - Ensuring that short plat process is not circumvented	PREVENT CIRCUMVENTING THE SUBDIVISION PROCESS Ensure that short plat process is not circumvented by applying for a building permit for one part of a lot with the intention of short platting the property after that permit is granted		
22.	11/2/2016	Dan Thompson	Please find attached to this email my comments to the Planning Commission regarding the residential development update, including: December 4, 2015 letter to City Council with Exhibits 1-9; 1. December 7, 2015 letter to City Council regarding solutions; 2. Recent comments posted on Nextdoor regarding the residential development kick-off meeting and November 2, 2016 Planning Commission de-briefing with citizen comments. Would you please make sure these documents are made part of the record in this matter. As noted in my second Nextdoor post, I am concerned that the scope of the review before the Planning Commission may not include changes to the current procedural interpretations and rules for permit notice, involvement, and appeal. I am unable to discern whether these issues are within the scope before the Planning Commission. I would appreciate it if you could confirm whether or not the procedural issues raised in my Nextdoor post and letters to the Council will be before the Planning Commission and within the scope of the development code amendments.			A copy of the referenced attachments will be placed on the website as soon as possible.
23.	11/2/2016	Sarah Fletcher	Hello Evan, do you know why the Arborist states in the Record of Decision that critical trees will be preserved, and issue an Arborist's Report as part of the Record of Decision, but then in the Development phase, he completely ignores his own Arborist's Report and allows more critical trees to be cut down so that a building's foundation can go where the critical tree that was to preserved goes? This cannot be acceptable. And there needs to be a timeframe on replacing trees and will you please take the language out in the Tree Code "at arborist's discretion." This is causing a major problem in that he is just substituting bushes and shrubs with trees. Could you please tighten up the Code with regard to the destruction of trees in that they should be preserved at all costs. The purpose of the trees is to camouflage the houses, not to have them showing with all the bright floodlights. The arborist said that he can't deny a permit if it means a development being cancelled because of his not allowing a tree permit. How can the arborist deny a permit without having to feel that he is the one responsible for the development not being approved? And will you please stop the property owners from bringing in fildirt or infill to either make a foundation level higher or to level off ground and that if it is brought in illegally, then it needs to be taken out with immediate effect no matter who the owner of the property is. And if dirtfill causes problems with the neighbors' property, he needs to do remediation. And if a neighboring			

	Date	Name	Comment	Related Topic	Staff Comment
			<p>house was built below grade, the new proposed developments' foundations need to be at the same level in that should the foundation level start off at a higher level to the neighbor's house or condo, even going up 30ft, will dwarf the neighboring house or condo and block the neighbors' views. This cannot be allowed.</p> <p>And as for new developments with lots of cars, we don't want to look at a parking lot or find that the fumes are coming into our condos setting off our carbon monoxide alarms. And if there is an orchard, there should be a law that preserves orchards and not be allowed to be developed.</p> <p>And the 15ft border between properties is just not enough room and should be measured from the rooftops. And if the area only have houses that have sloped roofs, for a developer to come in with a huge house that has a flat roof, that brings down the whole neighborhood (which can be seen on 72nd Ave SE with a Jaymarc showhouse), that should not be allowed as part of the design. Neighbors should be allowed to view the proposed development and have some say as to whether they approve the proposed buildings or not. It is not clear at all when we comment on a Notice of Public Application if we are looking at plats or what? And then, between the Planning, the demolition and development, the building can change completely without us being allowed to comment and then a house will go up and spoil our view or bring the neighborhood down. Something is wrong with the process. No McMansions should be allowed to be built next to cottage-type houses.</p>		
24.	11/3/2016	Wendy Wasicek	<p>I am currently living across the street from a new residential construction project. After watching this construction for the last 5 months I believe the following topics need to be revisited in the planning development review process: Consideration of shape of house/roof in the determination of height limits - a flattop roof design has a much more significant impact on neighboring homes than a traditional peaked roof. The visual blot is more daunting, particularly when the overall shape of the home is rectangular, and blocks more sky and light. The height/size limit should be lower with this design.</p> <p>Size of home and impermeable surfaces as a % of lot size ? the maximum current size of home and straight angle design does not allow space for any landscaping to soften the impact of the size of the home. The size allowed is too large. Tree removal - It was my understanding that Mercer Island values its large trees from a beauty and environmental perspective. The project across the street removed every tree from the lot and cut off branches from most neighboring trees at the property line. This was too excessive.</p> <p>Size of basement ? the project across the street has a full basement which required several months of excavation and dirt removal/replacement. The area has significant clay soil and water runoff problems. This type of design should be restricted based on the home/lot size. Repair of damage caused by heavy truck traffic to neighboring streets needs to be required.</p> <p>Handling of runoff water ? excessive tree removal, size of home, and impermeable surfaces negatively impact the amount of storm water runoff. Our current storm water system has limitations that must be considered, particularly given the trend we are seeing toward heavier rainfall. Rain gardens should be considered as possible requirements, similar to those required by Bellevue.</p> <p>Permitting process and notification of neighbors ? the current process does not allow any reasonable input from impacted neighbors. Mercer Island has been a great place to live. I would like to see it continue to be so.</p>		
25.					



Subdivisions

This page provides a general overview of land subdivision regulations for cities and counties in Washington State. For a list of key court decisions and attorney general opinions, see [Subdivisions Court Decisions and AG Opinions](#).

Definitions

The subdivision of land into lots is governed in Washington State by [chapter 58.17 RCW](#) and by city and county ordinances adopted under that chapter's authority. The following is a list of key terms defined by these statutes.

- **Subdivisions** are defined in [RCW 58.17.020\(1\)](#) as the "division or redivision of land into five or more lots, tracts, or parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership."
- **Short subdivisions** are defined in [RCW 58.17.020\(6\)](#) as the "division or redivision of land into four or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership." Any city or town may increase the number of lots that can be regulated as short subdivisions up to a maximum of nine. Counties planning under the [Growth Management Act](#) may do the same with respect to unincorporated land within an urban growth area.
- **Plats** and **short plats** are defined in [RCW 58.17.020\(2\)](#) as the maps or representations of subdivisions and short subdivisions respectively that show the division of land into lots and the streets, alleys, dedications, easements, etc.
- **A Binding Site Plan** is an alternative method of land division authorized by [RCW 58.17.035](#). For more information, see [Site Plans and Binding Site Plans](#) or [Exemptions](#) section below.

Exemptions

Certain land divisions are exempt from state subdivision laws. See [RCW 58.17.040](#).

These exempt divisions include:

- Burial plots
- Divisions into lots above a certain size
- Divisions "made by testamentary provisions, or the laws of descent"
- Boundary line adjustments (no additional lots created)
- Divisions for industrial or commercial use when a binding site plan is approved
- Divisions for leasing lots for mobile homes when a binding site plan is approved
- Divisions where a portion of the property is developed as a condominium (and certain other requirements, including a binding site plan, are met)

[RCW 58.17.035](#) authorizes cities and counties to, by ordinance, establish procedures for use of a [binding site plan](#) as an alternative to the subdivision process for the divisions identified in [RCW 58.17.040](#) that require approval of a binding site plan to be exempt.

Subdivision Process Overview

Subdivisions, other than [short subdivisions](#), must be regulated by cities and counties according to the procedures in [chapter 58.17 RCW](#).

These statutory procedures establish a two-step process for the approval of subdivisions:

1. [Preliminary plat](#) approval
2. [Final plat](#) approval

Note that both subdivision and short subdivision approval require compliance with local ordinances such as those dealing with zoning, road standards, shorelines, utilities, and drainage, as set out by [RCW 58.17.110](#).

Preliminary Plats

Initial Review and Hearing

Preliminary plat review is a quasi-judicial process that involves an initial review and hearing by the city or county [planning commission](#) or agency, which then makes a recommendation to the city council or board of county commissioners or county council. See [RCW 42.36.010](#) for a definition of quasi-judicial land use actions.

A city or county may establish a [hearing examiner system](#), as an alternative to having a planning commission or agency hear and issue recommendations for preliminary plat approval. See [RCW 58.17.330](#).

Requirements for Approval

Unless the applicant requests otherwise, a preliminary plat must be processed simultaneously with applications for accompanying rezones, variances, planned unit developments, site plan approvals, and similar quasi-judicial or administrative actions to the extent that the procedural requirements for those actions allow for simultaneous processing.

A city or county may not approve a preliminary plat unless the city council, board of county commissioners or county council, or hearing examiner, as the case may be, makes written findings regarding certain matters identified in [RCW 58.17.110](#), including open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, and playgrounds.

Time Limitations for Approval

Preliminary plats must be approved, disapproved, or returned to the applicant for modification within 90 days of the filing of the preliminary plat application, unless the applicant consents to an extension. See [RCW 58.17.140](#).

Final Plats

Time Limitations for Submittal

[RCW 58.17.140](#) sets out the rules regarding the time period for an applicant to submit a preliminary plat for final plat approval. The general rule is that the applicant has five years after preliminary plat approval in which to submit the plat for final approval. However:

- If the preliminary plat was approved before **January 1, 2015**, the applicant has seven years to submit a final plat.
- If a preliminary plat was approved before **January 1, 2008** and is not subject to the [Shoreline Management Act](#), the applicant has 10 years to file for final plat approval.

For more details, see MRSC's blog post [The Deadline for Filing for Final Plat Approval and the Vesting Period for Final Plats – the Rules Change Once Again!](#)

Also, a city or county may adopt procedures by ordinance for extensions of these time periods. For examples, see [Examples of Subdivisions City and County Codes](#) section.

Approval Process

Final plat approval, which must be made by the legislative body ([RCW 58.17.100](#)), is in the nature of a ministerial, non-discretionary process; that is, if the applicant meets the terms of preliminary approval and the plan conforms with state law and local ordinances, final approval must be granted. See [RCW 58.17.170](#).

There is no public hearing for a final plat approval.

Requirements for Approval

Among the statutory requirements for final plat approval are:

- Recommendation for approval by the local health department or the agency that would be furnishing sewer and water;
- Approval by the city or county engineer;
- A complete survey; and
- Certification that all taxes and delinquent assessments for the property have been paid.

See [RCW 58.17.150](#), [RCW 58.17.160](#), and [RCW 58.17.165](#).

Time Limitations for Approval

Final plats must be approved, disapproved, or returned to the applicant for modification within 30 days of filing, unless the applicant consents to an extension. See [RCW 58.17.140](#).

Recording and Filing Requirements

Lots in a subdivision cannot be sold until final plat approval is obtained and the plat is recorded with the county auditor. See [RCW 58.17.195](#).

If the county assessor has adopted an "assessor's plat" for the county, before filing with the county auditor, approved final plats must be submitted to the county assessor for "the sole purpose of assignment of parcel, tract, block and or lot numbers." See [RCW 58.18.010](#).

Vesting Rules

RCW 58.17.170(3) sets out the vesting rules for an approved final plat. The lots in an approved final plat are "a valid land use notwithstanding any change in zoning laws" for a period of five years from final plat approval. See RCW 58.17.170(3)(a).

- If the final plat was approved before **January 1, 2015**, the vesting period is seven years.
- If the final plat was approved before **January 1, 2008**, it is vested for a period of 10 years from final plat approval.

Also, approved final plats are vested with respect to the conditions of plat approval and with respect to applicable laws for these same time periods, except when "a change in conditions creates a serious threat to the public health or safety in the subdivision." Though, for final plats approved before January 1, 2008, the 10-year vesting period with respect to the conditions of plat approval and to applicable laws applies only if the plat is not within Shoreline Management Act jurisdiction. See RCW 58.17.170(3)(b).

Note that these vesting limitations in RCW 58.17.170(3) do not apply to short plats, which have no vesting limitations. See Noble Manor v. Pierce County, 133 Wn.2d 269, 281-82 (1997).

Short Subdivision Process

No process is set out in state law for approval of short plats. Cities and counties are required by RCW 58.17.060 to adopt by ordinance their own regulations and procedures that provide for "summary approval" of short plats through an administrative process.

Approval Process

Because it must be an administrative process, there is no public hearing for a short plat application, and the legislative body is not involved in the process. To approve a short plat, the administrative personnel assigned to review short plat applications must make the same written findings in RCW 58.17.110 that are required for subdivision (plat) applications.

Time Limitations for Approval

Short plats must be approved, disapproved, or returned to the applicant for modification within 30 days of the filing of the short plat application, unless the applicant consents to an extension. See RCW 58.17.140.

Recording and Filing Requirements

They must be filed with the county auditor and are not deemed "approved" until such filing. See RCW 58.17.065.

Vesting Rules

There is no limitation on the vesting of an approved short plat as there exists with respect to approved final plats. See Noble Manor v. Pierce County, 133 Wn.2d 269, 281-82 (1997).

Examples of Subdivisions City and County Codes

The following codes exemplify how a range of jurisdictions in Washington State have implemented state subdivision law.

City Codes

- [**Bothell** Municipal Code Title 15](#)
- [**Brewster** Municipal Code Title 16](#)
- [**College Place** Municipal Code Title 16](#)
- [**Ferndale** Municipal Code Title 17](#)
- [**Issaquah** Municipal Code Ch.18.13](#)

County Codes

- [**King County** Code Title 19A](#)
- [**San Juan County** Code Ch. 18.70](#)
- [**Whatcom County** Code Title 21](#)
- [**Yakima County** Code Title 14](#)

Recommended Resources

- [Subdivisions Court Decisions and AG Opinions](#)
- [Subdivisions and Planned Developments Blog Posts](#)
- [**Washington State Department of Commerce**: GMA Short Course on Local Planning - The Platting Process \(2009\)](#)

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