
CITY OF MERCER ISLAND

COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

PHONE: 206.275.7605 | www.mercerisland.gov



PLANNING COMMISSION

TO: Planning Commission

FROM: Adam Zack, Senior Planner

DATE: January 18, 2022

SUBJECT: ZTR21-005

ATTACHMENTS:

- A. Boatsman Docket Request dated November 2, 2020.
- B. MICC 8.24.020 with staff drafted alternative amendment
- C. MICC 19.02.020 with staff proposed amendment

SUMMARY

The purpose of this memo is to provide the Planning Commission with the staff recommendation for ZTR21-005. This zoning code amendment was proposed in a Docket Request dated November 2, 2020 (Attachment A). The docket request proposed amendments to Mercer Island City Code (MICC) to address noise from gas-powered landscaping equipment and light trespass from external lighting fixtures in residential zones. This staff report focuses on and provides the staff recommendation for addressing noise from landscaping equipment and directional spotlights.

At the November 17, 2021 meeting, staff provided an overview of the proposed code amendments and provided some initial guidance on potential approaches for the Commission's consideration. The Commission discussed potential approaches to the issue of noise generated by landscaping equipment, with a particular interest in considering a ban on gas-powered leaf blowers. The Commission also directed staff to further investigate approaches to exterior lighting provisions for residential areas in neighboring cities, and to further develop a draft code amendment.

Staff has drafted an optional amendment to the nuisance provisions in Chapter 8.24 MICC to further regulate the allowed hours for noise from landscaping equipment. Staff does not recommend development of a code amendment banning gas-powered landscaping equipment at this time, as it would be beyond the scope of the City Council direction on this docket request. If the Planning Commission would like to pursue a ban on gas-powered landscaping equipment, they can provide a general recommendation to the City Council.

To address lighting in residential zones, the staff recommended amendments would add new standards for exterior lighting in MICC 19.02.020 Development standards. The proposed amendments would add a new subsection to the residential development standards. The purpose of the exterior lighting regulations is to establish standards for lighting fixture shielding, direction, and brightness to minimize light spillover onto neighboring properties in residential zones.

NOISE GENERATED BY LANDSCAPING EQUIPMENT

Conditions, activities, and actions considered nuisances in Mercer Island are established in [MICC 8.24.020 Types of nuisances](#). Noises from landscaping equipment, including leaf blowers, are currently allowed between 7:00 am and 8:00 pm on weekdays and 9:00 am and 8:00 pm on weekends and holidays (MICC 8.24.020(Q)(3)). Noises resulting from permitted activities like construction are allowed between 7:00 am and 7:00 pm on weekdays, 9:00 am and 6:00 pm on Saturday, and prohibited on Sundays and holidays.

If the Planning Commission would like to recommend amending the hours that noise from landscaping is allowed, they can propose an amendment to MICC 8.24.020(Q) as follows:

“Q. Sounds.

1. Sounds regulated by this section.

- a. The intent of this section is to regulate sounds heard beyond the property line of the source;
- b. The following sounds are explicitly regulated by this section:
 - i. Sounds caused by the construction or repair of any building or structure;
 - ii. Sounds caused by construction, maintenance, repair, clearing or landscaping;
 - iii. Sounds created by the installation or repair of utility services; and
 - iv. Sounds created by construction equipment including special construction vehicles.

2. Sounds related to activity authorized by a permit from the city of Mercer Island are limited as follows:

- a. Sounds shall only be allowed between the hours of 7:00 a.m. to 7:00 p.m. on Mondays through Fridays, and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays.
- b. Sounds shall be prohibited at any time of day on Sunday and legal holidays.

3. Sounds related to activity that does not require a permit from the eCity of Mercer Island and are not caused by landscaping as described in subsection 4, shall only be allowed between the hours of 7:00 a.m. to 8:00 p.m. on Mondays through Fridays, and between the hours of 9:00 a.m. and 8:00 p.m. on Saturdays, Sundays, and legal holidays.

4. Sounds caused by landscaping, including sounds caused by lawnmowers, leaf blowers and other landscaping equipment, shall only be allowed between the hours of 8:00 a.m. to 8:00 p.m. on Mondays through Fridays, and between the hours of 9:00 a.m. and 8:00 p.m. on Saturdays, Sundays, and legal holidays.

45. The enforcement officer may authorize a variance to this section pursuant to WAC Chapter 173-60.”

The Planning Commission can recommend the specific hours they would like to limit noise from landscaping. The option above would allow these noises between 8:00 a.m. and 8:00 p.m. on weekdays (one hour later start time) and 9:00 a.m. and 6:00 p.m. on weekends and holidays (no change in hours). Staff does not recommend prohibiting noise from landscaping on Sundays and legal holidays because these days are often when private property owners will do yard work. Attachment B provides this option with the entire text of MICC 8.24.020, the alternative begins on page 3, line 43.

Gas-Powered Leaf Blower Ban

When discussing noise from gas-powered landscaping equipment, the Planning Commission discussed a possible ban on gas-powered leaf blowers. Similar bans or limitations on the use of gas-powered leaf blowers have been adopted in more than 100 cities nationwide in recent years. In researching this growing trend, staff found that such bans are becoming more common, especially in California (due to air quality concerns). That said, these bans are still uncommon in Washington. In addition, in talking with the City’s Public Works staff about the deployment of electric landscaping equipment in the City, staff learned that large capacity backpack-style leaf blowers are not yet available with electric motors, nor do the currently available electric leaf blowers have the battery capacity to operate for the long timespans required by full-time landscape maintenance crews. Thus, while electric leaf blowers are a great option for homeowners, it may not yet be practical to enforce a ban on commercial landscaping companies.

Furthermore, while banning gas-powered leaf blowers might be a wise policy choice, it is beyond the scope of the project assigned to the Planning Commission by the City Council with the 2020 docket. If the Planning Commission would like to recommend a leaf blower ban, staff recommends that the commission make a general recommendation to the City Council for further consideration and direction. Then, the City Council can decide whether the City should undertake the work of adopting a ban and give direction on the desired process for considering such a code amendment.

RESIDENTIAL LIGHTING

In their initial direction provided on November 17, 2021, the Planning Commission asked staff to draft proposed regulations to control exterior spot lighting in residential zones. To prepare a draft, staff reviewed residential lighting standards in several neighboring jurisdictions, the International Dark Sky Association, and reference materials on the American Planning Association website. In general, lighting regulations are designed to ensure that new or substantially replaced exterior lighting fixtures:

- Minimize the amount of light that spills onto neighboring properties;
- Reduce ambient light pollution; and
- Only illuminate the object or area where light is needed.

There are two aspects of lighting fixtures that are typically regulated:

- Direction and shielding to keep light limited to the area or object where light is needed, and
- Brightness of the lighting fixture, usually measured in lumens.

Examples of lighting codes from nearby cities are available at the following links:

- Sammamish Municipal Code 21.A.30.230 Outdoor lighting.
<https://www.codepublishing.com/WA/Sammamish/?Sammamish21A/Sammamish21A30.html#21A.30.230>
- Issaquah Municipal Code 18.07.107 Outdoor lighting.
<https://www.codepublishing.com/WA/Issaquah/#!/Issaquah18/Issaquah1807.html#18.07.107>
- Kirkland Zoning Code 115.85 Lighting Regulations.
<https://www.codepublishing.com/WA/Kirkland/?KirklandZ115/KirklandZ115.html#115.85>

Direction and Shielding

Establishing standards for the direction and shielding of lighting fixtures controls where the light is provided. In reviewing lighting code guidance and examples, the direction and shielding measures were the most common way to prevent light spillover onto neighboring properties. In general, the reference materials established standards for lighting fixtures to be directed downward, no more than 45 degrees above straight down. Most lighting standards also included a shielding requirement. A shielded lighting fixture has an opaque barrier around the bulb and is angled so the bulb is not visible below the barrier.

Figure 1 shows a helpful illustration of shielded lighting from the Fountain Hills Dark Sky Association provides a helpful illustration of shielded lighting on their website at:
<https://fhdarksky.com/information/what-is-shielding/>

Figure 1. Fountain Hills Dark Sky Association Illustration of Shielded Lighting.

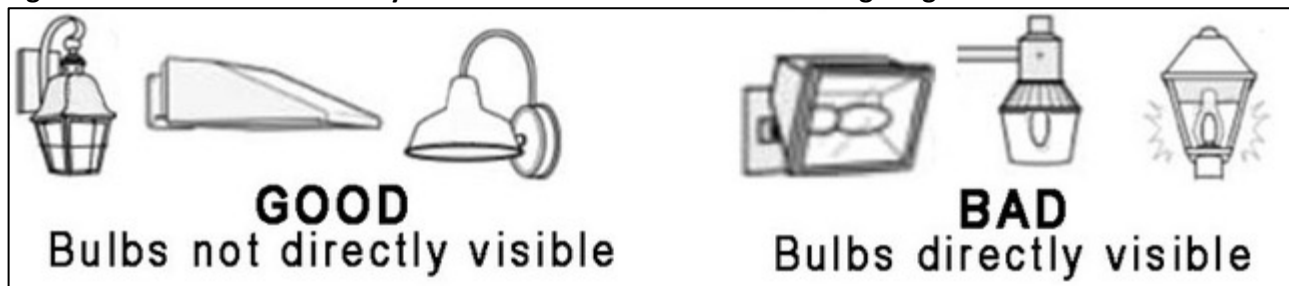
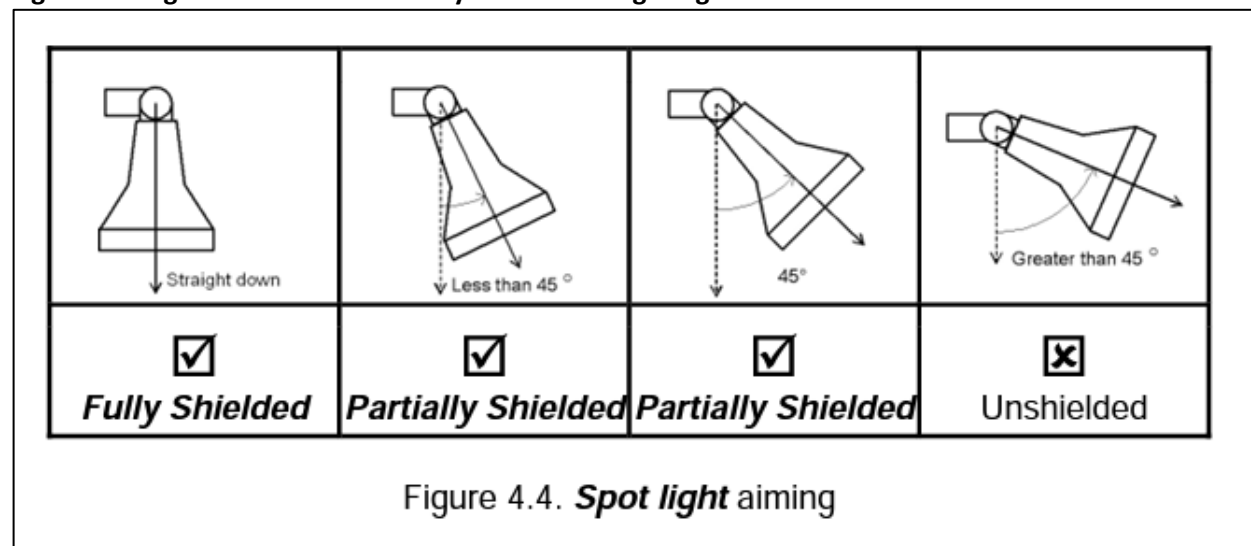


Figure 2 shows a helpful illustration of lighting fixture direction from the Flagstaff Arizona Naval Observatory lighting regulations (<http://www.flagstaffdarkskies.org/wp-content/uploads/2015/10/CBL-POLC-standard-v2.0.pdf>).

Figure 2. Flagstaff Naval Observatory Directional Lighting Illustration.



Shielding and direction are the two most effective and common lighting regulations available to limit the light spillover onto neighboring properties.

Brightness

In addition to requiring shielding and directing light downward, regulating brightness was a common feature of the regulations and guidance reviewed. Brightness of lighting fixtures is typically measured in lumens. Lumens differ from bulb wattage because they measure brightness whereas wattage is a measure of energy usage. High-efficiency lightbulbs produce more lumens with less wattage.

The more lumens a fixture produces, the brighter the light. The U.S. Department of Energy provides the following rule of thumb for comparing lumens to incandescent bulb wattage

(<https://www.energy.gov/energysaver/lumens-and-lighting-facts-label>):

“The brightness, or lumen levels, of the lights in your home may vary widely, so here's a rule of thumb:

- To replace a 100 watt (W) incandescent bulb, look for a bulb that gives you about 1600 lumens. If you want something dimmer, go for fewer lumens; if you prefer brighter light, look for more lumens.
- Replace a 75W bulb with an energy-saving bulb that gives you about 1100 lumens
- Replace a 60W bulb with an energy-saving bulb that gives you about 800 lumens
- Replace a 40W bulb with an energy-saving bulb that gives you about 450 lumens.”

Most of the code examples reviewed established a limit on the lumens produced by exterior lighting fixtures. Limiting the brightness of a fixture, combined with shielding and direction, helps to prevent the amount of light spillover onto neighboring properties.

DRAFT RESIDENTIAL LIGHTING REGULATIONS

After reviewing examples of lighting regulations and other reference materials, staff prepared the following draft of lighting provisions. The lighting regulations would be added as a new subsection (K) to [MICC](#)

[19.02.020 Development standards](#). The full text of MICC 19.02.020 with the new subsection (K) is provided in Attachment C. The proposed standards are:

K. Exterior Lighting.

1. Applicability. This section applies to all exterior lighting installed after the effective date of this ordinance in the R-8.4, R-9.6, R-12, and R-15 zones. The following lighting types are exempt:

- a. Lighting within a public right-of-way or easement for the purpose of illuminating roads, trails, and pedestrian ways;
- b. Repair of lighting fixtures existing prior to the effective date of this ordinance;
- c. Emergency lighting;
- d. Temporary seasonal lighting; and
- e. lighting required by state or federal law.

2. Standards.

- a. All exterior lighting shall be designed to minimize light trespass onto neighboring properties.
- b. All exterior lighting must be either fully or partially shielded except that one unshielded lighting fixture not exceeding 450 lumens is allowed at the main entry of each residence.
 - i. Fully shielded means the lighting fixture has a solid opaque barrier at the top of the fixture in which the bulb is located and the fixture is angled so the bulb is not visible below the barrier.
 - ii. Partially shielded means the fixture is shielded by a solid opaque barrier or angled no more than 45 degrees above straight down, which is half-way between perpendicular and parallel to the adjacent grade.
- c. Each exterior lighting fixture shall not exceed 1,600 lumens.
- d. Exterior lighting fixtures shall be designed so that they do not project their output:
 - i. Onto neighboring properties;
 - ii. Past the object being illuminated;
 - ii. Skyward;
 - iii. Onto a public roadway; or
 - iv. Onto a trail or pedestrian way.

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

The proposed MICC 19.02.020(K) would regulate exterior lighting to prevent light trespass onto neighboring properties. The combination of shielding, direction, and brightness requirements would address the problem of lights shining beyond the extent of the property. Furthermore, the proposed MICC 19.02.020(K)(2)(d)(iii) would prevent motion activated spotlights from being triggered by offsite movement. The proposed regulations would establish clear standards for property owners and planners alike. In most instances, nonconformity with the standards will be simple to resolve because lighting fixtures can be easily repositioned to avoid light spilling beyond the property boundary.

STAFF RECOMMENDATION

Establish new residential lighting standards in MICC 19.02.020. The proposed MICC 19.02.020(K) will address the concern raised in the docket proposal and establish clear standards for residential lighting. The proposed amendment is shown in Attachment C beginning on page 10, line 18.

Criteria for Approval of Development Code Amendments

The criteria for approval of amendments to Title 19 MICC are established in [MICC 19.15.250\(D\) Code amendment](#), which states:

D. *Criteria.* The city may approve or approve with modifications a proposal to amend this Code only if:

1. The amendment is consistent with the comprehensive plan; and
2. The amendment bears a substantial relation to the public health, safety, or welfare; and
3. The amendment is in the best interest of the community as a whole.

The Comprehensive Plan Land Use Element does not include policies for lighting in residential zones. The general intent of the policies for residential zones outside of Town Center is for these areas to remain low density residential areas and to maintain the character of existing residential neighborhoods established in the Comprehensive Plan. The proposed amendment will not affect residential density. The proposed exterior lighting standards could enhance the character of existing neighborhoods by preventing single-family neighborhoods from having more intense types of exterior lighting found in denser urban environments. The proposal is consistent with the Comprehensive Plan. The amendment satisfies the criterion of approval established in MICC 19.02.020(D)(1).

The proposed amendment benefits public safety by establishing standards for lighting that allow property owners to place exterior lighting for security of personal property. By creating exemptions to the standards for lighting of public rights of way and pedestrian paths, the proposed amendment further serves public safety. These exemptions ensure that the lighting regulations will not create an undue burden for lighting in public areas for the purpose of safety. The amendment benefits public welfare by reducing light spillover between properties in residential zones resulting from unshielded or excessively bright external lighting fixtures. Because the proposed amendments relate to public safety and welfare, the amendment meets the criterion of approval established in MICC 19.02.020(D)(2).

The proposed amendment is in the best interest of the community as a whole because the lighting regulations strike a balance between the public safety needs for security lighting and the public welfare needs of limiting light trespass between properties. This balance, between safety and welfare needs, ensures the proposed amendments will not transgress the public interest of the overall community. Property owners that want to place exterior lighting fixtures on their property are allowed to do so under the proposed regulations. Owners of adjoining properties that do not want their property illuminated by their neighbors' exterior lighting are protected by light trespass under the proposed regulations. The proposed amendment satisfies the criterion of approval established in MICC 19.02.020(D)(3) because it will serve the community interest as a whole.

Do not amend noise regulations in MICC 8.24.020. The existing noise regulations limit noise from landscaping equipment similar to what is allowed for construction and other permitted development. The City does not require a permit for regular landscaping work, meaning enforcement of the limited hours of operation would fall to code enforcement. Amending the noise code to regulate landscaping equipment differently from other similar noises would be unnecessarily complicated. Furthermore, there is not a substantive difference between the noise generated by landscaping and other noises regulated by MICC 8.24.020 to necessitate regulating these noises differently.

If the Planning Commission would like to recommend a ban on gas-powered leaf blowers as discussed at the meeting on November 17, 2021, they provide a general recommendation on the matter to the City Council. A gas-powered leaf blower ban is beyond the scope of the docket proposal. As such, the City Council must decide whether the City should undertake the work of adopting a ban.

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PHONE: 206.275.7605 | www.mercerisland.gov**CITY USE ONLY****PROJECT#****RECEIPT #****FEE****Date Received:****Received By:****DEVELOPMENT APPLICATION**

STREET ADDRESS/LOCATION 3210 74 AV SE		ZONE R8.4
COUNTY ASSESSOR PARCEL #'S Parcel 1300300705		PARCEL SIZE (SQ. FT.) 10,800
PROPERTY OWNER (required) Carolyn and Mark Boatsman	ADDRESS (required) 3210 74 AVE SE	CELL/OFFICE (required) 206-595-8579 E-MAIL (required) c.boatsman@comcast.net
PROJECT CONTACT NAME Request for code amendment	ADDRESS City wide	CELL/OFFICE E-MAIL
TENANT NAME 	ADDRESS 	CELL PHONE E-MAIL

DECLARATION: I HEREBY STATE THAT I AM THE OWNER OF THE SUBJECT PROPERTY OR I HAVE BEEN AUTHORIZED BY THE OWNER(S) OF THE SUBJECT PROPERTY TO REPRESENT THIS APPLICATION, AND THAT THE INFORMATION FURNISHED BY ME IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Carolyn M Boatsman
SIGNATURE

November 2, 2020

DATE

PROPOSED APPLICATION(S) AND CLEAR DESCRIPTION OF PROPOSAL (PLEASE USE ADDITIONAL PAPER IF NEEDED):

Two requests to amend City nuisance code:

- 1) Limit commercial landscaping operations using power tools to the same hours as construction noise from work under City permit.
- 2) Require that residential use of spot lighting be directed toward the owner's property.

ATTACH RESPONSE TO DECISION CRITERIA IF APPLICABLE

CHECK TYPE OF LAND USE APPROVAL REQUESTED:**APPEALS**

- ☐ Building
- ☐ Code Interpretation
- ☐ Land use
- ☐ Right-of-Way Use

CRITICAL AREAS

- ☐ Critical Area Review 1 (Hourly Rate 2hr Min)
- ☐ Critical Area Review 2 (Determination)
- ☐ Reasonable Use Exception

DESIGN REVIEW

- ☐ Pre Design Meeting
- ☐ Design Review (Code Official)
- ☐ Design Commission Study Session
- ☐ Design Review- Design Commission- Exterior Alteration
- ☐ Design Review- Design Commission- New Building

WIRELESS COMMUNICATION FACILITIES

- ☐ Wireless Communications Facilities- 6409 Exemption
- ☐ New Wireless Communication Facility

DEVIATIONS

- ☐ Changes to Antenna requirements
- ☐ Changes to Open Space
- ☐ Seasonal Development Limitation Waiver

ENVIRONMENTAL REVIEW (SEPA)

- ☐ SEPA Review (checklist)- Minor
- ☐ SEPA review (checklist)- Major
- ☐ Environmental Impact Statement

SHORELINE MANAGEMENT

- ☐ Exemption
- ☐ Permit Revision
- ☐ Shoreline Variance
- ☐ Shoreline Conditional Use Permit
- ☐ Substantial Development Permit

SUBDIVISION LONG PLAT

- ☐ Long Plat- Preliminary
- ☐ Long Plat- Alteration
- ☐ Long Plat- Final Plat

VARIANCES (Plus Hearing Examiner Fee)

- ☐ Variance

SUBDIVISION SHORT PLAT

- ☐ Short Plat- Two Lots
- ☐ Short Plat- Three Lots
- ☐ Short Plat- Four Lots
- ☐ Short Plat- Deviation of Acreage Limitation
- ☐ Short Plat- Amendment
- ☐ Short Plat- Final Plat

OTHER LAND USE

- ☐ Accessory Dwelling Unit
- ☐ Code Interpretation Request
- ☐ Comprehensive Plan Amendment (CPA)
- ☐ Conditional Use (CUP)
- ☐ Lot Line Revision
- ☐ Noise Exception
- ☐ Reclassification of Property (Rezoning)
- ☐ Transportation Concurrence (see supplemental application form)
- ☐ Planning Services (not associated with a permit or review)
- ☒ Zoning Code Text Amendment
- ☐ Request for letter
- ☐ Temporary Commerce on Public Property

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CITY USE ONLY

PROJECT#

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Date Received:

Received By:

DEVELOPMENT APPLICATION

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Parcel 1300300705		10,800	
PROPERTY OWNER (required)	ADDRESS (required)	CELL/OFFICE (required)	
Carolyn and Mark Boatsman	3210 74 AVE SE	206-595-8579	
		E-MAIL (required)	
		c.boatsmn@comcast. et	
PROJECT CONTACT NAME	ADDRESS	CELL/OFFICE	
Comp plan update docket request	City wide		
		E-MAIL	
TENANT NAME	ADDRESS	CELL PHONE	
		E-MAIL	

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Carolyn M Boatsman
SIGNATURE

November 2, 2020

DATE

PROPOSED APPLICATION(S) AND CLEAR DESCRIPTION OF PROPOSAL (PLEASE USE ADDITIONAL PAPER IF NEEDED):

I am requesting a Comprehensive Land Use Plan Update as follows:

Adopt a goal and policies for use of City rights of way establishing a priority of use, based upon the public good. Uses that should, at the least,

be allowed and included in the priority are roads and appurtenances, utility installation, residential parking, and environmental benefit.

ATTACH RESPONSE TO DECISION CRITERIA IF APPLICABLE

CHECK TYPE OF LAND USE APPROVAL REQUESTED:

APPEALS

- ☐ Building
- ☐ Code Interpretation
- ☐ Land use
- ☐ Right-of-Way Use

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- ☐ Zoning Code Text Amendment
- ☐ Request for letter
- ☐ Temporary Commerce on Public Property

MICC 8.24.020 Types of nuisances.

Each of the following conditions, actions or activities, unless otherwise permitted by law, is declared to constitute a public nuisance, and is subject to criminal enforcement and penalties as provided in this chapter. In addition, or in the alternative, whenever the enforcement officer determines that any of these conditions, actions or activities exist upon any premises or in any lake, river, stream, drainage way or wetlands, the officer may require or provide for the abatement thereof pursuant to this chapter:

A. The existence of any offensive or dangerous accumulation of weeds, trash, dirt, filth, waste shrubs, lawn or yard trimmings, the carcass of any animal or other offensive matter;

B. The existence of any dead, diseased, infested or dying tree that may constitute a danger to street trees, streets or portions thereof;

C. The existence of any tree, shrub or foliage, unless by consent of the city, which is apt to destroy, impair, interfere or restrict:

1. Streets, sidewalks, sewers, utilities or other public improvements,

2. Visibility on, or free use of, or access to such improvements;

D. The existence of any vines or climbing plants growing into or over any street tree, or any public hydrant, pole or electrolier, or the existence of any shrub, vine or plant growing on, around or in front of any hydrant, standpipe, sprinkler system connection or any other appliance or facility provided for fire protection purposes in such a way as to obscure the view thereof or impair the access thereto;

E. The existence of any accumulation of materials or objects in a location when the same endangers property, safety or constitutes a fire hazard;

F. The existence of a sidewalk or a portion of a sidewalk adjacent to any premises which is out of repair, and in a condition to endanger persons or property, or in a condition to interfere with the public convenience in the use of such sidewalk;

G. The dumping or otherwise unlawful depositing of refuse, sawdust or any other material without a permit;

H. The existence of any obstruction to a street, alley, crossing or sidewalk, and any excavation in or under any street, alley, crossing or sidewalk, which is by ordinance prohibited, or which is made without lawful permission, or which, having been made by lawful permission, is kept and maintained after the purpose thereof has been accomplished, and for an unreasonable length of time;

I. The erecting, maintaining, using, placing, depositing, leaving or permitting to be or remain in or upon any private lot, building, structure or premises, or in or upon any street, alley, sidewalk, park, parkway or other public or private place in the city, any one or more of the following disorderly, disturbing, unsanitary, fly-producing, rat-harboring, disease-causing places, conditions or things:

1. Any putrid, unhealthy or unwholesome bones, meat, hides, skins, the whole or any part of any dead animal, fish or fowl, or waste parts of fish, vegetable or animal matter in any quantity, but

1 nothing in this subsection shall prevent the temporary retention of waste in approved covered
2 receptacles,

3
4 2. Any privies, vaults, cesspools, sumps, pits or like places which are not securely protected from
5 flies and rats, or which are foul or malodorous,

6
7 3. Any filthy, littered or trash-covered dwellings, cellars, house yards, barnyards, stable yards,
8 factory yards, vacant areas in the rear of stores, vacant lots, houses, buildings or premises,

9
10 4. Any animal manure in any quantity which is not securely protected from flies or weather
11 conditions, or which is kept or handled in violation of any ordinance of the city,

12
13 5. Any poison oak or poison ivy, Russian thistle or other noxious weeds, whether growing or
14 otherwise, but nothing in this subsection shall prevent the temporary retention of such weeds in
15 approved covered receptacles,

16
17 6. Any inherently offensive or dangerous accumulation of bottles, cans, glass, ashes, paper or
18 paper products, small pieces of scrap iron, wire, metal articles, household appliances, bric-a-brac
19 or cement, broken concrete, broken glass, broken plaster and all such trash or abandoned
20 material unless it is kept in approved covered bins or appropriate containers,

21
22 7. Any trash, litter, rags, accumulations of empty barrels, boxes, crates, packing cases, mattresses,
23 bedding, excelsior, packing hay, straw or other packing materials, lumber not neatly piled, scrap
24 iron, tin or other metal not neatly piled, or anything whatsoever in which flies or rats may breed
25 or multiply or which may be a fire hazard;

26
27 J. The depositing, or causing to be deposited in any street, alley, sidewalk, park, parkway or other public
28 place which is open to travel, of any hay, straw, paper, wood, boards, boxes, leaves, manure or other
29 rubbish or material;

30
31 K. The storage or keeping on any premises in public view for more than 30 days of any used or unused
32 building materials as defined in MICC [8.24.010](#), whose retail cost new would exceed \$100.00 without a
33 special permit from the building official; provided, that nothing in this subsection shall:

34
35 1. Prohibit such storage without a permit when done in conjunction with a construction project
36 for which a building permit has been issued and which is being prosecuted diligently to
37 completion,

38
39 2. Prohibit such storage without a permit upon the premises of a bona fide lumberyard, dealer in
40 building materials or other commercial enterprise when the same is permitted under the zoning
41 ordinance and other applicable laws,

42
43 3. Make lawful any such storage or keeping when it is prohibited by other ordinances or laws;

44
45 L. The existence of any fence or other structure or thing or private property abutting or fronting upon any
46 public street, sidewalk or place which is in a sagging, leaning, fallen, decayed or otherwise dilapidated or
47 unsafe condition;

1 M. The existence or maintenance on any premises of a storage area, junkyard or dumping ground for the
2 wrecking or disassembling of automobiles, trucks, trailers, house trailers, boats, tractors or other vehicle
3 or machinery of any kind, or for the storing or leaving of worn out, wrecked, inoperative or abandoned
4 automobiles, trucks, trailers, house trailers, boats, tractors or other vehicle or machinery of any kind or of
5 any major parts thereof;

6
7 N. The existence on any premises of any abandoned or unused well, cistern or storage tank without first
8 demolishing or removing from the city such storage tank or securely closing and barring any entrance or
9 trapdoor thereto or without filling any well or cistern or capping the same with sufficient security to
10 prevent access thereto by children;

11
12 O. The existence on any premises, in a place accessible to children, of any unattended and/or discarded
13 icebox, refrigerator or other large appliance;

14
15 P. The existence of any drainage onto or over any sidewalk or public pedestrianway;

16
17 Q. *Sounds.*

18
19 1. *Sounds regulated by this section.*

20
21 a. The intent of this section is to regulate sounds heard beyond the property line of the
22 source;

23
24 b. The following sounds are explicitly regulated by this section:

25
26 i. Sounds caused by the construction or repair of any building or structure;

27
28 ii. Sounds caused by construction, maintenance, repair, clearing or landscaping;

29
30 iii. Sounds created by the installation or repair of utility services; and

31
32 iv. Sounds created by construction equipment including special construction
33 vehicles.

34
35 2. Sounds related to activity authorized by a permit from the city of Mercer Island are limited as
36 follows:

37
38 a. Sounds shall only be allowed between the hours of 7:00 a.m. to 7:00 p.m. on Mondays
39 through Fridays, and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays.

40
41 b. Sounds shall be prohibited at any time of day on Sunday and legal holidays.

42
43 3. Sounds related to activity that does not require a permit from the City of Mercer Island and
44 are not caused by landscaping as described in subsection 4, shall only be allowed between the
45 hours of 7:00 a.m. to 8:00 p.m. on Mondays through Fridays, and between the hours of 9:00 a.m.
46 and 8:00 p.m. on Saturdays, Sundays, and legal holidays.

1 4. Sounds caused by landscaping, including sounds caused by lawnmowers, leaf blowers
2 and other landscaping equipment, shall only be allowed between the hours of 8:00 a.m.
3 to 8:00 p.m. on Mondays through Fridays, and between the hours of 9:00 a.m. and 6:00
4 p.m. on Saturdays, Sundays, and legal holidays.

5
6 45. The enforcement officer may authorize a variance to this section pursuant to WAC
7 Chapter 173-60.”

8
9 R. Production at any time of any of the following sounds or noises, which by reason of their intensity,
10 frequency, duration, volume, pitch or any other reason, disturb the peace, quiet, repose or comfort of any
11 person or persons:

12
13 1. The sounding of any horn, siren or other signaling device except as a warning of danger, or as
14 specifically permitted or required by law,

15
16 2. Sounds in connection with the starting, operation, repair or rebuilding, or testing of any motor
17 vehicle or internal combustion engine within a residential district,

18
19 3. The use of a sound amplifier or other device capable of producing or reproducing amplified
20 sound upon public streets for the purpose of commercial advertising for sales or for attracting the
21 attention of the public to any vehicle structure, or property or the contents therein, except as
22 permitted by law, and except that vendors whose sole method of selling is from a moving vehicle
23 shall be exempt from this subsection,

24
25 4. The use of a musical instrument, whistle, radio, sound amplifier or other device capable of
26 producing or reproducing sound,

27
28 5. Sounds produced by any vehicle which is so loaded, or has any defect or is not equipped with
29 a proper muffler so as to cause loud and unnecessary grating, grinding, rattling or other noise,

30
31 6. Any other unreasonably loud, disturbing, continuous, irritating, or unnecessary noise, whether
32 emanating from a human, animal or mechanical source.
33

1 **MICC 19.02.020 Development standards.**

2
3 *A. Minimum net lot area.*

- 4
- R-8.4: The net lot area shall be at least 8,400 square feet. Lot width shall be at least 60 feet and lot depth shall be at least 80 feet.
- R-9.6: The net lot area shall be at least 9,600 square feet. Lot width shall be at least 75 feet and lot depth shall be at least 80 feet.
- R-12: The net lot area shall be at least 12,000 square feet. Lot width shall be at least 75 feet and lot depth shall be at least 80 feet.
- R-15: The net lot area shall be at least 15,000 square feet. Lot width shall be at least 90 feet and lot depth shall be at least 80 feet.

5
6 1. Minimum net lot area requirements do not apply to any lot that came into existence before
7 September 28, 1960. In order to be used as a building site, lots that do not meet minimum net lot
8 area requirements shall comply with MICC 19.01.050 (G)(3).

9
10 2. In determining whether a lot complies with the minimum net lot area requirements, the
11 following shall be excluded: the area between lateral lines of any such lot and any part of such lot
12 which is part of a street.

13
14 *B. Street frontage.* No building will be permitted on a lot that does not front onto a street acceptable to
15 the city as substantially complying with the standards established for streets.

16
17 *C. Yard requirements.*

18
19 1. *Minimum.* Except as otherwise provided in this section, each lot shall have front, rear, and side
20 yards not less than the depths or widths following:

21
22 a. Front yard depth: 20 feet or more.

23
24 b. Rear yard depth: 25 feet or more.

25
26 c. Side yards shall be provided as follows:

27
28 i. *Total width.*

29
30 (a) For lots with a lot width of 90 feet or less, the sum of the side yards'
31 width shall be at least 15 feet.

32
33 (b) For lots with a lot width of more than 90 feet, the sum of the side
34 yards' width shall be a width that is equal to at least 17 percent of the lot
35 width.

1
2 ii. *Minimum side yard width.* The minimum side yard width is five feet or 33
3 percent of the aggregate side yard total width, whichever is greater.
4

5 iii. *Variable side yard depth requirement.* For lots with an area of 6,000 square
6 feet or more, the minimum side yard depth abutting an interior lot line shall be
7 the greater of the minimum side yard depth required under subsection
8 (C)(1)(c)(ii) of this section, or as follows:
9

10 (a) Single-family dwellings shall provide a minimum side yard depth of
11 seven and one-half feet if the building:

12 (1) For nongabled roof end buildings, the height is more than 15
13 feet measured from existing or finished grade, whichever is
14 lower, to the top of the exterior wall facade adjoining the side
15 yard; or
16

17 (2) For gabled roof end buildings, the height is more than 18 feet
18 measured from existing or finished grade, whichever is lower, to
19 the top of the gabled roof end adjoining the side yard.
20

21 (b) Single-family dwellings with a height of more than 25 feet measured
22 from the existing or finished grade, whichever is lower, to the top of the
23 exterior wall facade adjoining the side yard shall provide a minimum side
24 yard depth of ten feet.
25

26 27 2. *Yard determination.*

28 29 a. *Front yard.*

30 i. *Front yard — General.* For lots that are not corner lots or waterfront lots, the
31 front yard shall extend the full width of the lot and is determined using the
32 following sequential approach, in descending order of preference, until a front
33 yard is established:
34

35 (a) The yard abutting an improved street from which the lot gains primary
36 access.
37

38 (b) The yard abutting the primary entrance to a building.
39

40 (c) The orientation of buildings on the surrounding lots and the means of
41 access to the lot.
42

43 ii. *Front yard — Corner lots.* On corner lots the front yard shall be measured from
44 the narrowest dimension of the lot abutting a street. The yard adjacent to the
45 widest dimension of the lot abutting a street shall be a side yard; provided:
46
47

1 (a) If a setback equivalent to or greater than required for a front yard is
2 provided along the property lines abutting both streets, then only one of
3 the remaining setbacks must be a rear yard.
4

5 iii. *Front yard — Waterfront lots.* On a waterfront lot, regardless of the location
6 of access to the lot, the front yard may be measured from the property line
7 opposite and generally parallel to the ordinary high water line.
8

9 iv. This section shall apply except as provided for in MICC 19.08.030 (F)(1).
10

11 b. *Rear yard.* Except as allowed in subsections (C)(2)(a)(ii) and (iii) of this section, the rear
12 yard is the yard opposite the front yard. The rear yard shall extend across the full width
13 of the rear of the lot, and shall be measured between the rear line of the lot and the
14 nearest point of the main building including an enclosed or covered porch. If this
15 definition does not establish a rear yard setback for irregularly shaped lots, the code
16 official shall establish the rear yard based on the following method: The rear yard shall be
17 measured from a line or lines drawn from side lot line(s) to side lot line(s), at least ten
18 feet in length, parallel to and at a maximum distance from the front lot line.
19

20 c. *Side yard.* Any yards not designated as a front or rear yard shall be defined as a side
21 yard.
22

23 3. *Intrusions into required yards.* 24

25 a. *Minor building elements.* 26

27 i. Except as provided in subsection (C)(3)(a)(ii) of this section, porches, chimney(s)
28 and fireplace extensions, window wells, and unroofed, unenclosed outside
29 stairways and decks shall not project more than three feet into any required yard.
30 Eaves shall not protrude more than 18 inches into any required yard.
31

32 ii. No penetration shall be allowed into the minimum side yard setback abutting
33 an interior lot line except where an existing flat-roofed house has been built to
34 within 18 inches of the interior side yard setback line and the roof is changed to
35 a pitched roof with a pitch of 2:12 or steeper, eaves may penetrate up to 18
36 inches into the side yard setback.
37

38 b. *Hardscape and driveways.* Hardscape and driveways not more than 30 inches above
39 existing grade or finished grade, whichever is lower, may be located in any required yard;
40 provided, that driveways may exceed the 30-inch limit when a permit applicant
41 demonstrates the proposed height is the minimum feasible to meet the standards in MICC
42 19.09.040.
43

44 c. *Fences, retaining walls and rockeries.* Fences, retaining walls and rockeries are allowed
45 in required yards as provided in MICC 19.02.050.
46

47 d. *Garages and other accessory buildings.* Garages and other accessory buildings are not
48 allowed in required yards, except as provided in MICC 19.02.040.

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

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

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

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

D. *Gross floor area.*

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

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

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

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

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

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

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

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

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

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

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

3. *Allowances.*

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

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

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

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

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

E. *Building height limit.*

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

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

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

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

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

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

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

Where: Weighted Sum of the Mid-point Elevations = The sum of: ((Mid-point Elevation of Each Individual Wall Segment) × (Length of Each Individual Wall Segment))

For example for a house with ten wall segments:

$$(A \times a) + (B \times b) + (C \times c) + (D \times d) + (E \times e) + (F \times f) + (G \times g) + (H \times h) + (I \times i) + (J \times j) \\ a + b + c + d + e + f + g + h + i + j$$

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

And: a, b, c, d... = The length of wall segment measured on outside of wall.

F. Lot coverage—Single-family dwellings.

1. *Applicability.* This section shall apply to the development of single-family dwellings including, but not limited to, the remodeling of existing single-family dwellings and construction of new single-family dwellings. This section does not apply to regulated improvements.

2. *Landscaping objective.*

a. To ensure that landscape design reinforces the natural and wooded character of Mercer Island, complements the site, the architecture of site structures and paved areas, while maintaining the visual appearance of the neighborhood.

b. To ensure that landscape design is based on a strong, unified, coherent, and aesthetically pleasing landscape concept.

c. To ensure that landscape plantings, earth forms, and outdoor spaces are designed to provide a transition between each other and between the built and natural environment.

d. To ensure suitable natural vegetation and landforms, particularly mature trees and topography, are preserved where feasible and integrated into the overall landscape design. Large trees and tree stands should be maintained in lieu of using new plantings.

e. To ensure planting designs include a suitable combination of trees, shrubs, groundcovers, vines, and herbaceous material; include a combination of deciduous and evergreen plant material; emphasize native plant material; provide drought-tolerant species; and exclude invasive species.

3. *Lot coverage—Landscaping required.*

a. *Minimum area required.* Development proposals for single-family dwellings shall comply with the following standards based on the net lot area:

Lot Slope	Maximum Lot Coverage (house, driving surfaces, and accessory buildings)	Required Landscaping Area
Less than 15%	40%	60%
15% to less than 30%	35%	65%
30% to 50%	30%	70%
Greater than 50% slope	20%	80%

b. *Hardscape.*

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

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

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

c. *Softscape and driveways.*

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

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

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

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

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

3
4 e. *Allowed adjustments.* A one-time reduction in required landscaping area and an
5 increase in the maximum lot coverage are allowed, provided:

6
7 i. The total reduction in the required landscaping area shall not exceed five
8 percentage points, and the total increase in the maximum lot coverage shall not
9 exceed five percentage points; and

10
11 ii. The reduction in required landscaping area and increase in maximum lot
12 coverage are associated with:

13
14 (a) A development proposal that will result in a single-story single-family
15 dwelling with a wheelchair accessible entry path, and may also include a
16 single-story accessory building; or

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

25
26 For example, a development proposal with a driveway that occupies 27
27 percent of the otherwise allowed lot coverage may increase the total lot
28 coverage by two percent; and

29
30 iii. A recorded notice on title, covenant, easement, or other documentation in a
31 form approved by the city shall be required. The notice on title or other
32 documentation shall describe the basis for the reduced landscaping area and
33 increased lot coverage.

34
35 G. *Parking.*

36
37 1. *Applicability.* Subsection (G)(2) of this section shall apply to all new construction and remodels
38 where more than 40 percent of the length of the structure's external walls have been intentionally
39 structurally altered.

40
41 2. *Parking required.*

42
43 a. Each single-family dwelling with a gross floor area of 3,000 square feet or more shall
44 have at least three parking spaces sufficient in size to park a passenger automobile;
45 provided, at least two of the stalls shall be covered stalls.

1 b. Each single-family dwelling with a gross floor area of less than 3,000 square feet shall
2 have at least two parking spaces sufficient in size to park a passenger automobile;
3 provided, at least one of the stalls shall be a covered stall.
4

5 3. No construction or remodel shall reduce the number of parking spaces on the lot below the
6 number existing prior to the project unless the reduced parking still satisfies the requirements set
7 out above.
8

9 4. Except as otherwise provided in this chapter, each lot shall provide parking deemed sufficient
10 by the code official for the use occurring on the lot; provided, any lot that contains ten or more
11 parking spaces shall also meet the parking lot requirements set out in appendix A of this
12 development code.
13

14 H. *Easements*. Easements shall remain unobstructed.
15

16 1. *Vehicular access easements*. No structures shall be constructed on or over any vehicular access
17 easement. A minimum five-foot yard setback from the edge of any easement that affords or could
18 afford vehicular access to a property is required for all structures; provided, that improvements
19 such as gates, fences, rockeries, retaining walls and landscaping may be installed within the five-
20 foot yard setback so long as such improvements do not interfere with emergency vehicle access
21 or sight distance for vehicles and pedestrians.
22

23 2. *Utility and other easements*. No structure shall be constructed on or over any easement for
24 water, sewer, storm drainage, utilities, trail or other public purposes unless it is permitted within
25 the language of the easement or is mutually agreed in writing between the grantee and grantor
26 of the easement.
27

28 I. *Large lots*. The intent of this section is to ensure that the construction of a single-family dwelling on a
29 large lot does not preclude compliance with applicable standards related to subdivision or short
30 subdivision of the large lot. Prior to approval of a new single-family dwelling and associated site
31 improvements, accessory buildings, and accessory structures on large lots, the applicant shall complete
32 one of the following:
33

34 1. *Design for future subdivision*. The proposed site design that shall accommodate potential future
35 subdivision of the lot as follows:
36

37 a. The proposed site design shall comply with the applicable design requirements of
38 chapters 19.08, Subdivision, 19.09, Development, and 19.10, Trees, MICC.
39

40 b. The proposed site design shall not result in a circumstance that would require the
41 removal of trees identified for retention, as part of a future subdivision.
42

43 c. The proposed site design shall not result in a circumstance that would require
44 modifications to wetlands, watercourses, and associated buffers as part of a future
45 subdivision.
46

1 d. Approval of a site design that could accommodate a potential future subdivision does
2 not guarantee approval of such future subdivision, nor does it confer or vest any rights to
3 a future subdivision.
4

5 2. *Subdivide*. Prior to application for a new single-family dwelling, the property is subdivided or
6 short platted to create all potential lots and building pads permitted by zoning. The proposed
7 single-family dwelling shall be located on a lot and within a building pad resulting from a recorded
8 final plat.
9

10 3. *Limit subdivision*. Record a notice on title, or execute a covenant, easement, or other
11 documentation approved by the city, prohibiting further subdivision of the large lot for a period
12 of five years from the date of final inspection or certificate of occupancy.
13

14 J. Building pad. New buildings shall be located within a building pad established pursuant to chapter 19.09
15 MICC. Intrusions into yard setbacks authorized pursuant to MICC 19.02.020(C)(3) may be located outside
16 of the boundaries of the building pad.
17

18 K. Exterior Lighting.
19

20 1. Applicability. This section applies to all exterior lighting installed after the effective date of this
21 ordinance in the R-8.4, R-9.6, R-12, and R-15 zones. The following lighting types are exempt:
22

23 a. Lighting within a public right-of-way or easement for the purpose of illuminating roads,
24 trails, and pedestrian ways;
25

26 b. Repair of lighting fixtures existing prior to the effective date of this ordinance;
27

28 c. Emergency lighting;
29

30 d. Temporary seasonal lighting; and
31

32 e. lighting required by state or federal law.
33

34 2. Standards.
35

36 a. All exterior lighting shall be designed to minimize light trespass onto neighboring
37 properties.
38

39 b. All exterior lighting must be either fully or partially shielded except that one unshielded
40 lighting fixture not exceeding 450 lumens is allowed at the main entry of each residence.
41

42 i. Fully shielded means the lighting fixture has a solid opaque barrier at the top of
43 the fixture in which the bulb is located and the fixture is angled so the bulb is not
44 visible below the barrier.
45

46 ii. Partially shielded means the fixture is shielded by a solid opaque barrier or
47 angled no more than 45 degrees above straight down, which is half-way between
48 perpendicular and parallel to the adjacent grade.

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

3
4 d. Exterior lighting fixtures shall be designed so that they do not project their output:

5
6 i. Onto neighboring properties;

7
8 ii. Past the object being illuminated;

9
10 iii. Skyward;

11
12 iii. Onto a public roadway; or

13
14 iv. Onto a trail or pedestrian way.

15
16 e. Exterior lighting fixtures with a motion sensor must not be activated by off-site
17 movement.