With the recent adoption of new residential development standards, I have reviewed all current administrative code interpretations for their continued applicability. The following chart lists each interpretation to be repealed and a brief explanation for the repeal.

<table>
<thead>
<tr>
<th>Number</th>
<th>Interpretation Subject</th>
<th>Reason for Repeal</th>
</tr>
</thead>
<tbody>
<tr>
<td>00-03</td>
<td>Removal of Existing Non-Conforming Accessory Structures</td>
<td>Does not apply to current code sections</td>
</tr>
<tr>
<td>00-04</td>
<td>No. of Stories &amp; Height of Structures in Town Center</td>
<td>Does not apply to new height provisions established by Ord. No. 16C-06</td>
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<tr>
<td>01-08</td>
<td>Admin. Design Review of Minor Sign Modifications</td>
<td>Subject is currently addressed in MICC 19.15.040(F)(3)(a)</td>
</tr>
<tr>
<td>02-10</td>
<td>Nonconforming Structures</td>
<td>Subject is currently addressed in MICC 19.01.050(D)</td>
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<tr>
<td>03-02</td>
<td>Town Center - Outdoor Retail Uses Not Permitted</td>
<td>Outdoor retail allowed by Ord. No. 16C-06</td>
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<tr>
<td>04-03</td>
<td>Subdivision Building Pad and Lot Dimension Requirements</td>
<td>Both lot width and depth are currently defined in chapter 19.16 MICC</td>
</tr>
<tr>
<td>05-01</td>
<td>Roof Height in Residential - Downhill Side Measurement</td>
<td>Issue was addressed by Ord. No. 17C-15</td>
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<tr>
<td>05-02</td>
<td>Loss of Legally Nonconforming Status for Docks</td>
<td>Issue was addressed by Ord. Nos. 13C-12 and 15C-02</td>
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<tr>
<td>06-01</td>
<td>WCF’s Allowed in B Zone Following Standards for PBZ Zone</td>
<td>Issue was addressed by Ord. No. 08C-01</td>
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<tr>
<td>06-04</td>
<td>Appurtenances Allowed in MF Zones</td>
<td>Issue was addressed by Ord. No. 08C-01</td>
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<tr>
<td>06-05</td>
<td>Building Setbacks for Irregularly Shaped Lots</td>
<td>Issue was addressed by Ord. No. 08C-01</td>
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<tr>
<td>06-07</td>
<td>Authority to Grant Final Short Plat Approval</td>
<td>Issue was addressed by Ord. No. 08C-01</td>
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<tr>
<td>06-08</td>
<td>Impervious Surface Calculations Margin of Error</td>
<td>No longer using impervious surface as a metric per Ord. No. 17C-15</td>
</tr>
<tr>
<td>06-12</td>
<td>Impervious Surface Deviation Criteria for Approval</td>
<td>No longer allowing impervious surface deviations per Ord. No. 17C-15</td>
</tr>
<tr>
<td>07-03</td>
<td>Determining Whether a Lot Complies with Lot Area</td>
<td>Issue was addressed by Ord. No. 17C-15</td>
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<tr>
<td>07-04</td>
<td>Buffer Requirements for Piped Watercourses</td>
<td>Issue was addressed by Ord. No. 08C-01</td>
</tr>
<tr>
<td>07-05</td>
<td>Impervious surface calculations for Single Family lots</td>
<td>No longer using impervious surface as a metric per Ord. No. 17C-15</td>
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<tr>
<td>08-03</td>
<td>Roof Eave Overhangs Over Existing Impervious Surfaces</td>
<td>Issue was addressed by Ord. No. 17C-15</td>
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<tr>
<td>12-01</td>
<td>Storm Detention Thresholds</td>
<td>Code was updated by Ord. No. 17C-09</td>
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<td>12-03</td>
<td>Calculation of Lot Coverage on a lot with a vehicular access easement</td>
<td>No longer using impervious surface as a metric per Ord. No. 17C-15</td>
</tr>
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</tr>
<tr>
<td>13-01</td>
<td>GFA exemptions for areas other than basements</td>
<td>Issue was addressed by Ord. No. 17C-15</td>
</tr>
<tr>
<td>14-01</td>
<td>Review of Shoreline Conditional Use Permits</td>
<td>Not applicable due to changes with Ord. Nos. 13C-12 and 15C-02</td>
</tr>
<tr>
<td>14-02</td>
<td>Impervious Surface Deviation Review Criteria</td>
<td>No longer allowing impervious surface deviations per Ord. No. 17C-15</td>
</tr>
</tbody>
</table>
TO: DSG Staff
FROM: Kirsten Taylor, Interim Development Services Director
DATE: November 22, 2006
RE: Impervious Surface Deviation Criteria for Approval

The Code Official, pursuant to Section 19.15.010(C)(5)(a) of the Mercer Island City Code (MICC), is authorized to make this administrative interpretation.

MICC 19.02.020(D)(3)(a) states for approval of an impervious surface deviation request: *The proposal uses preferred practices, outlined in MICC 19.07.010(B)(2), which are appropriate for the lot.*

The current code section MICC 19.02.020(D)(3)(a) was adopted by Ordinance 99C-13, which also adopted preferred practices previously listed by 19.07.010(B)(2). However, the preferred practices code section number was changed by Ordinance 05C-12, without changing the reference to the code section number currently in MICC 19.02.020(D)(3)(a). The preferred practices code section is currently MICC 19.09.100, pursuant to Ordinance 05C-12.

As the Code Official has decision authority for administrative interpretation of the code, the Code Official hereby resolves that it is the intent and appropriate for the Code Official to use the preferred practices criteria listed in MICC 19.09.100, rather than MICC 19.07.010(B)(2), for the criteria for approval of an impervious surface deviation request listed in 19.02.020(D)(3)(a).