TO: DSG Staff
FROM: Richard Hart, Development Services Director
DATE: November 30, 2000
RE: Number of Stories & Height of Structures in the Town Center

This administrative policy determination and interpretation is made by the Code Official under Section 19.15.010 C. 5. (a.) of the Unified Land Development Code of Mercer Island regarding the Town Center District Development and Design Requirements and the number of stories and maximum heights permitted within individual Focus Areas of the Town Center district. Currently all Focus Areas have a maximum stories allowed and a corresponding height in feet indicated. Questions have been raised whether the controlling factor is the maximum height indicated or the actual number of stories permitted, since both are listed. In theory, a development could actually be constructed within the height allowed yet still exceed the number of stories indicated.

MAXIMUM STORIES PERMITTED IN THE TOWN CENTER DISTRICT

The MICC Title 19, Unified Land Development Code, ("ULDC") Division II, Town Center District Development and Design Requirements on page 19-136 provides for a maximum number of stories, as well as, the height of structures in each of the seven focus areas of the Town Center district. This interpretation is based upon the expressed text of the ULDC, the Mercer Island Comprehensive Plan Goal 2.5, page 8 under Land Use, and the intent expressed during the development of the specific Mercer Island Development and Design Guidelines in 1992. During that process substantial public comment and discussion was presented to the Council, at which time the City Council, Design Commission and citizens expressed concern about structures greater than 5 stories in the Town Center. Although certain architectural designs could encompass a greater number of stories within the specified maximum height limit, the Code Official has determined that a development must satisfy both the maximum number of stories and the maximum height specified within the design guidelines for building construction in the Town Center. The determination of what constitutes a “story” will be based upon the definition of story listed in the most recent addition of the Uniform Building Code.